

*Sandra Whitehead
Mayor*

*Kathy Clark
Mayor Pro-Tem*

*Rolf Hechler
Commissioner*



*Paul Baca
Commissioner*

*George Szigeti
Commissioner*

*Morris Madrid
City Manager*

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

THE REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO, IS TO BE HELD IN THE COMMISSION CHAMBERS, 405 W. 3RD ST., ON WEDNESDAY, JUNE 12, 2019; TO START AT 9:00 A.M.

A. CALL TO ORDER

B. INTRODUCTION

1. ROLL CALL

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

2. SILENT MEDITATION

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA

C. PRESENTATIONS (10 Minutes)

1. Proclamation naming June 12, 2019 as State Environthon Champion Scat Cats Day in honor of their win on April 14, 2019 ever year forward. Sandy Whitehead, Mayor
2. Presentation related to the Americas Cup for Spaceport America. Chris Lopez, Operations Manager
3. Presentation related to the National Park Service Rivers Trails and Conservation Assistance program. Merry Jo Fahl, Jornada Resource Conservation Development and Gina Kelley

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

E. RESPONSE TO PUBLIC COMMENTS

F. CONSENT CALENDAR

1. City Commission Regular Minutes, May 22, 2019
2. Accounts Payable, May 2019
3. Approve the 2018-2019 Contracts for Deschamps, Sage, and Gibson as the Court appointed Attorneys for the Indigent Defendants for Municipal Court

G. PUBLIC HEARINGS

1. Public Hearing/Discussion/Action: Request for a Special Use Permit and Variance for Development Standards for the development of a 6-unit apartment complex on the property located at Original Townsite subdivision, Block 26, Lot, N10' of Lot 12 & all of Lots 13, 14, & 15. City Manager Madrid

H. ORDINANCES/RESOLUTIONS/ZONING

1. Discussion/Action: Ordinance No. 702 for publication amending the Code of Ordinances by adding a Section related to Sale of Real Property pursuant to §NMSA 1978 3-54-1. City Manager Madrid
2. Discussion/Action: Ordinance No. 703 introduction authorizing the issuance of Joint Utility System Improvement Revenue Bonds Series 2019A. Chris Muirhead, Modrall Sperling
3. Discussion/Action: Ordinance No. 704 introduction authorizing the issuance of Joint Utility System Improvement Revenue Bonds Series 2019B. Chris Muirhead, Modrall Sperling
4. Discussion/Action: Resolution No. 45 18/19 authorizing participation In Local Government Road Fund (LGRF) Program administered by New Mexico Department Of Transportation (NMDOT). City Manager Madrid
5. Discussion/Action: Resolution No. 46 18/19 supporting an application to the National Parks Service Rivers, Trails, and Conservation Assistance Program for technical assistance. City Manager Madrid

I. NEW BUSINESS

1. Discussion/Action: Approve MOU between County of Sierra and City of T or C regarding the Administration and Enforcement of the City's Floodplain Management Regulations. City Manager Madrid

J. REPORTS

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

K. EXECUTIVE SESSION

1. Real Property (various properties) *Pursuant to 10-15-1(H.8)*

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

M. ADJOURNMENT

NEXT CITY COMMISSION MEETING JUNE 26, 2019

**Town Hall with City Manager for Public Comment will be held at 6:00 pm on June 26th
(Commission Chambers, 405 W. 4th St.)**



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: June 12, 2019

Agenda Item #: **C.1**

SUBJECT: Proclamation naming June 12, 2019 as our State Envirothon Champion Hot Springs High School Scat Cats Day in honor of their victory on April 14, 2019 and requesting to honor it annually.

DEPARTMENT: City Clerk's Office

DATE SUBMITTED: May 1, 2019

SUBMITTED BY: Renee Cantin, City Clerk-Treasurer

WHO WILL PRESENT THE ITEM: Sandra Whitehead, Mayor

Summary/Background:

Mayor Whitehead will present the proclamation.

The Hot Springs High Scat Cats had done it once again, capturing their seventh state championship title in just eight years. The finish this year was one of their best. By winning at the event, held April 12-14 at the Aspendale Retreat Center, near Cloudcroft, the Scat Cats earned the right to represent New Mexico at the North American Envirothon. That event, where over 49 teams from across the U.S. and Canada will compete will be held this year in North Carolina, July 28-August 2. The Scat Cats team from Hot Springs High School in Truth or Consequences finished in third place out of 54 teams at this year's International Envirothon, a competition where high school teams from across the U.S., Canada, and China test their knowledge of natural resource management.

Recommendation:

None. Presentation only

Attachments:

- Articles & Information page
- -

Fiscal Impact (Finance): N/A

-

Legal Review (City Attorney): N/A

-

Approved For Submittal By: ☐ Department Director

Reviewed by: ☒ City Clerk ☐ Finance ☐ Legal ☐ Other: Click here to enter text.

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. Click here to enter text. Ordinance No. Click here to enter text.

Continued To: Click here to enter a date. Referred To: Click here to enter text.

☐ Approved ☐ Denied ☐ Other: Click here to enter text.

File Name: C.1-Proclamations-Scat Cats Day



The New Mexico Envirothon

SIERRA COUNTY SENTINEL

HSHS' SCAT CATS TAKE STATE

POSTED ON: APRIL 18, 2019 11:41 AM



When the tallying of scores at the state Envirothon competition was complete, it wasn't even close. The Hot Springs High Scat Cats had done it once again, capturing their seventh state championship title in just eight years. The finish this year was one of their best. By winning at the event, held April 12-14 at the Aspendale Retreat Center, near Cloudcroft, the Scat Cats earned the right to represent New Mexico at the North American Envirothon. That event, where over 49 teams from across the U.S. and Canada will compete will be held this year in North Carolina, July 28-August 2.

WHO WE ARE

Envirothon is a hands-on environmental problem solving competition for high school students in the United States and Canada. Students complete training and testing in five natural resource categories: **soils and land use, aquatic ecology, forestry, wildlife and a current environmental issue**, which changes each year.

WHAT YOU DO

Teams of five students, plus an alternate, prepare for this **two-day outdoor competition**. Students compete in resolving natural resource issues and developing solutions to environmental problems. The overall goal of the New Mexico Envirothon is to develop knowledgeable, skilled and dedicated citizens who are willing to work toward achieving and maintaining a balance between the quality of life and the quality of the environment.

The New Mexico Envirothon consists of two components: written and oral competitions. At outdoor field sites, students participate in hands-on testing, which includes multiple choice, true/false and short answer questions in each of the five subject areas. In the oral competition, students are given a real-world resource problem for which they develop a management strategy to address the problem and present their solution to a panel of judges.

DURING THE COMPETITION

Arrive Friday morning to check in and prepare for the competition. After lunch the outdoor competition starts where teams will take five field station tests. Saturday teams will work on and present their solution to a real world scenario. Sunday morning awards ceremony ends the competition. Each night teams will gather for fun and social activities where you will meet students and national resource professionals from across New Mexico.

THE 2019 CURRENT EVENT TOPIC IS:

[Agriculture and the Environment: Knowledge and Technology to Feed the World](#)



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: June 12, 2019

Agenda Item #: **C.2**

SUBJECT: Presentation related to the Spaceport Americas Cup for Spaceport America. Chris Lopez, Operations Manager.

DEPARTMENT: City Clerk's Office

DATE SUBMITTED: June 5, 2019

SUBMITTED BY: Renee Cantin, City Clerk-Treasurer

WHO WILL PRESENT THE ITEM: Chris Lopez, Operations Manager

Summary/Background:

The third annual Spaceport America Cup will occur 18-22 June 2019 at the Las Cruces, NM Convention Center and the Spaceport America Vertical Launch Area. After presenting results from a year or more of research & development to peers and prospective employers in an academic conference, student teams will put their designs to the ultimate test by attempting launch under real world conditions at Spaceport America.

Recommendation:

None. Presentation only

Attachments:

- None
- -

Fiscal Impact (Finance): N/A

-

Legal Review (City Attorney): N/A

-

Approved For Submittal By: ☐ Department Director

Reviewed by: ☒ City Clerk ☐ Finance ☐ Legal ☐ Other: [Click here to enter text.](#)

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. N/A Ordinance No. N/A

Continued To: [Click here to enter a date.](#) Referred To: [Click here to enter text.](#)

☐ Approved ☐ Denied ☒ Other: Presentation Only

File Name: 06-12-2019/C.1.Presentation - Americas Cup.docx



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: June 12, 2019

Agenda Item #: **C.3**

SUBJECT: Presentation related the National Park Service Rivers Trails and Conservation Assistance program. Merry Jo Fahl, Jornada Resource Conservation Development and Gina Kelley.

DEPARTMENT: City Manager

DATE SUBMITTED: June 5, 2019

SUBMITTED BY: Renee Cantin, Clerk-Treasurer for City Manager

WHO WILL PRESENT THE ITEM: City Manager Madrid

Summary/Background:

Merry Jo Fahl, Jornada Resource Conservation Development and Gina Kelley will make the presentation.

Recommendation:

None. Presentation only.

Attachments:

- PowerPoint
- -

Fiscal Impact (Finance): N/A

-

Legal Review (City Attorney): No

-

Approved For Submittal By: ☒ Department Director

Reviewed by: ☒ City Clerk ☐ Finance ☐ Legal ☐ Other: Click here to enter text.

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. - Ordinance No. -

Continued To: - Referred To: -

☐ Approved ☐ Denied ☐ Other: Click here to enter text.

File Name: 06-12-2019 Agenda/AR Presentation - Trails

Rotary Park footbridge area

Write a description for your map.

Legend

-  Blackstone Hotsprings
-  Feature 1
-  Feature 2
-  Hay-Yo-Kay Hot Springs
-  Indian Springs Bath Houses
-  New Testament Baptist Church
-  Rotary Park footbridge area
-  Sierra County of 7th

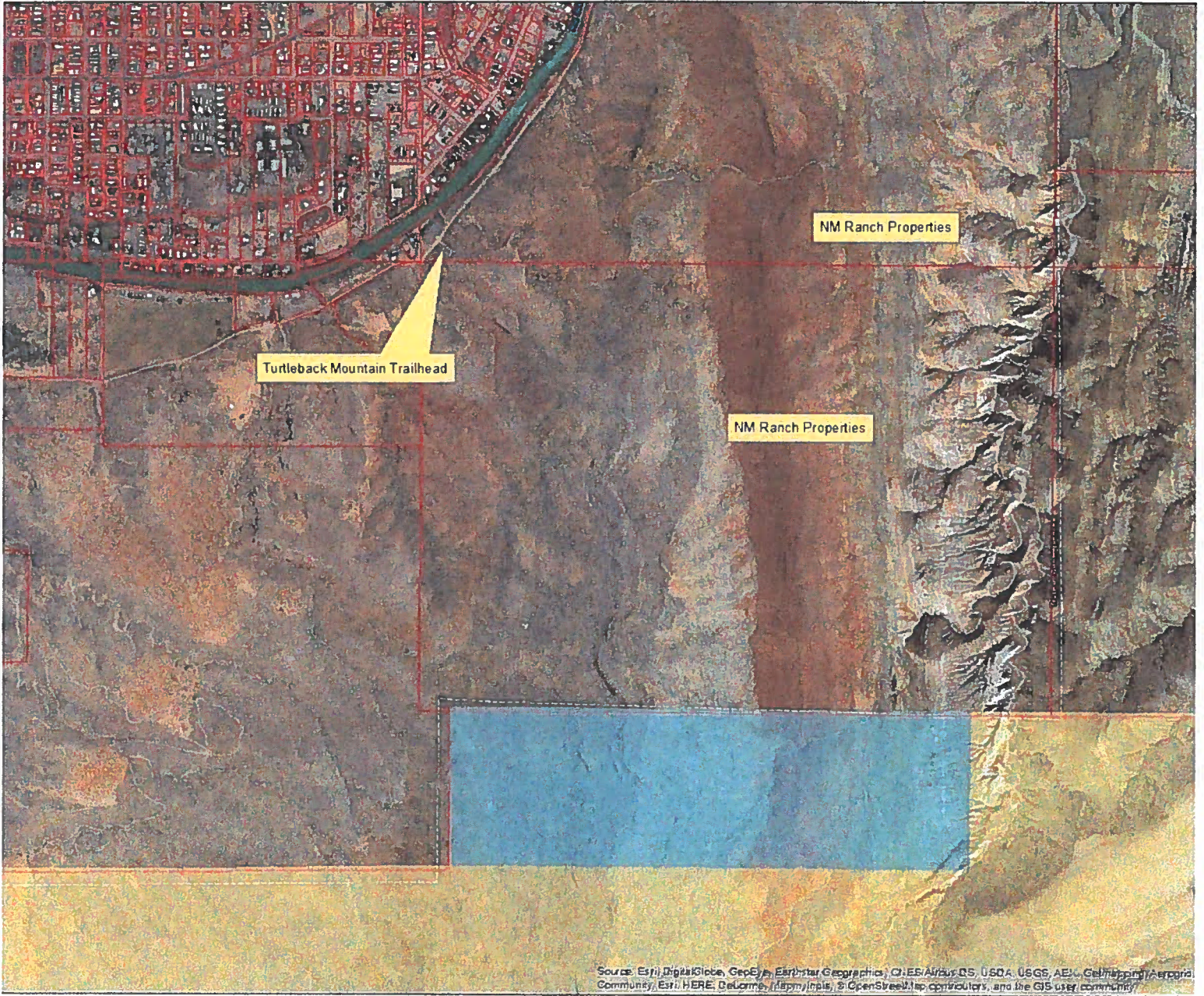
 Rotary Park footbridge area

Google Earth

© 2018 Google

900 ft









Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, AeroGRID, IGN, and the GIS user community
Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

Untitled Map

Write a description for your map.

Legend

-  Grande Rio Court
-  Proposed trail
-  Rio Grande Motel
-  Williamsburg Bend

Williamsburg Bend 

Google Earth

© 2018 Google



900 ft

Williamsburg footbridge area

Write a description for your map.

Legend

 Feature 1

 Williamsburg low water crossing

Google Earth

© 2018 Google







900 ft



SVH Community Trail

Write a description for your map.

Legend

-  Desert View Inn
-  Feature 1
-  Proposed trail
-  Raymond's Lounge
-  Sierra Vista Hospital
-  Sierra Vista Hospital

Google Earth

© 2018 Google







900 ft



SVH Community Trail

Write a description for your map.

Legend

-  Desert View Inn
-  Feature 1
-  Proposed trail
-  Raymond's Lounge
-  Sierra Vista Hospital
-  Sierra Vista Hospital

Ralph Edwards Park

Google Earth

© 2012 Google

900 ft





Application Guidelines & Form



About Us

The National Park Service – Rivers, Trails and Conservation Assistance program (RTCA) supports community-led natural resource conservation and outdoor recreation projects across the nation. Our conservation and recreation planning professionals partner with community groups, nonprofit organizations, tribes, and government agencies. This partnership assists local communities in realizing their conservation and outdoor recreation vision and goals by providing a broad range of services and skills. National Park Service (NPS) staff share their expertise to help your team turn an idea into reality. We offer this assistance on an annual basis with extensions based on mutual agreement. *No monetary grants are made.*

National Park Service Mission

The National Park Service preserves unimpaired the natural and cultural resources and values of the National Park System for the enjoyment, education, and inspiration of this and future generations. The Park Service cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.

Our Focus Areas

Our projects typically fall within five focus areas, although we consider other projects that fall outside of these categories:

- **Build healthy communities through parks, trails, and outdoor opportunities:**
Improve access to outdoor recreation and park amenities on land and water that support healthy lifestyles for all users
- **Conserve natural lands, rivers, and watersheds:**
Strengthen the conservation and stewardship of public lands, waterways, and wildlife habitat
- **Engage youth in outdoor recreation and stewardship:**
Connect young people to the outdoors to develop a lifelong appreciation of recreation and nature
- **Strengthen the organizational capacity of project partners:**
Develop and strengthen effective and sustainable community organizations and partner groups
- **Support National Park Service and community networks:**
Facilitate strategic planning and collaboration between national parks and communities to achieve shared goals



Our Services

Our assistance is tailored to your needs. Examples of the types of assistance we provide are listed below. Visit our website to learn about current projects: <https://www.nps.gov/orgs/rtca/community-projects.htm>

- Define project vision and goals
- Inventory and map community resources
- Identify and analyze key issues and opportunities
- Engage collaborative partners and stakeholders
- Design community outreach and participation strategies
- Develop concept plans for trails, parks, and natural areas
- Set priorities and build consensus
- Identify funding strategies
- Develop a sustainable organizational framework to support the project
- Create project management and strategic action plans
- Coach teams, groups, and partnership networks

Application Process and Timeline

Consulting a program manager prior to the application deadline is *a requirement* to help identify how our expertise can complement your project and to answer questions regarding the application. Please see the contact list at the end of this application to identify the program manager who serves your state.

- Application deadline: June 30
- Email completed applications to the program manager who serves your state or contact them for guidance on mailing a printed version (*see list at the end of the application*)
- Please include the following in your Application Package:
 1. Completed application form
 2. Site location map
 3. A minimum of three commitment letters that describe each partner's role, responsibility, and contribution to the project
 4. Optional supplemental information that can help us learn more about your project (for example, background documents, media coverage, additional maps, list of links to resources, project photos, etc.)
- Applicants will be notified of decisions by November 1.
- Project start times will be coordinated with applicants who have been selected for assistance.

Project Selection Criteria

Applications for support from the Rivers, Trails and Conservation Assistance program are competitively evaluated based on the following criteria:

- The project has specific goals and results for conservation and outdoor recreation expected in the near future.
- Roles and contributions of project partners are significant and well-defined.
- There is evidence of broad community support for the project.
- The project fits with our focus areas (although proposals falling outside these areas are considered).



Application Form

Date:

Project Name:

City and State:

Congressional District(s) Number(s):

Primary Applicant Organization(s):

Primary Contact:

Title:

Street Address:

City:

State/Territory:

Zip Code:

Email:

Daytime Phone:

Website (if applicable):

Please review focus area descriptions (on page 1) and project selection criteria (on page 2) for guidance on addressing the following questions. Contact an RTCA staff member with questions or for additional information.

1. Project Summary

Address the following points concisely:

- a. Summary of project - Tell us about your project idea and the specific outcomes you would like to achieve:

1. Project Summary (continued)

- b. Describe any specific results anticipated within 5 years of project start-up (for example, greenway plan development or implementation, community events, land acquisition, sustainable organization formed, miles of trails developed, acres of land preserved/conserved, etc.).
- c. Describe any major project accomplishments to date:
- d. Describe anticipated benefits to the community (for example, recreational, social, environmental, economic, health, etc.):

2. Roles

- a. Describe your organization, its role in the project, and the time and resources that will be contributed:
- b. In the chart below, list the key partners committed to the project and their anticipated role(s) and contribution:

| Organization Name | Project Role(s) and Contribution |
|-------------------|----------------------------------|
| | |
| | |
| | |
| | |
| | |

3. Community Support & Engagement

- b. Describe plans for future public outreach and engagement:**

4. NPS Support Requested

- a. What are the major project challenges your organization faces?

4. NPS Support Requested (continued)

- b. Describe the types of assistance and specific deliverables you are seeking from the NPS staff that would complement your team. *For examples, see the description of "Our Services" on page 2.*

5. How Did You Hear About Us?

Have you worked with Rivers, Trails and Conservation Assistance in the past? If not, how did you hear about our program (for example, from a colleague, online search, NPS website, grants.gov, social media, email, or other)?

6. Attachments

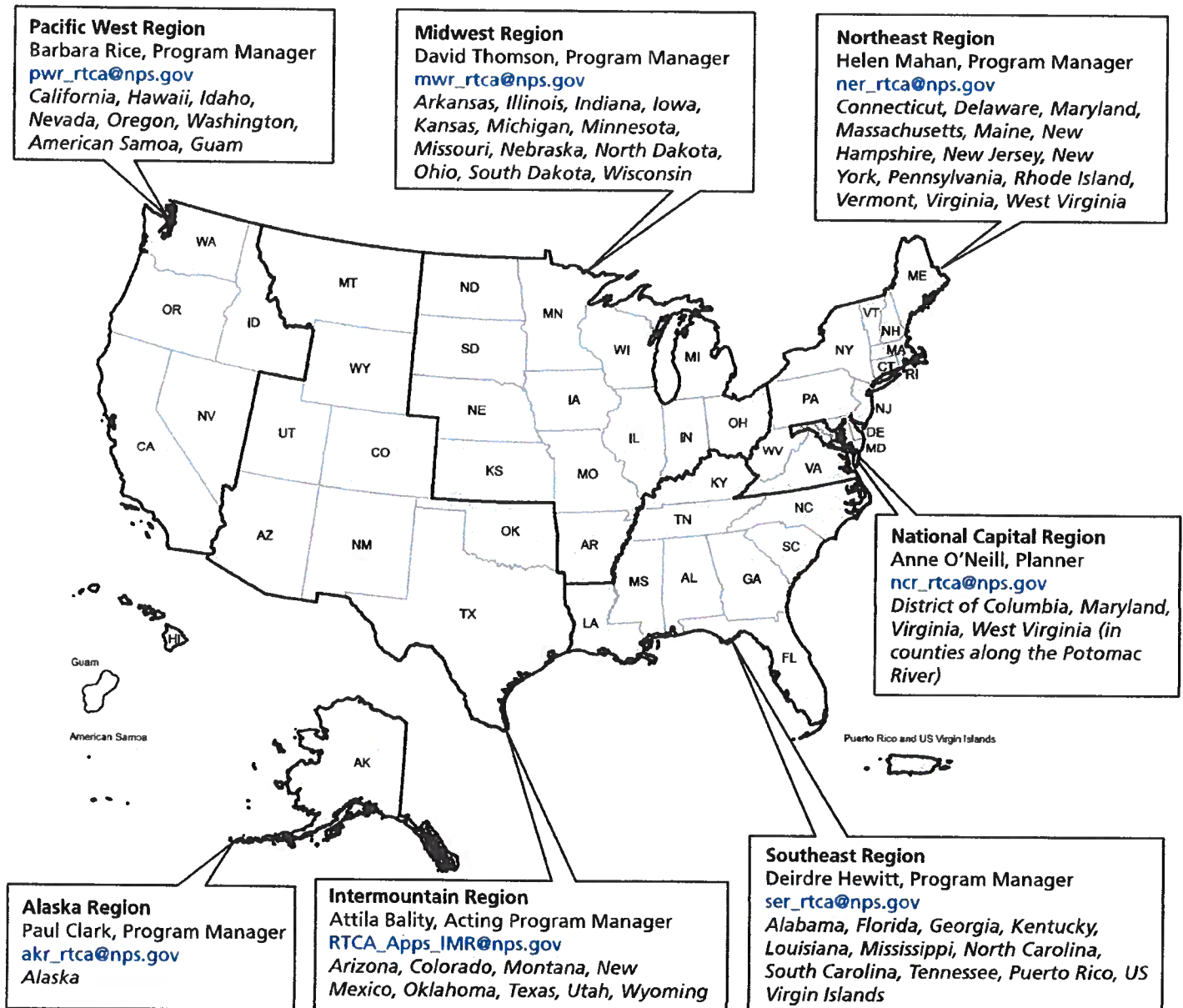
Please include the following attachments with this completed application by June 30:

- Site location map
- Commitment letters from 3 or more project partners
- Optional supplemental information that can help us learn more about your project (background documents, examples of media coverage, additional maps, list of links to resources, project photos, etc.)

Reminder: Ensure you have initiated contact with your individual state program manager for guidance prior to submittal.

Submitting Your Application

After the application is completed, email your application materials to the program manager for your region and state, or contact them for guidance on mailing a printed version.





CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: June 12, 2019

Agenda Item #: **F.1**

SUBJECT: City Commission Minutes Approval for May 22, 2019 Regular Meeting

DEPARTMENT: City Clerk's Office

DATE SUBMITTED: May 31, 2019

SUBMITTED BY: Renee Cantin, City Clerk-Treasurer

WHO WILL PRESENT THE ITEM: City Manager Madrid

Summary/Background:

Minutes approval.

Recommendation:

Approve the minutes.

Attachments:

- CC Minutes

Fiscal Impact (Finance): N/A

\$0.00

Legal Review (City Attorney): N/A

None.

Approved For Submittal By: ☐ Department Director

Reviewed by: ☒ City Clerk ☐ Finance ☐ Legal ☐ Other: [Click here to enter text.](#)

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. [Click here to enter text.](#) Ordinance No. [Click here to enter text.](#)

Continued To: [Click here to enter a date.](#) Referred To: [Click here to enter text.](#)

☐ Approved ☐ Denied ☐ Other: [Click here to enter text.](#)

File Name: CC Agendas 2019/06-12-2019/Word Docs/ F.1 AR 05-22-2019 CC Minutes

**CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
WEDNESDAY, MAY 22, 2019**

A. CALL TO ORDER:

The meeting was called to order by Mayor Sandra Whitehead at 9:00 a.m., who presided and Renee Cantin, City Clerk-Treasurer, acted as Secretary of the meeting.

B. INTRODUCTION

1. ROLL CALL:

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

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

Also Present: Morris Madrid, City Manager
Renee Cantin, City Clerk-Treasurer

There being a quorum present, the Commission proceeded with the business at hand.

2. SILENT MEDITATION:

Mayor Whitehead called for fifteen seconds of silent meditation.

3. PLEDGE OF ALLEGIANCE:

Mayor Whitehead called for Commissioner Hechler to lead the Pledge of Allegiance.

4. APPROVAL OF AGENDA:

**Mayor Pro-Tem Clark moved to approve the agenda as amended.
Commissioner Szigeti seconded the motion. Motion carried unanimously.**

C. PRESENTATIONS:

1. Presentation related to an update on the Parks Department improvements. O.J. Hechler, Parks Department Manager:

Parks Manager Hechler gave an update on the improvements to the Felts Field and Sports Complex which included painting of the announcer stand, painting of the canopy and replacement of the fencing at the Sports Complex.

Mr. Gary Whitehead said he is humbled they asked him to be a part of this project. He was the spokesperson for a group of people in the community who made contributions in honor of Dr. Felts. They invested a little over \$13,000 in this project. They paid a little over \$3000 for the painting, and they also helped support the fencing project by providing \$9,800. Parks Manager Hechler managed this as a city project. We only provided the funding portion. He is hoping the Commission will find a way to support future improvements so they can perhaps one day make this eligible for a little league project.

Parks Manager Hechler received word that we have been awarded \$51,000 for the new sprinkler system at Ralph Edwards Park.

Mayor Pro-Tem Clark, Mayor Whitehead thanked him for his efforts.

City Manager Madrid is also very happy with his performance. He added we will have to incorporate the match and he's already started the cost estimates.

2. Presentation related to New Spaceport Visitor Center. Randy Ashbaugh, Requestor:

Mr. Ashbaugh gave his presentation on a new facility on the north side of town. The Spaceport Visitor Center for the north end of town is completely designed and could go to bid tomorrow morning. He is proposing that the Visitor Center be built on his vacant 6 acre tract of land located by Walmart. There are 25,000 to 50,000 people who travel the highway a day, and it would be a tremendous exposure for the Visitor Center to be built in that location. He is here today to encourage the city to get behind his idea.

Mayor Whitehead announced there will be a few changes in June. The first meeting of the month we will have public comment and response to public comment. The second meeting there will not be public comment, but there will be a Town Hall meeting at 6:00 p.m. with Mr. Madrid. You can bring your comments and concerns to him and he will report them during the first meeting in July. Again, this will be a trial to see how it works out, and if it does work the change will be included in our Rules of Procedures. And if it does not, we will go back to the way it is now.

D. COMMENTS FROM THE PUBLIC:

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

- 1) Some of Mr. Ashbaugh's comments are very accurate. This is one of the nicest places you can find. There are so many prospects for bringing people here. We have so much water and so many things that we do not make use of the way we should. We don't expand things the way we should, and we don't use money to bring in more money. We just ride along and that's not working. Las Cruces is "eating our lunch" as far as the Spaceport is concerned. We're getting nothing out of it. Spaceport is going to Las Cruces with everything and it's sad because we're closer, and we have a lot more to offer if we would only put the right packet

out there, and show people what we have. As far as having the Spaceport by the freeway, it will make the downtown area die. We are lucky we have the Brewery, but we should be concentrating on the downtown and making that attractive. When people go into town they spread out into the other places anyway. We could put something along the freeway that says Spaceport America with signs to go downtown. You've got space downtown to make parking if you'd like, and we've got buildings down there that need to be used. We need to concentrate on blowing up our downtown and making it a real place to visit, and a place to be, but it needs thought, imagination, and money. We need to spend money in the right way to build things and attract things. He came here and invested in his business because he saw that Spaceport was coming. This County put in their tax money just like Dona Ana did, but we are losing out. Every time something advances, it goes there because we are not pushing hard enough and we are not putting forward a plan that asks people to see what we are, and what we can offer. We need to make a package that really shows those people from Spaceport that we have a lot more to offer than Las Cruces, because Las Cruces is a city, and there is not a lot down there except for stores. If you want something special, we've got it, and we need to show what we've got.

Linda DeMarino addressed the Commission related to:

- 1) The Downtown Hall Meeting is tomorrow at the Lee Belle Johnson Center at 6:00 p.m. They will be rolling out the most recent plans for the Foch Street Renovation Project, as well as get public input on issues affecting the downtown area, like live/work spaces, vacancies, and national chains in the downtown area.

Marilyn Pope, Geronimo Springs Museum addressed the Commission related to:

- 1) The Geronimo Springs Museum is open 7 days a week, and they offer programs, tours, and so on. She has worked at the museum three different times, and this is the first time she can look at the entire City Commission and know that everyone on here is familiar with the museum. Commissioner Baca is probably too familiar because he has an aunt and a mother who are very involved, and he probably hears about it more than he wants to. She wanted to bring up youth sports. Sometimes when people get in arguments they are nasty and mean, and she wants to say to them "have you ever played on a team?" She thinks sponsoring team work in our community will help us for the future, and it will help keep kids off the streets and away from drugs. She doesn't think there is anything we can do for our community that will be more positive.

Ron Pacourek addressed the Commission related to:

- 1) He spoke about the Roundabouts at the last meeting and he feels like NMDOT is trying to sell us a bill of goods. He heard a report at the PUAB meeting from Electric Department Director Easley who said he has the preliminary layout for where he has to move the electric poles. Who is going to pay for those poles to be moved, because there was no mention of any infrastructure during the Roundabouts presentation? He doesn't think it is the right thing for our community.

CITY COMMISSION MAY 22, 2019 REGULAR MEETING MINUTES

- 2) He was watching 60 Minutes, and they talked about a little town of 12,000 people who got hacked. The hacker got into their computer system and locked it down. They would only unlock the system if the town paid them \$5 million dollars. He feels like this is something we need to be proactive about, and we should maybe look into some sort of Ransomware insurance.

E. RESPONSE TO PUBLIC COMMENTS:

Mayor Pro-Tem Clark had a conversation with Linda DeMarino about the Downtown Hall meeting, and downtown is part of the entire community and everyone is invited.

Mayor Whitehead thanked everyone for their comments. She explained that City Manager Madrid's door is always open. He is always accepting phone calls and would be happy to meet with you to resolve any issues, concerns, or questions you may have.

F. CONSENT CALENDAR:

1. **City Commission Regular Minutes, May 8, 2019.**
2. **Acknowledge the Lodger's Tax Advisory Board Minutes for the January 31st and February 7th, 2019 Special Meetings.**
3. **FY19 Lodger's Tax funding 3rd Quarter Reports.**
4. **Approve the Lodger's Tax Advisory Board recommendation to amend the Lodger's Tax 2018/2019 Budget for Sierra County Arts Council.**

Commissioner Hechler moved to approve the Consent Calendar as noted. Commissioner Baca seconded the motion. Motion carried unanimously.

G. ORDINANCES/RESOLUTIONS/ZONING:

1. **Discussion/Action: Resolution No. 43 18/19 amending and restating Resolution No. 37 18/19 adopted on April 24, 2019 approving the Drinking Water Revolving Loan (DWRL) Application (DW-4794) for the purpose of financing the costs of replacing high risk water lines identified in the Asset Management Plan. City Manager Madrid:**

City Manager Madrid reviewed Resolution No. 43 18/19 noting that the Commission previously approved the Resolution related to this Drinking Water Revolving Loan Application. However, in the loan application and agreement we referred to a Joint Utility Fund, and the language should have been specific to name Water, Wastewater and Electric, so that each Enterprise Fund is named and identified separately. In order to make that adjustment in the language we need a new resolution, and that requires a change in the timeline. There will be no additional changes to the application, and the terms and conditions will remain the same.

Mayor Pro-Tem Clark moved to approve Resolution No. 43 18/19 amending and restating Resolution No. 37 18/19 adopted on April 24, 2019 approving the Drinking Water Revolving Loan (DWRL) Application (DW-4794) for the purpose of financing the costs of replacing high risk water lines identified in the Asset

Management Plan. Commissioner Baca seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

H. NEW BUSINESS:

- 1. Discussion/Action: Request for approval of the recommendation from the Recreation Advisory Board related to a mural on the Dog Park Wall and Dog Park Walkway for ADA Accessibility and safety. Greg D'Amour, Recreation Advisory Board Chair:**

Chairman Greg D'Amour stated that the Dog Park is a happening place, and there is a wall that used to be part of the Old Fire Station. An idea popped up for the wall to be painted with a mural which would be called The Bonner Memorial Wall. They have a foundation who gives money to the Dog Park for different things, and they agreed to fund the mural and its entirety.

Ms. Carole Wheeler said the foundation still wants each area to have in-ground water, but OJ needs about two more people on his crew before we can do that and maintain it properly. She suggested a mural be painted on the white wall, and the foundation liked that idea. They contacted a local artist and he offered three paintings that will be sent to the foundation for their approval.

Mr. D'Amour said this being city property, they weren't sure what the process would be.

Parks Manager Hechler said his only concern would be that it be approved ahead of time.

Commissioner Hechler said because of his knowledge of the demands for the Parks Dept. at this time of year, he recommended that City Manager Madrid put together a Wolf Pack to help move the project along.

Ms. Wheeler mentioned in order for the dog park to be used on a daily basis there would really need to be another service gate between the single use area and the large dog area.

Commissioner Szigeti also brought to their attention the house next door which is not pleasant to look at.

Chairman D'Amour announced part two of the project is making it ADA Accessible.

Carole Wheeler reported they would also like to see a dog water fountain.

City Manager Madrid does not believe the issues brought forward today require action by the Commission and the requests can be handled administratively. The Commission agreed and proceeded with the next item presented.

- 2. Discussion/Action: Lodger's Tax Funding Allocations for Fiscal Year 2019/2020. City Manager Madrid/Jake Foerstner, LTAB Chairman:**

CITY COMMISSION MAY 22, 2019 REGULAR MEETING MINUTES

City Manager Madrid began by giving some background on the process. He understands that the board would like to see the advertising and marketing go more toward digital and media, and he feels that change will be in next year's round of applications, and it should be a good thing. There was a lot of discussion on the allocations and keeping 20% of the funding, and they only held about \$1,600-\$1,800. He then read the recommendation which he agrees with as the following:

| | |
|--|------------------------|
| Chamber of Commerce of T or C & Sierra County | \$12,000 |
| Geronimo Springs Museum | \$10,000 |
| MainStreet Truth or Consequences | \$11,600 |
| Sierra County Arts Council | \$ 5,000 |
| T or C Fiesta | \$ 4,000 |
| Veteran's Memorial Park/Museum Trust Board | <u>\$ 2,825</u> |
| Total Allocations | \$45,425 |

Mayor Pro-Tem Clark asked the agencies who were funded to be sure to look at the 75%-25% ratio of the advertising.

Mr. Hans Townsend mentioned that the 75%-25% ratio of advertising is being expressed as spending 75% of the money outside of the community, and spending 25% of the money in the community, and that doesn't make sense. We need to make the affect outside of here and bring people to the community, and sometimes you'll spend the money here in order to do that. With Spaceport coming up, we need to put stuff out there that is more attractive to people because we don't get anything from Spaceport unless we ask for it, and we're going to lose out unless we do something about it.

Linda DeMarino agrees with Mr. Townsend that it would be nice to have more money to spend on T or C. They are planning on doing a general brochure to highlight the assets that are here. MainStreet is really enjoying digital marketing and they find that you are able to target people looking for travel.

LaRena Miller explained what the Geronimo Trails Scenic Byway Center uses for the distribution. Anyone who calls or stops by receives the information on the whole area for the potential possibility of future visits. They also have a person who does direct online marketing for them.

Kim Skinner mentioned that the \$70,000 was brought in when Monique Jacobson was the representative of the New Mexico Tourism Department. Monique required that they do new branding which is called New Mexico True. T or C, Sierra County, and Elephant Butte are New Mexico True communities, and in order to do that you have to be registered with them and follow their stringent guidelines. When they implemented the guidelines, the City of T or C was doing the 79% but unfortunately most of the people here could not follow the guidelines. 100% of everything that our Tourism Board does has to be pre-approved in Santa Fe by the Tourism Department before we can put it on our website, use it on Facebook or put it on an ad online or in a magazine.

CITY COMMISSION MAY 22, 2019 REGULAR MEETING MINUTES

Marilyn Pope wanted to add, the advertising she does with El Paso and Ft. Bliss always includes digital ads.

Hans Townsend stated that the most important brochure in this town is the Hot Springs brochure that gives people a map of where the Hot Springs are, and where they can go to soak. We had been without a copy of that brochure for a year, so he corresponded with Kim Skinner, made some needed updates, and sent off for the brochure, and within a week we had brochures distributed. Those are the things you don't see that costs us money.

Mayor Pro-Tem Clark moved to approve the following:

| | |
|--|-------------------------|
| Chamber of Commerce of T or C & Sierra County | \$12,000 |
| Geronimo Springs Museum - | \$10,000 |
| MainStreet Truth or Consequences | \$11,600 |
| Sierra County Arts Council | \$ 5,000 |
| T or C Fiesta | \$ 4,000 |
| Veteran's Memorial Park/Museum Trust Board | \$ <u>2,825</u> |
| Total Allocations | \$ <u>45,425</u> |

Commissioner Szigeti seconded the motion. Motion carried unanimously.

City Manager reports:

City Manager Madrid reported the following:

- City Manager Madrid reported, although he does have an open door policy he will not be available this week due to budgets.
- He read a letter he received from Sharon VanGelder. The letter was complimenting Walter who operates the Street Sweeper and the beautiful job he did cleaning up the dirt and gravel that had been accumulating for some time on Arrowhead Road. The letter also thanked Walter's boss who is Benny Fuentes. We appreciate when the public recognizes when good things happen.

City Commission Reports:

Commissioner Szigeti reported the following:

- He went for a ride along with the TCPD and he expressed his appreciation with everything they do.
- He went to the meeting for Opioid Abuse and Prevention and it was very informative. There is a great group of people who are looking at these issues and we are getting recognition at the state level for our efforts in that area. There is so much going on in this area that seems to slip by the general attention of the public. He also suggested that the city commission maintain a presence in this group and volunteered to be the commission's representative.

Mayor Pro-Tem Clark reported the following:

- She thanked the City Clerk and Clerk's Offices for putting together the luncheon. It was also a real delight to see some local organizations who took time to recognize the Police Department and what they do.

Mayor Whitehead reported the following:

- She congratulated the Class of 2019 who graduated on Friday and the Commission wishes them well. She also thanked the Water Department who had handled the water leak very well. She also wished everyone a safe and happy Memorial Day weekend.

I. EXECUTIVE SESSION:

1. Real Property (Various Properties) *Pursuant to 10-15-1(H.8)*
2. Litigation (HSLD) *Pursuant to 10-15-1(H.7):*

Commissioner Baca moved to approve going into executive session at 10:45 a.m. to discuss Real Property (Various Properties) Pursuant to 10-15-1(H.8); and Litigation (HSLD) Pursuant to 10-15-1(H.7). Commissioner Hechler seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

Mayor Whitehead reconvened the meeting in open session at 11:38 a.m.

Mayor Pro-Tem Clark certified that only matters pertaining to Real Property (Various Properties) Pursuant to 10-15-1(H.8); and Litigation (HSLD) Pursuant to 10-15-1(H.7) was discussed in Executive Session and no action was taken.

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

In both cases negotiations will continue.

M. ADJOURNMENT:

Commissioner Szigeti moved to adjourn at 11:39 a.m. Commissioner Hechler seconded the motion. Motion carried unanimously.

Passed and Approved this 12 day of June, 2019.

Sandra Whitehead, Mayor

ATTEST:

Reneé L. Cantin, CMC, City Clerk



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: June 12, 2019

Agenda Item #: **F.2**

SUBJECT: Accounts Payable – May 2019
DEPARTMENT: Finance
DATE SUBMITTED: June 6, 2019
SUBMITTED BY: Pat Wood, CPO
WHO WILL PRESENT THE ITEM: City Manager Madrid

Summary/Background:

According to Sec. 2-28 of the Municipal Code related to Publication of expenditures: Each month there may be published a summary of expenditures made during the preceding calendar month, which shall include a list of the total expenditures during the month, the amount spent in connection with each budgetary item, and a summary of all receipts; provided, however, that the publication mentioned in this section shall be made only at the discretion of the Commission if it shall deem such publication necessary in the public interest.

Recommendation:

Approve the Accounts Payable summary for May 2019

Attachments:

- End of Month Accounts Payable Report by Fund
- -

Fiscal Impact (Finance): Yes

All Funds Summary is a total of \$936,255.15

Legal Review (City Attorney): N/A

N/A

Approved For Submittal By: ☐ Department Director

Reviewed by: ☒ City Clerk ☒ Finance ☐ Legal ☒ Other: Pat Wood, CPO

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. N/A Ordinance No. N/A

Continued To: - Referred To: -

☐ Approved ☐ Denied ☐ Other: [Click here to enter text.](#)

File Name: 06-12-2019/AR Accounts Payable May 2019



Truth or Consequences

EOM AP Report By Fund

Payment Dates 05/01/2019 - 05/31/2019

PAYABLE APPROVAL

I hereby approve the issuance of these payments.

FINANCE DIRECTOR OR DESIGNEE

DATE:

| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|---------------------------------|-----------------------|------------|-------------------------------------|----------------|----------|
| Fund: 101 - General | | | | | |
| QUEST DIAGNOSTICS LAB, INC. | 04162019-2 | 05/02/2019 | Screening & MRO Fee- Police D... | 101-1007-44615 | 54.40 |
| QUEST DIAGNOSTICS LAB, INC. | 04162019-3 | 05/02/2019 | Screening & MRO Fee/ ACO | 101-1008-44615 | 108.80 |
| NEW MEXICO GAS COMPANY, I... | 041819 | 05/02/2019 | GAS BILLS/GENERAL | 101-1018-43780 | 467.97 |
| NEW MEXICO GAS COMPANY, I... | 041819 | 05/02/2019 | GAS BILLS/NM WORKFORCE C... | 101-1018-43780 | 57.40 |
| NEW MEXICO GAS COMPANY, I... | 041819 | 05/02/2019 | GAS BILLS/ANIMAL SHELTER | 101-1018-43780 | 33.08 |
| CITY UTILITIES | 042919 | 05/02/2019 | CITY UTILITIES CYCLE C&D/OPEN... | 101-1018-43780 | 7,056.64 |
| QUEST DIAGNOSTICS LAB, INC. | 04292019 | 05/02/2019 | Screening & MRO Fees- Parks | 101-1009-44615 | 108.80 |
| QUEST DIAGNOSTICS LAB, INC. | 04292019-1 | 05/02/2019 | Screening & MRO Fees- Facility... | 101-1014-44615 | 54.40 |
| NM SELF INSURERS FUND | 050119 | 05/02/2019 | INSURANCE/2019 KUBOTA 4WD... | 101-1018-46733 | 65.00 |
| NM SELF INSURERS FUND | 050119-2 | 05/02/2019 | INSURANCE-4-2019 FORD TAU... | 101-1018-46733 | 698.00 |
| TRACI L. BURNETTE | 050719 | 05/02/2019 | ADVANCED MILEAGE/SILVER CI... | 101-1010-42305 | 63.36 |
| TRACI L. BURNETTE | 050719 | 05/02/2019 | ADVANCED PER DIEM/SILVER CI... | 101-1010-42310 | 77.60 |
| MANANA | 104-19 | 05/02/2019 | Landscaping Services - Open PO... | 101-1009-48599 | 900.00 |
| COOPERATIVE EDUCATIONAL S... | 24-087440 | 05/02/2019 | Engineering Development Revi... | 101-1010-48598 | 3,632.81 |
| STAPLES CONTRACT & COMME... | 3408494972 | 05/02/2019 | Laptop portfolio briefcase | 101-1003-44606 | 84.44 |
| STAPLES CONTRACT & COMME... | 3408494972 | 05/02/2019 | Quartet InvisiMount glass dry-e... | 101-1003-44606 | 521.88 |
| STAPLES CONTRACT & COMME... | 3408494972 | 05/02/2019 | Cosco custom wall sign for Mr.... | 101-1003-44606 | 13.66 |
| STAPLES CONTRACT & COMME... | 3408494972 | 05/02/2019 | Malden Classic picture frame 8... | 101-1003-44606 | 30.89 |
| STAPLES CONTRACT & COMME... | 3408494972 | 05/02/2019 | Tops FocusNotes notepad 8.5x... | 101-1003-44606 | 9.00 |
| STAPLES CONTRACT & COMME... | 3408494972 | 05/02/2019 | Accu-Stamp2-Approved | 101-1003-44606 | 8.16 |
| STAPLES CONTRACT & COMME... | 3408494972 | 05/02/2019 | Quartet enduraglide kit, dry era... | 101-1003-44606 | 7.70 |
| STAPLES CONTRACT & COMME... | 3408494972 | 05/02/2019 | Brighton paper towels | 101-1003-44606 | 2.52 |
| STAPLES CONTRACT & COMME... | 3408494972 | 05/02/2019 | Staples 3x5 index cards | 101-1003-44606 | 2.64 |
| STAPLES CONTRACT & COMME... | 3408494972 | 05/02/2019 | EXPO dry erase kit | 101-1003-44606 | 11.61 |
| STAPLES CONTRACT & COMME... | 3411011304/3411169951 | 05/02/2019 | Hammermill 8.5x11 Multipurpo... | 101-1010-44606 | 107.36 |
| STAPLES CONTRACT & COMME... | 3411011304/3411169951 | 05/02/2019 | Padfolio | 101-1010-44606 | 70.31 |
| ROTARY CLUB OF TORC | 3892/3929/4010 | 05/02/2019 | MONTHLY DUES - RENNE CANT... | 101-1001-43770 | 165.00 |
| BAKER & TAYLOR, INC. | 4012511424 | 05/02/2019 | Paperback books, open PO FY 1... | 101-1016-44830 | 32.36 |
| CARROT TOP INDUSTRIES, INC. | 42313300 | 05/02/2019 | 3 X 5' Polyester U.S. Flag | 101-1009-44607 | 167.98 |
| SIERRA VETERINARY SERVICES,L... | 48059/48081/48115 | 05/02/2019 | Vet Services at Animal Shelter -... | 101-1008-48599 | 330.20 |
| BRADY INDUSTRIES, LLC | 6105097 | 05/02/2019 | Fuel charge for delivery | 101-1008-44615 | 4.00 |
| BRADY INDUSTRIES, LLC | 6105097 | 05/02/2019 | Halt disinfectant one gallon/An... | 101-1008-44615 | 338.20 |
| BRADY INDUSTRIES, LLC | 6105098 | 05/02/2019 | Center pull paper hand towels | 101-1014-44607 | 462.70 |
| BRADY INDUSTRIES, LLC | 6105098 | 05/02/2019 | Toilet Tissue | 101-1014-44607 | 376.32 |
| LEAVITT GROUP SOUTHWEST I... | 622842/622845 | 05/02/2019 | OPEN PO FOR NOTARY BOND/... | 101-1001-43770 | 140.00 |
| REED'S TIRE CENTER | 6408 | 05/02/2019 | Tires 235/55R17 Vehicle for inv... | 101-1007-47420 | 261.00 |
| QUILL CORPORATION | 6594559/6670619 | 05/02/2019 | Full Color Business Cards 250 | 101-1010-44606 | 25.19 |
| QUILL CORPORATION | 6594559/6670619 | 05/02/2019 | Yellow Highlighter 24 Pack | 101-1010-44606 | 11.69 |
| QUILL CORPORATION | 6594559/6670619 | 05/02/2019 | Tissue, 2-Ply, 95 Sheets/Box, 6 ... | 101-1010-44606 | 8.99 |
| QUILL CORPORATION | 6827821 | 05/02/2019 | Desk Connection Piece for U-Sh... | 101-1010-44613 | 222.99 |
| SIERRA AUTO/CARQUEST | ID-245544 | 05/02/2019 | serpentine belt G-84205 | 101-1007-47420 | 22.68 |
| SIERRA AUTO/CARQUEST | ID-245544 | 05/02/2019 | Wiper blades G-84205 | 101-1007-47420 | 5.12 |
| SIERRA AUTO/CARQUEST | ID-245685 | 05/02/2019 | Replace Serpentine Belt G-99208 | 101-1008-47420 | 16.87 |
| SIERRA AUTO/CARQUEST | ID-246200 | 05/02/2019 | rtv sealant G-41389-Safety | 101-1007-47420 | 6.21 |
| SIERRA AUTO/CARQUEST | ID-246200 | 05/02/2019 | Intake Manifold gasket assy G-4... | 101-1007-47420 | 28.41 |
| SIERRA AUTO/CARQUEST | ID-246200 | 05/02/2019 | thermostat G-41389-safety | 101-1007-47420 | 7.58 |

EOM AP Report

Payment Dates: 05/01/2019 - 05/31/2019

| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|------------------------------|----------------|------------|------------------------------------|----------------|----------|
| SIERRA AUTO/CARQUEST | ID-246660 | 05/02/2019 | Metal Cutting Wheels | 101-1014-44607 | 38.85 |
| SIERRA AUTO/CARQUEST | ID-246988 | 05/02/2019 | COMPRESSION FITTINGS | 101-1012-47420 | 4.86 |
| SIERRA AUTO/CARQUEST | ID-246988 | 05/02/2019 | COMPRESSION FITTINGS | 101-1012-47420 | 4.00 |
| SIERRA AUTO/CARQUEST | ID-246989 | 05/02/2019 | heater hose day88389 | 101-1007-47420 | 13.26 |
| SIERRA AUTO/CARQUEST | ID-246989 | 05/02/2019 | heater hose day87739 | 101-1007-47420 | 12.40 |
| SIERRA AUTO/CARQUEST | ID-246989 | 05/02/2019 | water pump bypass hose | 101-1007-47420 | 6.12 |
| SIERRA AUTO/CARQUEST | ID-246989 | 05/02/2019 | idler pulley bearing | 101-1007-47420 | 5.78 |
| SIERRA AUTO/CARQUEST | ID-246989 | 05/02/2019 | radiator cap | 101-1007-47420 | 4.19 |
| SIERRA AUTO/CARQUEST | ID-246989 | 05/02/2019 | Spark Plugs | 101-1007-47420 | 44.52 |
| SIERRA AUTO/CARQUEST | ID-246989 | 05/02/2019 | distributor cap | 101-1007-47420 | 32.86 |
| SIERRA AUTO/CARQUEST | ID-246989 | 05/02/2019 | distributor rotor | 101-1007-47420 | 12.87 |
| SIERRA AUTO/CARQUEST | ID-246989 | 05/02/2019 | hose clamps | 101-1007-47420 | 2.64 |
| SIERRA AUTO/CARQUEST | ID-246989 | 05/02/2019 | fuel injector o-ring kit | 101-1007-47420 | 3.70 |
| PERRY SUPPLY CO. | S1715995 | 05/02/2019 | Moen Chateau 4inch single han... | 101-1014-43403 | 318.20 |
| PERRY SUPPLY CO. | S1715995 | 05/02/2019 | Moen 4inch faucet with blade h... | 101-1014-43403 | 240.00 |
| PERRY SUPPLY CO. | S1715995 | 05/02/2019 | Sloan 1.0 diaphragm kit regal | 101-1014-43403 | 97.00 |
| PERRY SUPPLY CO. | S1715995 | 05/02/2019 | Pasco Ice Maker Filter | 101-1014-43403 | 75.33 |
| PERRY SUPPLY CO. | S1715995 | 05/02/2019 | 3/4 inch sillcock HD | 101-1014-43403 | 67.17 |
| PERRY SUPPLY CO. | S1715995 | 05/02/2019 | 1/2 inch sillcock HD | 101-1014-43403 | 61.86 |
| PERRY SUPPLY CO. | S1715995 | 05/02/2019 | PVC nipple 3/4 x 4 inch | 101-1014-43403 | 14.33 |
| PERRY SUPPLY CO. | S1715995 | 05/02/2019 | PVC nipple 1/2 x 4inch | 101-1014-43403 | 12.24 |
| RAYMOND CHAVEZ | 050319 | 05/10/2019 | PER DIEM DUE/ALBUQUERQUE | 101-1008-42310 | 40.00 |
| TRACI L. BURNETTE | 050319 | 05/10/2019 | MILEAGE DUE/ALBUQUERQUE | 101-1010-42305 | 26.22 |
| TRACI L. BURNETTE | 050319 | 05/10/2019 | PER DIEM DUE/ALBUQUERQUE | 101-1010-42310 | 38.00 |
| VERIZON WIRELESS | 050619 | 05/10/2019 | CELL PHONE BILLS/OPEN PO FY ... | 101-1003-43775 | 171.50 |
| VERIZON WIRELESS | 050619 | 05/10/2019 | CELL PHONE BILLS/OPEN PO FY ... | 101-1004-43775 | 114.34 |
| VERIZON WIRELESS | 050619 | 05/10/2019 | CELL PHONE BILLS/OPEN PO FY ... | 101-1007-43775 | 718.22 |
| VERIZON WIRELESS | 050619 | 05/10/2019 | CELL PHONE BILLS/OPEN PO FY ... | 101-1008-43775 | 110.51 |
| VERIZON WIRELESS | 050619 | 05/10/2019 | CELL PHONE BILLS/OPEN PO FY ... | 101-1009-43775 | 114.32 |
| VERIZON WIRELESS | 050619 | 05/10/2019 | CELL PHONE BILLS/OPEN PO FY ... | 101-1010-43775 | 114.32 |
| VERIZON WIRELESS | 050619 | 05/10/2019 | CELL PHONE BILLS/OPEN PO FY ... | 101-1011-43775 | 57.16 |
| VERIZON WIRELESS | 050619 | 05/10/2019 | CELL PHONE BILLS/OPEN PO FY ... | 101-1014-43775 | 114.32 |
| TALON SEPTIC & POTTY SERVICE | 050719 | 05/10/2019 | Clean & Service Portables - Ope... | 101-1009-47410 | 800.00 |
| TRACI L. BURNETTE | 050819 | 05/10/2019 | MILEAGE DUE/SILVER CITY | 101-1010-42305 | 15.84 |
| TRACI L. BURNETTE | 050819 | 05/10/2019 | PER DIEM DUE/SILVER CITY | 101-1010-42310 | 19.40 |
| TRACTOR SUPPLY COMPANY | 100061785 | 05/10/2019 | Discount on dog food 15% | 101-1008-44607 | -105.00 |
| TRACTOR SUPPLY COMPANY | 100061785 | 05/10/2019 | 4health dog food 35lb bag | 101-1008-44607 | 699.80 |
| TRACTOR SUPPLY COMPANY | 100061785 | 05/10/2019 | 4health cat food 18lbs | 101-1008-44607 | 109.95 |
| TRACTOR SUPPLY COMPANY | 100061785 | 05/10/2019 | discount cat food | 101-1008-44607 | -16.50 |
| SIERRA COUNTY SENTINEL | 104434 | 05/10/2019 | PUBLICATIONS - OPEN PO FY 18... | 101-1001-43740 | 189.69 |
| SIERRA COUNTY SENTINEL | 104493 | 05/10/2019 | Help Wanted - ACO | 101-1008-43740 | 25.23 |
| SIERRA COUNTY SENTINEL | 104509-1 | 05/10/2019 | Help Wanted - Advertise for Op... | 101-1004-43740 | 21.70 |
| SUN VALLEY, INC. | 145300/6 | 05/10/2019 | TRIMMER LOOP HANDLE | 101-1009-44607 | 399.90 |
| SUN VALLEY, INC. | 145300/6 | 05/10/2019 | 6CUFT STL WHEELBARROW | 101-1009-44607 | 90.45 |
| SUN VALLEY, INC. | 145300/6 | 05/10/2019 | POWER FLOW NOZZLE | 101-1009-44607 | 14.00 |
| SUN VALLEY, INC. | 145567/6 | 05/10/2019 | 18" IN/OUT PUSH BROOM | 101-1009-44607 | 25.98 |
| SUN VALLEY, INC. | 145567/6 | 05/10/2019 | FBG LHRP SHOVEL | 101-1009-44607 | 147.96 |
| SUN VALLEY, INC. | 145567/6 | 05/10/2019 | 6" WELD GDN HOE | 101-1009-44607 | 71.97 |
| SUN VALLEY, INC. | 145567/6 | 05/10/2019 | 60" FBG BOW RAKE | 101-1009-44607 | 57.61 |
| SUN VALLEY, INC. | 145567/6 | 05/10/2019 | RECEPTACLE TESTER | 101-1009-44607 | 7.49 |
| SUN VALLEY, INC. | 145610/6 | 05/10/2019 | 9 inch restore roller | 101-1014-43403 | 55.92 |
| SUN VALLEY, INC. | 145610/6 | 05/10/2019 | Restore deck paint 1gal | 101-1014-43403 | 519.80 |
| SUN VALLEY, INC. | 145610/6 | 05/10/2019 | Locking hitch pin | 101-1014-44607 | 22.99 |
| SUN VALLEY, INC. | 145610/6 | 05/10/2019 | Three way hitch | 101-1014-44607 | 14.70 |
| ALARM CONTROL TECHNOLOGI... | 185407/185408 | 05/10/2019 | MONTHLY FIRE ALARM MONIT... | 101-1014-47410 | 26.97 |
| ALARM CONTROL TECHNOLOGI... | 185407/185408 | 05/10/2019 | MONTHLY FIRE ALARM MONIT... | 101-1014-47410 | 26.97 |
| U.S. DISTRIBUTING, INC. | 384547 | 05/10/2019 | BATTERY | 101-1009-47420 | 60.02 |
| BAKER & TAYLOR, INC. | 4012531646 | 05/10/2019 | Paperback books, open PO FY 1... | 101-1016-44830 | 32.38 |
| JAY RUBIN ATTORNEY AT LAW | 5012019 | 05/10/2019 | LEAGAL SERVICES - OPEN PO FY... | 101-1000-43597 | 4,441.76 |
| DESERT GRAPHICS INC. | 5633 | 05/10/2019 | 6'x2' white banner | 101-1003-47406 | 198.00 |

EOM AP Report

Payment Dates: 05/01/2019 - 05/31/2019

| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|---------------------------------|-------------------------------|------------|-------------------------------------|----------------|----------|
| BANK OF AMERICA | 668790 | 05/10/2019 | Zoom groom rubber brush for t... | 101-1008-44607 | 25.52 |
| BANK OF AMERICA | 668790 | 05/10/2019 | Pooper scooper | 101-1008-44607 | 29.58 |
| BANK OF AMERICA | 668790 | 05/10/2019 | puppy pads 150 count | 101-1008-44607 | 39.98 |
| BANK OF AMERICA | 668790 | 05/10/2019 | Treat dispensing mat suction to... | 101-1008-44607 | 25.46 |
| BANK OF AMERICA | 696068 | 05/10/2019 | Shipping | 101-1003-47406 | 55.00 |
| BANK OF AMERICA | 696068 | 05/10/2019 | Set-up & other | 101-1003-47406 | 118.00 |
| BANK OF AMERICA | 696068 | 05/10/2019 | Two tone plastic sunglasses | 101-1003-47406 | 150.00 |
| BANK OF AMERICA | 696068 | 05/10/2019 | Isla white twist barrel stylus pen | 101-1003-47406 | 59.00 |
| FOXWORTH-GALBRAITH | 7434568 | 05/10/2019 | ADH Hybond 80 gal | 101-1014-43403 | 34.99 |
| FOXWORTH-GALBRAITH | 7434568 | 05/10/2019 | lumber 2x4x8 | 101-1014-43403 | 151.60 |
| FOXWORTH-GALBRAITH | 7434568 | 05/10/2019 | Powerpro screws 10x4 | 101-1014-43403 | 77.98 |
| FOXWORTH-GALBRAITH | 7434568 | 05/10/2019 | 5lb box of 10x2 gray screws | 101-1014-43403 | 43.99 |
| FOXWORTH-GALBRAITH | 7434568 | 05/10/2019 | roof jack 7-13 inch | 101-1014-43403 | 326.40 |
| FOXWORTH-GALBRAITH | 7434568 | 05/10/2019 | Galv Eave 3x4-3/8x10.5 | 101-1014-43403 | 227.30 |
| FOXWORTH-GALBRAITH | 7434568 | 05/10/2019 | metal lap screws 1/4-14x7/8 | 101-1014-43403 | 59.98 |
| FOXWORTH-GALBRAITH | 7434568 | 05/10/2019 | Drip edge 4x4x10.5 | 101-1014-43403 | 39.95 |
| BANK OF AMERICA | 996825 | 05/10/2019 | 8x10 Prints-Mr. Madrid, George... | 101-1003-44606 | 26.00 |
| BANK OF AMERICA | 996825 | 05/10/2019 | Portrait Session for George Szig... | 101-1003-44606 | 25.00 |
| BANK OF AMERICA | 996825 | 05/10/2019 | 11x17 print-Commission/Mana... | 101-1003-44606 | 24.00 |
| TDS | APRIL 2019-TDS | 05/10/2019 | TDS FIBER INTERNET OPEN PO ... | 101-1018-43780 | 5,604.77 |
| BEATRICE SANDERS | 050219 | 05/17/2019 | MILEAGE DUE/ANGEL FIRE | 101-1002-42305 | 22.19 |
| TDS | 050719 | 05/17/2019 | INTERNET SERVICE/PD OPEN P... | 101-1007-43775 | 161.66 |
| RANDALL ARAGON | 050919 | 05/17/2019 | 80% of Chief Aragons monthly c... | 101-1007-43775 | 29.79 |
| INTERNAL SERVICE FUND | 051319 | 05/17/2019 | OIL-MAINT-SAFETY 04/19 | 101-1007-43316 | 54.50 |
| INTERNAL SERVICE FUND | 051319 | 05/17/2019 | OIL-MAINT-SAFETY 04/19 | 101-1007-47420 | 28.05 |
| INTERNAL SERVICE FUND | 051319 | 05/17/2019 | OIL-MAINT-SAFETY 04/19 | 101-1009-43316 | 13.88 |
| INTERNAL SERVICE FUND | 051319 | 05/17/2019 | OIL-MAINT-SAFETY 04/19 | 101-1009-47420 | 6.28 |
| CITY UTILITIES | 051319 | 05/17/2019 | CITY LANDFILL BILLS - OPEN PO ... | 101-1018-43780 | 176.00 |
| TURTLEBACK PEST CONTROL, I... | 051619 | 05/17/2019 | PEST CONTROL SERVICES - OPEN... | 101-1014-44607 | 814.46 |
| CITY UTILITIES | 051619 | 05/17/2019 | CITY UTILITIES CYCLE A&B/OPEN... | 101-1018-43780 | 2,306.76 |
| PUBLIC SAFETY PSYCHOLOGICAL... | 075-022-1 | 05/17/2019 | NMGRT | 101-1007-48598 | 24.28 |
| PUBLIC SAFETY PSYCHOLOGICAL... | 075-022-1 | 05/17/2019 | Psych Eval for Jeremy Morones | 101-1007-48598 | 350.00 |
| XEROX CORP. | 096615540 | 05/17/2019 | BASE CHARGE/METER USAGE O... | 101-1001-44810 | 363.59 |
| XEROX CORP. | 096658854 | 05/17/2019 | BASE CHARGE/METER USAGE FY... | 101-1004-44810 | 260.05 |
| XEROX CORP. | 096658858 | 05/17/2019 | METER USAGE - OPEN PO FY 18... | 101-1012-44810 | 11.32 |
| XEROX CORP. | 096807579 | 05/17/2019 | Base Charge - Meter Usage Ope... | 101-1007-44810 | 232.84 |
| XEROX CORP. | 096807582 | 05/17/2019 | BASE CHARGE/METER USAGE O... | 101-1002-60840 | 426.83 |
| XEROX CORP. | 096807599 | 05/17/2019 | Base Charge/Meter Usage - Op... | 101-1003-44810 | 301.08 |
| XEROX CORP. | 096807601 | 05/17/2019 | XEROX OPEN PO FY-18/19 | 101-1009-43465 | 213.20 |
| COPPLER LAW FIRM PC | 10090/10091/10102/10105/10... | 05/17/2019 | LEAGAL SERVICES - OPEN PO FY... | 101-1000-43597 | 5,136.47 |
| ALBUQUERQUE PET MEMORIAL... | 20134 | 05/17/2019 | Animal cremation .50 per lb/An... | 101-1008-45555 | 283.20 |
| GEMALTO COGENT, INC | 410677 | 05/17/2019 | Law Enforcement Fingerprints J... | 101-1007-48598 | 8.30 |
| SIERRA VETERINARY SERVICES,L... | 48272 | 05/17/2019 | Vet Services at Animal Shelter -... | 101-1008-48599 | 142.79 |
| BRADY INDUSTRIES, LLC | 6118469 | 05/17/2019 | Large trash liners | 101-1014-44607 | 178.50 |
| BRADY INDUSTRIES, LLC | 6118469 | 05/17/2019 | Bayfex Cleaner Disinfectant | 101-1014-44607 | 264.00 |
| BRADY INDUSTRIES, LLC | 6118469 | 05/17/2019 | Wyp-Alls paper towels | 101-1014-44607 | 342.00 |
| BRADY INDUSTRIES, LLC | 6118469 | 05/17/2019 | Fuel Charge | 101-1014-44607 | 4.00 |
| REED'S TIRE CENTER | 6519 | 05/17/2019 | (4) Tires 245/55r18 unit(700) (7... | 101-1007-47420 | 700.00 |
| BARTOO SAND & GRAVEL, INC. | M29281 | 05/17/2019 | CLEAN SCREENED SAND | 101-1009-47415 | 187.16 |
| PERRY SUPPLY CO. | S1711908 | 05/17/2019 | 3/4 HP 2 speed Motor Kit | 101-1014-43403 | 251.40 |
| PERRY SUPPLY CO. | S1711908 | 05/17/2019 | Aero-Cool TH 58/6800 side draft | 101-1014-43403 | 747.78 |
| MUNICIPAL CODE CORP. | 00325229 | 05/24/2019 | ONLINE CODE HOSTING 3/1/20... | 101-1001-43740 | 450.00 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 101-1001-43775 | 338.17 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 101-1002-43775 | 92.49 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 101-1003-43775 | 365.49 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 101-1004-43775 | 335.61 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 101-1007-43775 | 208.67 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 101-1008-43775 | 99.52 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 101-1009-43775 | 221.98 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 101-1010-43775 | 296.33 |

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| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|------------------------|----------------|------------|--------------------------------------|----------------|----------|
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 101-1011-43775 | 24.23 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 101-1012-43775 | 209.23 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 101-1014-43775 | 287.18 |
| CHARLES SCHILD | 05212019 | 05/24/2019 | REFUND/NON-STERALIZED DEP... | 101-1008-45555 | 25.00 |
| VIOLA FLORES | 05212019 | 05/24/2019 | REFUND/NON-STERALIZED DEP... | 101-1008-45555 | 25.00 |
| JEANNE FEAZELL | 05212019 | 05/24/2019 | REFUND/NON-STERALIZED DEP... | 101-1008-45555 | 25.00 |
| GINNY SHANNON | 05212019 | 05/24/2019 | REFUND/NON-STERALIZED DEP... | 101-1008-45555 | 25.00 |
| SIERRA VISTA HOSPITAL | 05212019 | 05/24/2019 | Collection Fees- Facility Manag... | 101-1014-44615 | 25.00 |
| WEX BANK | 074707 | 05/24/2019 | Unleaded Fuel - Open PO FY 18... | 101-1003-43316 | 62.04 |
| WEX BANK | 093129 | 05/24/2019 | UNLEADED FUEL/OPEN PO FY 1... | 101-1001-43316 | 29.35 |
| THE LINE, LLC | 1006 | 05/24/2019 | 5.11 Uniform Hat Adjustable, 7... | 101-1008-42620 | 6.99 |
| THE LINE, LLC | 1006 | 05/24/2019 | Elbeco Paragon Plus Shirt SS Blu... | 101-1008-42620 | 94.60 |
| THE LINE, LLC | 1006 | 05/24/2019 | Taclite Pro Pants Dark Navy Size... | 101-1008-42620 | 199.96 |
| THE LINE, LLC | 1006 | 05/24/2019 | Elbeco Paragon Plus Long Sleeve.. | 101-1008-42620 | 108.80 |
| THE LINE, LLC | 1006 | 05/24/2019 | 5.11 ATAC 2.0 8" Boots | 101-1008-42620 | 99.99 |
| THE LINE, LLC | 1006 | 05/24/2019 | 5.11 Sierra Bravo Duty Belt Syst... | 101-1008-42620 | 54.99 |
| THE LINE, LLC | 1006 | 05/24/2019 | 4 Shirts X 4 Patches per shirt (S... | 101-1008-42620 | 32.00 |
| THE LINE, LLC | 1006 | 05/24/2019 | Sierra Bravo Radio Holder | 101-1008-42620 | 15.99 |
| THE LINE, LLC | 1006 | 05/24/2019 | Name Plate C. Cherry | 101-1008-42620 | 14.00 |
| THE LINE, LLC | 1006 | 05/24/2019 | Bianchi Baton Holder, Nylon | 101-1008-42620 | 18.00 |
| THE LINE, LLC | 1006 | 05/24/2019 | A.C.O-Pair, Gold Collar Brass | 101-1008-42620 | 20.55 |
| THE LINE, LLC | 1006 | 05/24/2019 | 37-2 Safariland OC Holder Plain | 101-1008-42620 | 31.50 |
| WEX BANK | 135259 | 05/24/2019 | Unleaded Fuel - Open PO FY 18... | 101-1007-43316 | 111.22 |
| THE CHANGE COMPANIES | 181172 | 05/24/2019 | My Future CG | 101-1002-60576 | 15.00 |
| THE CHANGE COMPANIES | 181172 | 05/24/2019 | Self-worth-FG | 101-1002-60576 | 15.00 |
| THE CHANGE COMPANIES | 181172 | 05/24/2019 | Responsible Decisions | 101-1002-60576 | 181.25 |
| THE CHANGE COMPANIES | 181172 | 05/24/2019 | Marijuana | 101-1002-60576 | 135.00 |
| THE CHANGE COMPANIES | 181172 | 05/24/2019 | Victim Awareness-FG | 101-1002-60576 | 35.00 |
| THE CHANGE COMPANIES | 181172 | 05/24/2019 | Self-worth | 101-1002-60576 | 180.00 |
| THE CHANGE COMPANIES | 181172 | 05/24/2019 | Feelings and Behavior | 101-1002-60576 | 37.50 |
| THE CHANGE COMPANIES | 181172 | 05/24/2019 | My Future | 101-1002-60576 | 55.00 |
| THE CHANGE COMPANIES | 181172 | 05/24/2019 | Feelings and Behavior | 101-1002-60576 | 130.53 |
| THE CHANGE COMPANIES | 181172 | 05/24/2019 | Building Strong Values | 101-1002-60576 | 135.00 |
| THE CHANGE COMPANIES | 181172 | 05/24/2019 | Responsible Decisions FG | 101-1002-60576 | 35.00 |
| THE CHANGE COMPANIES | 181172 | 05/24/2019 | Victim Awareness | 101-1002-60576 | 225.00 |
| THE CHANGE COMPANIES | 181172 | 05/24/2019 | Why Am I Here? | 101-1002-60576 | 405.00 |
| DESTINY MITCHELL | 4538 | 05/24/2019 | First Aid & CPR for Jeremy Mor... | 101-1007-48598 | 40.00 |
| B & H OIL CO. | 47551 | 05/24/2019 | Unleaded Fuel - Open PO FY 18... | 101-1007-43316 | 3,098.31 |
| B & H OIL CO. | 47553 | 05/24/2019 | Unleaded fuel - OPEN PO FY 18... | 101-1012-43316 | 39.71 |
| B & H OIL CO. | 47559 | 05/24/2019 | Unleaded Fuel - OPEN PO FY 18... | 101-1014-43316 | 665.73 |
| B & H OIL CO. | 47560 | 05/24/2019 | Unleaded Fuel - Open PO FY 18... | 101-1009-43316 | 500.93 |
| B & H OIL CO. | 47560 | 05/24/2019 | Diesel Fuel - Open PO FY 18/19 | 101-1009-43317 | 105.18 |
| B & H OIL CO. | 47561 | 05/24/2019 | Unleaded Fuel - Open PO FY 18... | 101-1008-43316 | 481.35 |
| QUILL CORPORATION | 7204982 | 05/24/2019 | projet oranizer | 101-1002-44606 | 32.00 |
| QUILL CORPORATION | 7204982 | 05/24/2019 | pens extra fine blue | 101-1002-44606 | 22.00 |
| QUILL CORPORATION | 7204982 | 05/24/2019 | pens exta fine | 101-1002-44606 | 22.00 |
| QUILL CORPORATION | 7204982 | 05/24/2019 | clicker pens blue | 101-1002-44606 | 20.00 |
| QUILL CORPORATION | 7204982 | 05/24/2019 | 3 tab folder multi | 101-1002-44606 | 18.00 |
| QUILL CORPORATION | 7204982 | 05/24/2019 | professional notebook | 101-1002-44606 | 24.00 |
| QUILL CORPORATION | 7204982 | 05/24/2019 | poly desk file | 101-1002-44606 | 80.00 |
| QUILL CORPORATION | 7204982 | 05/24/2019 | legal pad jr | 101-1002-44606 | 6.00 |
| QUILL CORPORATION | 7204982 | 05/24/2019 | monitor stand | 101-1002-44606 | 13.50 |
| QUILL CORPORATION | 7204982 | 05/24/2019 | monitor stand | 101-1002-44606 | 13.50 |
| QUILL CORPORATION | 7204982 | 05/24/2019 | 3 tab folder red | 101-1002-44606 | 14.00 |
| QUILL CORPORATION | 7272549 | 05/24/2019 | SHEET PROTECTORS | 101-1001-44606 | 5.66 |
| QUILL CORPORATION | 7272549 | 05/24/2019 | SHARPIE PERMANENT MARKERS | 101-1001-44606 | 10.16 |
| QUILL CORPORATION | 7272549 | 05/24/2019 | BIC WHITEOUT CORRECTION T... | 101-1001-44606 | 11.49 |
| QUILL CORPORATION | 7272549 | 05/24/2019 | LASER BUSINESS CARDS | 101-1001-44606 | 18.44 |
| QUILL CORPORATION | 7272549 | 05/24/2019 | CLASP ENVELOPES | 101-1001-44606 | 42.29 |
| QUILL CORPORATION | 7272549 | 05/24/2019 | PRE-INKED STAMP REFILL | 101-1001-44606 | 2.80 |

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| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|--------------------------------|----------------|------------|------------------------------------|----------------|----------|
| QUILL CORPORATION | 7272549 | 05/24/2019 | NAVY CERTIFICATE COVERS | 101-1001-44606 | 18.87 |
| QUILL CORPORATION | 7272549 | 05/24/2019 | JUMBO PAPER CLIPS | 101-1001-44606 | 9.89 |
| QUILL CORPORATION | 7272549 | 05/24/2019 | CERTIFICATE GREEN BORDER P... | 101-1001-44606 | 6.56 |
| QUILL CORPORATION | 7272549 | 05/24/2019 | DURACELL AA BATTERIES | 101-1001-44606 | 24.99 |
| TRIPLE-S JANITORIAL SUPPLIES | 5046332 | 05/24/2019 | PET STATION BAGS 2400/CS | 101-1009-44607 | 462.95 |
| LAS CRUCES PHYSICIAN SERVIC... | TC 0012 | 05/24/2019 | Anabolic steroid | 101-1007-48598 | 175.00 |
| LAS CRUCES PHYSICIAN SERVIC... | TC 0012 | 05/24/2019 | Physical Exam | 101-1007-48598 | 120.00 |
| LAS CRUCES PHYSICIAN SERVIC... | TC 0012 | 05/24/2019 | Drug Screen-10 panel + Alcohol | 101-1007-48598 | 32.00 |
| LAS CRUCES PHYSICIAN SERVIC... | TC 0012 | 05/24/2019 | RPR-Serology | 101-1007-48598 | 30.00 |
| LAS CRUCES PHYSICIAN SERVIC... | TC 0012 | 05/24/2019 | Bat | 101-1007-48598 | 30.00 |
| LAS CRUCES PHYSICIAN SERVIC... | TC 0012 | 05/24/2019 | EKG | 101-1007-48598 | 30.00 |
| LAS CRUCES PHYSICIAN SERVIC... | TC 0012 | 05/24/2019 | Audiogram | 101-1007-48598 | 25.00 |
| LAS CRUCES PHYSICIAN SERVIC... | TC 0012 | 05/24/2019 | CBC | 101-1007-48598 | 12.00 |
| LAS CRUCES PHYSICIAN SERVIC... | TC 0012 | 05/24/2019 | Blood Chemistry (chemo) Jerem... | 101-1007-48598 | 12.00 |
| LAS CRUCES PHYSICIAN SERVIC... | TC 0012 | 05/24/2019 | Complete Urinalysis | 101-1007-48598 | 12.00 |
| LAS CRUCES PHYSICIAN SERVIC... | TC 0012 | 05/24/2019 | TB | 101-1007-48598 | 12.00 |
| NEW MEXICO GAS COMPANY, I... | 051719 | 05/31/2019 | GAS BILLS/ANIMAL SHELTER | 101-1018-43780 | 30.11 |
| NEW MEXICO GAS COMPANY, I... | 051719 | 05/31/2019 | GAS BILLS/NM WORKFORCE C... | 101-1018-43780 | 27.56 |
| NEW MEXICO GAS COMPANY, I... | 051719 | 05/31/2019 | GAS BILLS/GENERAL | 101-1018-43780 | 319.11 |
| DEBBIE'S STUDIO OF DANCE | 052819 | 05/31/2019 | REFUND DEPOSIT/CIVIC CENTER | 101-1099-34348 | 250.00 |
| KAREN A. WHITMORE | 05282019 | 05/31/2019 | REFUND DEPOSIT/CIVIC CENTER | 101-1099-34348 | 250.00 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 101-1001-41226 | 125.03 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 101-1002-41226 | 42.60 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 101-1003-41226 | 153.42 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 101-1004-41226 | 204.79 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 101-1007-41226 | 886.35 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 101-1008-41226 | 175.39 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 101-1009-41226 | 99.26 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 101-1010-41226 | 35.78 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 101-1011-41226 | 263.49 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 101-1012-41226 | 37.92 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 101-1014-41226 | 233.97 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 101-1016-41226 | 158.89 |
| CITY UTILITIES | 053019 | 05/31/2019 | CITY UTILITIES CYCLE C&D/OPEN.. | 101-1018-43780 | 6,564.90 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 101-1001-41226 | 125.03 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 101-1002-41226 | 42.60 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 101-1003-41226 | 153.42 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 101-1004-41226 | 210.65 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 101-1007-41226 | 930.61 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 101-1008-41226 | 204.19 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 101-1009-41226 | 99.26 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 101-1010-41226 | 45.60 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 101-1011-41226 | 263.49 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 101-1012-41226 | 37.92 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 101-1014-41226 | 233.97 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 101-1016-41226 | 158.89 |
| THE LINE, LLC | 1010 | 05/31/2019 | Men's Short Sleeve 15 1/2 Pleat... | 101-1007-42620 | 114.84 |
| THE LINE, LLC | 1010 | 05/31/2019 | Men's size 32x38 Unhemmed L... | 101-1007-42620 | 290.80 |
| THE LINE, LLC | 1010 | 05/31/2019 | Women's Size 8 x Unhemmed | 101-1007-42620 | 250.80 |
| SOUTHWEST SIGN SERVICE | 11028 | 05/31/2019 | 6-12" X 18" WHITE OMAGBOND. | 101-1009-44607 | 162.00 |
| SIERRA SUPPLY | 20699 | 05/31/2019 | BRASS HEX BUSHING 1 X 3/4 | 101-1009-44607 | 6.42 |
| SIERRA SUPPLY | 20699 | 05/31/2019 | BRASS THR BALL VAL 1" | 101-1009-44607 | 45.72 |
| SIERRA SUPPLY | 20699 | 05/31/2019 | POLYPROMALEADPT 3/4" | 101-1009-44607 | 1.76 |
| COOPERATIVE EDUCATIONAL S... | 24-088873 | 05/31/2019 | Install Wood Fence 8th/Kopra P... | 101-1009-48599 | 6,881.69 |
| OFFICE DEPOT | 315554712 | 05/31/2019 | Rubber Bands 3 1/2 x 1/4 | 101-1007-44606 | 2.49 |
| OFFICE DEPOT | 315554712 | 05/31/2019 | Basic round-ring view binder 1/... | 101-1007-44606 | 6.80 |
| OFFICE DEPOT | 315554712 | 05/31/2019 | File folders 1/3 cut letter size | 101-1007-44606 | 49.00 |
| OFFICE DEPOT | 315554712 | 05/31/2019 | Rubber Bands 1-lb box 7' x 1/8 | 101-1007-44606 | 32.97 |
| OFFICE DEPOT | 315554712 | 05/31/2019 | HP 63/63XL black/color 2 pack | 101-1007-44606 | 213.84 |
| OFFICE DEPOT | 315554712 | 05/31/2019 | White copy paper letter paper s... | 101-1007-44606 | 332.96 |

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| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|----------------------------------|----------------|------------|---------------------------------------|----------------|------------------|
| OFFICE DEPOT | 315554712 | 05/31/2019 | Post-it durable tabs 1' x 1 1/2 bl... | 101-1007-44606 | 18.32 |
| BAKER & TAYLOR, INC. | 4012542740 | 05/31/2019 | Paperback books, open PO FY 1... | 101-1016-44830 | 48.54 |
| SIERRA VETERINARY SERVICES, L... | 48541 | 05/31/2019 | Vet Services at Animal Shelter -... | 101-1008-48599 | 43.40 |
| BRADY INDUSTRIES, LLC | 6131757 | 05/31/2019 | Center Pull Paper Hand Towels | 101-1014-44607 | 454.00 |
| BRADY INDUSTRIES, LLC | 6131757 | 05/31/2019 | Cherry Take Down | 101-1014-44607 | 190.80 |
| BRADY INDUSTRIES, LLC | 6131757 | 05/31/2019 | Lemon Scent Cleaner | 101-1014-44607 | 100.00 |
| INTEGRATED TECHNOLOGIES G... | 6625 | 05/31/2019 | Adobe Acrobat DC Pro-1yr sub f... | 101-1003-43770 | 195.00 |
| INTEGRATED TECHNOLOGIES G... | 6625 | 05/31/2019 | Adobe Acrobat DC Pro-1yr Sub ... | 101-1004-43770 | 390.00 |
| BSN SPORTS | 905261033 | 05/31/2019 | EDWARDS 30LS DOUBLE CENTER | 101-1009-44607 | 407.98 |
| Fund 101 - General Total: | | | | | 83,177.65 |

Fund: 201 - Corrections

| | | | | | |
|--------------------------------------|--------|------------|--------------------------------|----------------|-----------------|
| SIERRA COUNTY TREASURER | 043019 | 05/02/2019 | Prisoner Care Open PO FY 18-19 | 201-1903-48710 | 2,945.00 |
| NM JUDICIAL EDUCATION CENT... | 050119 | 05/02/2019 | JUDICIAL EDUCATION FEES | 201-1903-44805 | 132.00 |
| ADMINISTRATIVE OFFICE OF | 2764 | 05/02/2019 | DWI LAB FEES/PREVENTION FE... | 201-1903-44805 | 400.00 |
| SIERRA COUNTY TREASURER | 050919 | 05/17/2019 | Prisoner Care Open PO FY 18-19 | 201-1903-48710 | 2,375.00 |
| Fund 201 - Corrections Total: | | | | | 5,852.00 |

Fund: 209 - Fire

| | | | | | |
|--------------------------------|-----------|------------|----------------------------------|----------------|------------------|
| NEW MEXICO GAS COMPANY, I... | 041819 | 05/02/2019 | GAS BILLS/FIRE STATION | 209-1603-43780 | 62.63 |
| NEW MEXICO GAS COMPANY, I... | 041819 | 05/02/2019 | GAS BILLS/FIRE SOUTH STATION | 209-1603-43780 | 76.46 |
| CITY UTILITIES | 042919 | 05/02/2019 | CITY UTILITIES CYCLE C&D/OPEN... | 209-1603-43780 | 219.11 |
| RON'S WELDING | 20191005 | 05/02/2019 | TAX | 209-1603-47420 | 106.25 |
| RON'S WELDING | 20191005 | 05/02/2019 | PUMP RELAY FOR LADDER 1 | 209-1603-47420 | 150.00 |
| RON'S WELDING | 20191005 | 05/02/2019 | PUMP TESTING (ALL PUMPER T... | 209-1603-47420 | 1,100.00 |
| MEGAHERTZ COMPUTER CONS... | 17208 | 05/10/2019 | INTERNET SERVICE - OPEN PO F... | 209-1603-43770 | 54.25 |
| ADVANCED COMMUNICATIONS... | 182217 | 05/10/2019 | MOTOROLA MINITOR 6 PAGERS | 209-1603-80845 | 12,204.00 |
| ADVANCED COMMUNICATIONS... | 182217 | 05/10/2019 | BATTERIES | 209-1603-80845 | 766.85 |
| TESTON'S FREEWAY CHEVRON | 2529 | 05/10/2019 | FUEL ALL TRUCKS - OPEN PO FY ... | 209-1603-43316 | 195.54 |
| CITY UTILITIES | 051619 | 05/17/2019 | CITY UTILITIES CYCLE A&B/OPEN... | 209-1603-43780 | 269.01 |
| XEROX CORP. | 096807586 | 05/17/2019 | BASE CHARGE/METER USAGE FY... | 209-1603-43770 | 310.99 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 209-1603-43775 | 117.42 |
| NM STATE FIRE FIGHTERS ASSO... | 052119 | 05/24/2019 | REGISTRATION FEE/BRAD SPEN... | 209-1603-42310 | 125.00 |
| NM STATE FIRE FIGHTERS ASSO... | 052119 | 05/24/2019 | REGISTRATION FEE/DEE BROWN | 209-1603-42310 | 125.00 |
| NM STATE FIRE FIGHTERS ASSO... | 052119 | 05/24/2019 | REGISTRATION FEE/JAMIE SAN... | 209-1603-42310 | 125.00 |
| NM STATE FIRE FIGHTERS ASSO... | 052119 | 05/24/2019 | REGISTRATION FEE/ED RODRIG... | 209-1603-42310 | 125.00 |
| NM STATE FIRE FIGHTERS ASSO... | 052119 | 05/24/2019 | REGISTRATION FEE/ERNIE LUNA | 209-1603-42310 | 125.00 |
| NM STATE FIRE FIGHTERS ASSO... | 052119 | 05/24/2019 | REGISTRATION FEE/PETER BAC... | 209-1603-42310 | 125.00 |
| ACTION TRAINING SYSTEMS, INC | 18896 | 05/24/2019 | PUMPING APPARATUR SERIES 5... | 209-1603-80845 | 1,079.05 |
| NEW MEXICO GAS COMPANY, I... | 051719 | 05/31/2019 | GAS BILLS/FIRE SOUTH STATION | 209-1603-43780 | 32.17 |
| NEW MEXICO GAS COMPANY, I... | 051719 | 05/31/2019 | GAS BILLS/FIRE STATION | 209-1603-43780 | 31.03 |
| CITY UTILITIES | 053019 | 05/31/2019 | CITY UTILITIES CYCLE C&D/OPEN... | 209-1603-43780 | 156.31 |
| Fund 209 - Fire Total: | | | | | 17,681.07 |

Fund: 211 - Law Enforce Prot

| | | | | | |
|---|-------------|------------|------------------------------------|----------------|---------------|
| TRANS UNION RISK & ALTERNAT... | 050119 | 05/10/2019 | Monthly charge for TLO softwar... | 211-2003-43770 | 100.00 |
| RANDALL ARAGON | 051619 | 05/10/2019 | ADVANCED PER DIEM/ALBUQU... | 211-2003-42535 | 77.60 |
| PREMIER UNIFORMS & TACTICA... | 33070/33498 | 05/17/2019 | Men 5.11 Polo Shirts embroider... | 211-2003-44573 | 647.10 |
| PREMIER UNIFORMS & TACTICA... | 33070/33498 | 05/17/2019 | Ladies 5.11 Polo Shirts embroid... | 211-2003-44573 | 143.80 |
| RANDALL ARAGON | 051719 | 05/24/2019 | PER DIEM DUE/ALBUQUERQUE | 211-2003-42535 | 19.40 |
| Fund 211 - Law Enforce Prot Total: | | | | | 987.90 |

Fund: 214 - Lodgers Tax

| | | | | | |
|------------------------------|-----------------|------------|------------------------------------|----------------|----------|
| NM HOSPITALITY ASSOCIATION | 6529 | 05/02/2019 | Annual membership dues | 214-2503-43770 | 800.00 |
| LINDMARK OUTDOOR MEDIA | 13336/13339 | 05/17/2019 | City Advertising- Open PO FY 18... | 214-2503-47597 | 844.84 |
| GERONIMO SPRINGS MUSEUM | 5092019 | 05/17/2019 | Geronimo Springs Museum-Lod... | 214-2503-47406 | 735.86 |
| RUANNA WALDRUM | 847/862 | 05/17/2019 | Lodgers Tax Advertising - Open ... | 214-2503-47597 | 5,097.95 |
| MAINSTREET T OR C | 1904 | 05/24/2019 | MainStreet Lodgers / FY18-19 | 214-2503-48591 | 8,750.00 |
| JOHN DEERE CREDIT, INC. | 2160756 | 05/24/2019 | LEASE PAYMENT JD GRMW/FAI... | 214-2503-44810 | 950.73 |
| T OR C FIESTA, INC | 5022019/5212019 | 05/24/2019 | Lodger's Tax FY18/19 | 214-2503-47406 | 2,003.63 |
| GERONIMO SPRINGS MUSEUM | 5102019 | 05/24/2019 | Geronimo Springs Museum-Lod... | 214-2503-47406 | 120.00 |
| GERONIMO TRAIL SCENIC BYW... | 5152019 | 05/24/2019 | Geronimo Trail Grant/Funding -... | 214-2503-48815 | 416.66 |
| GERONIMO SPRINGS MUSEUM | 5222019 | 05/31/2019 | Geronimo Springs Museum-Lod... | 214-2503-47406 | 5,198.53 |

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| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|--------------------------------------|----------------|------------|--------------------------------|----------------|------------------|
| CHAMBER OF COMMERCE | 5282019 | 05/31/2019 | Chamber of Commerce-Lodgers... | 214-2503-47406 | 9,481.00 |
| Fund 214 - Lodgers Tax Total: | | | | | 34,399.20 |

Fund: 216 - Muni Street

| | | | | | |
|--------------------------------------|-----------|------------|----------------------------------|----------------|-------------------|
| JORNADA CONSERVATION & D... | 04252019 | 05/02/2019 | REGISTRATION FEE- BENNY FU... | 216-4503-42720 | 40.00 |
| GEO-TEST, INC. | 90024 | 05/02/2019 | Material Testing Services | 216-4503-80845 | 2,000.53 |
| SIERRA AUTO/CARQUEST | ID-245545 | 05/02/2019 | HOSE ENDS- 6G-6FFORX | 216-4503-47420 | 16.58 |
| SIERRA AUTO/CARQUEST | ID-245545 | 05/02/2019 | CRIMPS | 216-4503-47420 | 12.00 |
| SIERRA AUTO/CARQUEST | ID-245545 | 05/02/2019 | HYDRAULIC HOSES | 216-4503-47420 | 22.20 |
| SIERRA AUTO/CARQUEST | ID-245882 | 05/02/2019 | 5/32 AIR LINE FERRULES | 216-4503-47420 | 5.94 |
| SIERRA AUTO/CARQUEST | ID-245882 | 05/02/2019 | SHIFTER KNOB RANGE | 216-4503-47420 | 54.90 |
| SIERRA AUTO/CARQUEST | ID-245883 | 05/02/2019 | SERPINTINE BELT | 216-4503-47420 | 20.69 |
| SIERRA AUTO/CARQUEST | ID-245883 | 05/02/2019 | FAN BELTS | 216-4503-47420 | 36.20 |
| SIERRA AUTO/CARQUEST | ID-245883 | 05/02/2019 | FRONT HUB WINDOW KITS | 216-4503-47420 | 17.78 |
| PAVEMENT SEALANTS & SUPPLY | 17517 | 05/10/2019 | HIGH PERFORMANCE COLD MIX | 216-4503-43550 | 4,606.22 |
| REED'S TIRE CENTER | 6480 | 05/10/2019 | TIRE REPAIRS | 216-4503-47420 | 90.00 |
| FOXWORTH-GALBRAITH | 7433966 | 05/10/2019 | Bags of Cement | 216-4503-80845 | 728.79 |
| FOXWORTH-GALBRAITH | 7434236 | 05/10/2019 | STAKES- 1X2X12" | 216-4503-44607 | 99.92 |
| FOXWORTH-GALBRAITH | 7434236 | 05/10/2019 | STAKE CHASERS- PINK | 216-4503-44607 | 191.60 |
| INTERNAL SERVICE FUND | 051319 | 05/17/2019 | OIL-MAINT-SAFETY 04/19 | 216-4503-43316 | 150.60 |
| INTERNAL SERVICE FUND | 051319 | 05/17/2019 | OIL-MAINT-SAFETY 04/19 | 216-4503-47420 | 27.68 |
| INTERWEST SAFETY SUPPLY, LLC | 40061 | 05/17/2019 | REG. DRIVE CAP FOR U-CHANN... | 216-4503-44607 | 86.80 |
| INTERWEST SAFETY SUPPLY, LLC | 40061 | 05/17/2019 | YIELD SIGN | 216-4503-44607 | 370.80 |
| INTERWEST SAFETY SUPPLY, LLC | 40061 | 05/17/2019 | STOP SIGN | 216-4503-44607 | 539.50 |
| REED'S TIRE CENTER | 6520 | 05/17/2019 | TIRE REPAIRS | 216-4503-47420 | 90.00 |
| MESILLA VALLEY COMMERCIAL ... | 73624 | 05/17/2019 | TIRES- 19.5L24 - 580 CASE BAC... | 216-4503-47420 | 850.00 |
| SOUTHWEST CONSTRUCTION P... | 83507 | 05/17/2019 | 26" GUTTER BROOM WIRE | 216-4503-47420 | 985.00 |
| COOPERATIVE EDUCATIONAL S... | 24-088677 | 05/24/2019 | TAX, TITLE, & LICENSE FEES | 216-4503-80810 | 6.00 |
| COOPERATIVE EDUCATIONAL S... | 24-088677 | 05/24/2019 | DOCUMENT FEES | 216-4503-80810 | 100.00 |
| COOPERATIVE EDUCATIONAL S... | 24-088677 | 05/24/2019 | PURCHASE COVERAGE | 216-4503-80810 | 2,842.00 |
| COOPERATIVE EDUCATIONAL S... | 24-088677 | 05/24/2019 | 2020 MACK PINNACLE PI64T | 216-4503-80810 | 153,401.00 |
| B & H OIL CO. | 47554 | 05/24/2019 | Unleaded Fuel - Open PO FY 18... | 216-4503-43316 | 122.25 |
| B & H OIL CO. | 47554 | 05/24/2019 | Diesel Fuel - Open PO FY 18/19 | 216-4503-43317 | 2,469.77 |
| MESILLA VALLEY COMMERCIAL ... | 935 | 05/24/2019 | 24" O-RINGS | 216-4503-47420 | 192.00 |
| BARTOO SAND & GRAVEL, INC. | M44452 | 05/24/2019 | SHORT LOAD | 216-4503-43550 | 86.80 |
| BARTOO SAND & GRAVEL, INC. | M44452 | 05/24/2019 | CONCRETE | 216-4503-43550 | 358.05 |
| CHERRILL'S WESTERN | 640824 | 05/31/2019 | WRANGLER JEANS | 216-4503-42620 | 138.00 |
| CHERRILL'S WESTERN | 640824 | 05/31/2019 | WRANGLER SHIRTS | 216-4503-42620 | 138.00 |
| CHERRILL'S WESTERN | 640824 | 05/31/2019 | CHAMBRAY WRANGLER SHIRTS | 216-4503-42620 | 132.00 |
| CHERRILL'S WESTERN | 640824 | 05/31/2019 | WRANGLER JEANS | 216-4503-42620 | 138.00 |
| CHERRILL'S WESTERN | 640824 | 05/31/2019 | BOOTS | 216-4503-44615 | 150.00 |
| CHERRILL'S WESTERN | 640824 | 05/31/2019 | BOOTS | 216-4503-44615 | 150.00 |
| SOUTHWEST CONSTRUCTION P... | 83743 | 05/31/2019 | BRACKET | 216-4503-47420 | 194.90 |
| SOUTHWEST CONSTRUCTION P... | 83743 | 05/31/2019 | DRAW BAR | 216-4503-47420 | 107.02 |
| SOUTHWEST CONSTRUCTION P... | 83743 | 05/31/2019 | PLUNGER (FUEL TANK) | 216-4503-47420 | 59.50 |
| SOUTHWEST CONSTRUCTION P... | 83743 | 05/31/2019 | LONG BRASS(STRIPWEAR CENT... | 216-4503-47420 | 41.20 |
| SOUTHWEST CONSTRUCTION P... | 83743 | 05/31/2019 | SHORT BRASS(STRIPWEAR OUT... | 216-4503-47420 | 138.40 |
| SOUTHWEST CONSTRUCTION P... | 83743 | 05/31/2019 | NUTS | 216-4503-47420 | 39.92 |
| SOUTHWEST CONSTRUCTION P... | 83743 | 05/31/2019 | WASHERS | 216-4503-47420 | 3.96 |
| SOUTHWEST CONSTRUCTION P... | 83743 | 05/31/2019 | BOLTS | 216-4503-47420 | 4.56 |
| SOUTHWEST CONSTRUCTION P... | 83766 | 05/31/2019 | REMAN COMPLETE ENGINE | 216-4503-47420 | 15,675.00 |
| Fund 216 - Muni Street Total: | | | | | 187,732.06 |

Fund: 293 - Vet Wall Perp

| | | | | | |
|--|--------|------------|-----------------------------|----------------|---------------|
| WILLIAM KIRIKOS | 050719 | 05/10/2019 | OPEN PO FOR COLUMBARIUM ... | 293-5103-44810 | 600.00 |
| Fund 293 - Vet Wall Perp Total: | | | | | 600.00 |

Fund: 294 - State Library

| | | | | | |
|-----------------|-----------|------------|-----------------------------------|----------------|----------|
| THORNDIKE PRESS | 050219 | 05/10/2019 | Renew large print standing orde.. | 294-5003-48830 | 5,275.00 |
| XEROX CORP. | 096807595 | 05/17/2019 | Meter Usage - Open PO FY 18/19 | 294-5003-48599 | 39.91 |
| TDS | 05022019 | 05/24/2019 | Internet Service/Library Open ... | 294-5003-48830 | 108.45 |

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| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|--------------------------------------|----------------|------------|-----------------------------------|--|-----------------|
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 294-5003-43775 | 81.20 |
| | | | | Fund 294 - State Library Total: | 5,504.56 |
| Fund: 295 - Muni Pool | | | | | |
| NEW MEXICO GAS COMPANY, I... | 041819 | 05/02/2019 | GAS BILLS/SWIMMING POOL | 295-4803-43780 | 910.95 |
| CITY UTILITIES | 042919 | 05/02/2019 | CITY UTILITIES CYCLE C&D/OPEN.. | 295-4803-43780 | 2,345.77 |
| POOL PRO, LLC | 190293 | 05/02/2019 | Acid magic (15gal) | 295-4803-44607 | 605.00 |
| POOL PRO, LLC | 190293 | 05/02/2019 | 50# calcium hypochlorite | 295-4803-44607 | 260.00 |
| POOL PRO, LLC | 190293 | 05/02/2019 | Shipping | 295-4803-44607 | 105.00 |
| LIFEGUARD STORE INC | 70466 | 05/02/2019 | TYR fem guard t-shirt-Savannah | 295-4803-42620 | 15.50 |
| LIFEGUARD STORE INC | 70466 | 05/02/2019 | Rise guard sweats-Savannah | 295-4803-42620 | 16.75 |
| LIFEGUARD STORE INC | 70466 | 05/02/2019 | TYR Guard womens swimsuit-S... | 295-4803-42620 | 59.99 |
| LIFEGUARD STORE INC | 70466 | 05/02/2019 | Speedo guard shorts-Savannah | 295-4803-42620 | 26.50 |
| LIFEGUARD STORE INC | 70466 | 05/02/2019 | Rise guard shorts-Savannah | 295-4803-42620 | 21.00 |
| LIFEGUARD STORE INC | 70466 | 05/02/2019 | TYR guard board shorts-Savann... | 295-4803-42620 | 28.00 |
| LIFEGUARD STORE INC | 70466 | 05/02/2019 | Nike guard swimsuit-Savannah | 295-4803-42620 | 30.00 |
| LIFEGUARD STORE INC | 70466 | 05/02/2019 | Speedo guard swimsuit-Savann... | 295-4803-42620 | 41.95 |
| LIFEGUARD STORE INC | 70466 | 05/02/2019 | Rise guard tee-Savannah | 295-4803-42620 | 5.95 |
| LIFEGUARD STORE INC | 70466 | 05/02/2019 | Guard hooded sweatshirt-Sava... | 295-4803-42620 | 19.95 |
| LIFEGUARD STORE INC | 70466 | 05/02/2019 | Excl. guard tee | 295-4803-42620 | 6.50 |
| LIFEGUARD STORE INC | 70466 | 05/02/2019 | Original guard whistle | 295-4803-44615 | 9.00 |
| LIFEGUARD STORE INC | 70466 | 05/02/2019 | Nylon neck lanyard | 295-4803-44615 | 2.16 |
| UPS | F7093X169 | 05/02/2019 | Package return for uniform ite... | 295-4803-42620 | 40.85 |
| BANK OF AMERICA | 992813 | 05/10/2019 | Water Safety Instructor Candida.. | 295-4803-42720 | 44.99 |
| BANK OF AMERICA | 992813 | 05/10/2019 | Shipping | 295-4803-42720 | 7.36 |
| TDS | APRIL 2019-TDS | 05/10/2019 | TDS FIBER INTERNET OPEN PO ... | 295-4803-43780 | 651.01 |
| POOL PRO, LLC | 190331 | 05/17/2019 | Shipping | 295-4803-44607 | 105.00 |
| POOL PRO, LLC | 190331 | 05/17/2019 | 50# Calcium hypochlorite 1" | 295-4803-44607 | 732.00 |
| JODIE KILGORE | 05182019 | 05/24/2019 | REFUND DEPOSIT/POOL | 295-4803-34355 | 50.00 |
| NEW MEXICO GAS COMPANY, I... | 051719 | 05/31/2019 | GAS BILLS/SWIMMING POOL | 295-4803-43780 | 664.31 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 295-4803-41226 | 103.99 |
| CITY UTILITIES | 053019 | 05/31/2019 | CITY UTILITIES CYCLE C&D/OPEN.. | 295-4803-43780 | 1,943.51 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 295-4803-41226 | 106.10 |
| LIFEGUARD STORE INC | 839601/839703 | 05/31/2019 | Speedo guard thin strap top - sm | 295-4803-42620 | 55.90 |
| LIFEGUARD STORE INC | 839601/839703 | 05/31/2019 | Rise guard tee red - sm | 295-4803-42620 | 29.75 |
| LIFEGUARD STORE INC | 839601/839703 | 05/31/2019 | Speedo female guard tankini to... | 295-4803-42620 | 28.45 |
| LIFEGUARD STORE INC | 839601/839703 | 05/31/2019 | TYR male guard t-shirt - sm | 295-4803-42620 | 15.50 |
| LIFEGUARD STORE INC | 839601/839703 | 05/31/2019 | Rise guard female flex short - sm | 295-4803-42620 | 21.00 |
| LIFEGUARD STORE INC | 839601/839703 | 05/31/2019 | Rise Guard visor | 295-4803-42620 | 55.60 |
| LIFEGUARD STORE INC | 839601/839703 | 05/31/2019 | Speedo female guard swim shor... | 295-4803-42620 | 50.00 |
| LIFEGUARD STORE INC | 839601/839703 | 05/31/2019 | Guard hooded sweatshirt - sm | 295-4803-42620 | 39.90 |
| LIFEGUARD STORE INC | 839601/839703 | 05/31/2019 | Rise Guard safari hat - Lg | 295-4803-42620 | 39.80 |
| LIFEGUARD STORE INC | 839601/839703 | 05/31/2019 | Rise Guard safari hat - med. | 295-4803-42620 | 39.80 |
| LIFEGUARD STORE INC | 839601/839703 | 05/31/2019 | Rise solid male flex short - sm | 295-4803-42620 | 63.75 |
| LIFEGUARD STORE INC | 839601/839703 | 05/31/2019 | Standard Guard hip pack | 295-4803-44615 | 59.50 |
| LIFEGUARD STORE INC | 839601/839703 | 05/31/2019 | Standard pocket mask | 295-4803-44615 | 56.00 |
| LIFEGUARD STORE INC | 839601/839703 | 05/31/2019 | Fox 40 mini pealess whistle | 295-4803-44615 | 31.32 |
| LIFEGUARD STORE INC | 839601/839703 | 05/31/2019 | Guard Sunglasses | 295-4803-44615 | 183.60 |
| LIFEGUARD STORE INC | 839601/839703 | 05/31/2019 | Nylon neck lanyard | 295-4803-44615 | 5.88 |
| | | | | Fund 295 - Muni Pool Total: | 9,734.84 |
| Fund: 302 - Elec Construction | | | | | |
| NEW MEXICO FINANCE AUTHOR.. | 050119 | 05/02/2019 | NMFA LOAN PMTS FY 18/19/T... | 302-4603-12906 | 9,914.94 |
| | | | | Fund 302 - Elec Construction Total: | 9,914.94 |
| Fund: 303 - Vet Wall | | | | | |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 303-4703-43775 | 137.21 |
| | | | | Fund 303 - Vet Wall Total: | 137.21 |
| Fund: 306 - CI Jt Uti | | | | | |
| NEW MEXICO FINANCE AUTHOR.. | 050119 | 05/02/2019 | NMFA LOAN PMTS FY 18/19/T... | 306-6103-12902 | 10,022.95 |
| NEW MEXICO FINANCE AUTHOR.. | 050119 | 05/02/2019 | NMFA LOAN PMTS FY 18/19/T... | 306-6103-12918 | 690.58 |
| NEW MEXICO FINANCE AUTHOR.. | 050119 | 05/02/2019 | NMFA LOAN PMTS FY 18/19/T... | 306-6103-12919 | 7,598.72 |

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| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|---|----------------|------------|-----------------------------------|----------------|-------------------|
| NEW MEXICO FINANCE AUTHOR..050119 | | 05/02/2019 | NM LOAN PMTS FY 18/19/TORC... | 306-6103-90905 | 12,719.00 |
| NEW MEXICO FINANCE AUTHOR..050119 | | 05/02/2019 | NMFA LOAN PMTS FY 18/19/T... | 306-6103-90910 | 419.64 |
| NEW MEXICO FINANCE AUTHOR..052319 | | 05/24/2019 | LOAN PAYMENT- PRINCIPAL T... | 306-6103-90905 | 3,846.00 |
| NEW MEXICO FINANCE AUTHOR..052319 | | 05/24/2019 | LOAN PAYMENT- PRINCIPAL TO... | 306-6103-90905 | 3,867.00 |
| Fund 306 - CI Jt Uti Total: | | | | | 39,163.89 |
| Fund: 403 - Pledge State | | | | | |
| CAPITAL ONE PUBLIC FUNDING | 4832671 | 05/02/2019 | CAPITAL ONE LOAN PMT FY18/... | 403-1203-90905 | 85,000.00 |
| CAPITAL ONE PUBLIC FUNDING | 4832671 | 05/02/2019 | CAPITAL ONE LOAN PMT FY18/... | 403-1203-90910 | 15,602.50 |
| Fund 403 - Pledge State Total: | | | | | 100,602.50 |
| Fund: 501 - Cemetary | | | | | |
| CITY UTILITIES | 051619 | 05/17/2019 | CITY UTILITIES CYCLE A&B/OPEN.. | 501-1803-43780 | 595.09 |
| Fund 501 - Cemetary Total: | | | | | 595.09 |
| Fund: 502 - Util Office - Pool | | | | | |
| CITY UTILITIES | 042919 | 05/02/2019 | CITY UTILITIES CYCLE C&D/OPEN.. | 502-3601-43780 | 417.49 |
| NM SELF INSURERS FUND | 050119-1 | 05/02/2019 | Insurance -2019 Kawaski Mule ... | 502-3601-46733 | 10.00 |
| SOUTHWEST SIGN SERVICE | 10993 | 05/02/2019 | 3-3" X 3" Printed City Logo | 502-3601-47420 | 63.00 |
| SOUTHWEST SIGN SERVICE | 10993 | 05/02/2019 | 3-3.75" 12' White vinyl lettering | 502-3601-47420 | 28.50 |
| SIERRA AUTO/CARQUEST | ID-246990 | 05/02/2019 | rear set brake pads | 502-3601-47420 | 40.98 |
| SIERRA AUTO/CARQUEST | ID-246990 | 05/02/2019 | rear brake rotors/ 00495-G | 502-3601-47420 | 92.30 |
| SIERRA AUTO/CARQUEST | ID-246990 | 05/02/2019 | front set brake pads/ 00495-G | 502-3601-47420 | 48.68 |
| SIERRA AUTO/CARQUEST | ID-246992 | 05/02/2019 | 10w40 engine oil/ Kawasaki Mu... | 502-3601-47420 | 47.94 |
| VERIZON WIRELESS | 050619 | 05/10/2019 | CELL PHONE BILLS/OPEN PO FY ... | 502-3601-43775 | 171.51 |
| SIERRA COUNTY SENTINEL | 104509 | 05/10/2019 | HELP WANTED ADS/UTILITY OFF.. | 502-3601-43740 | 21.97 |
| CHERRILL'S WESTERN | 640825 | 05/10/2019 | WRANGLER JEANS/ JOSHUA WI... | 502-3601-42620 | 138.00 |
| CHERRILL'S WESTERN | 640825 | 05/10/2019 | WRANGLER SHIRT BLUE/ JOSH... | 502-3601-42620 | 88.00 |
| CHERRILL'S WESTERN | 640825 | 05/10/2019 | WRANGLER SHIRTS SS/ JOSHUA... | 502-3601-42620 | 40.00 |
| INTERNAL SERVICE FUND | 051319 | 05/17/2019 | OIL-MAINT-SAFETY 04/19 | 502-3601-43316 | 17.50 |
| INTERNAL SERVICE FUND | 051319 | 05/17/2019 | OIL-MAINT-SAFETY 04/19 | 502-3601-47420 | 86.37 |
| XEROX CORP. | 096658857 | 05/17/2019 | Xerox FY 18/19 | 502-3601-44810 | 512.54 |
| NEW MEXICO ONE CALL, INC. | 15004665 | 05/17/2019 | Annual Membership Fee/QTR Al... | 502-3601-43770 | 384.95 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 502-3601-43775 | 403.38 |
| B & H OIL CO. | 47555 | 05/24/2019 | UNLEADED FUEL OPEN PO FY 1... | 502-3601-43316 | 613.53 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 502-3601-41226 | 264.26 |
| CITY UTILITIES | 053019 | 05/31/2019 | CITY UTILITIES CYCLE C&D/OPEN.. | 502-3601-43780 | 336.87 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 502-3601-41226 | 254.52 |
| INTEGRATED TECHNOLOGIES G... | 6625 | 05/31/2019 | Adobe Acrobat DC Pro-1yr for S... | 502-3601-43770 | 195.00 |
| Fund 502 - Util Office - Pool Total: | | | | | 4,277.29 |
| Fund: 503 - Electric | | | | | |
| NEW MEXICO GAS COMPANY, I... | 041819 | 05/02/2019 | GAS BILLS/ELECTRIC | 503-3702-43780 | 23.92 |
| CITY UTILITIES | 042919 | 05/02/2019 | CITY UTILITIES CYCLE C&D/OPEN.. | 503-3702-43780 | 4,911.46 |
| AMERICAN PUBLIC POWER ASS... | 327052 | 05/02/2019 | ANNUAL DUES | 503-3702-43770 | 3,010.68 |
| QUILL CORPORATION | 6594631 | 05/02/2019 | CANON DESKTOP CALCULATOR | 503-3702-44606 | 48.59 |
| QUILL CORPORATION | 6594631 | 05/02/2019 | FILE FOLDERS | 503-3702-44606 | 17.54 |
| QUILL CORPORATION | 6594631 | 05/02/2019 | WHITE OUT | 503-3702-44606 | 16.47 |
| QUILL CORPORATION | 6594631 | 05/02/2019 | PILOT G2 PENS, BLUE INK | 503-3702-44606 | 40.49 |
| QUILL CORPORATION | 6594631 | 05/02/2019 | AVERY BIG TAB INSERTABLE DIV... | 503-3702-44606 | 12.55 |
| QUILL CORPORATION | 6594631 | 05/02/2019 | REGISTER 2-1/4" BOND ROLLS | 503-3702-44606 | 10.79 |
| QUILL CORPORATION | 6594631 | 05/02/2019 | COMPOSITION NOTEBOOK | 503-3702-44606 | 19.30 |
| QUILL CORPORATION | 6594631 | 05/02/2019 | BUSINESS CARDS- WILLIE MON... | 503-3702-44606 | 9.26 |
| QUILL CORPORATION | 6594631 | 05/02/2019 | INK ROLLER | 503-3702-44606 | 4.94 |
| QUILL CORPORATION | 6594631 | 05/02/2019 | 15' HDMI CABLE | 503-3702-44606 | 5.66 |
| QUILL CORPORATION | 6594631 | 05/02/2019 | POST IT ARROW FLAGS | 503-3702-44606 | 6.74 |
| IRBY SUPPLY CO. | S011311247 | 05/02/2019 | LED REMOTE CONTROL SEARCH... | 503-3702-44615 | 850.68 |
| IRBY SUPPLY CO. | S011311247 | 05/02/2019 | BUCK SUPERSQUEEZE | 503-3702-44615 | 630.39 |
| IRBY SUPPLY CO. | S011311247 | 05/02/2019 | BASHLIN 14 1-5/8" POLE GAFF | 503-3702-44615 | 330.58 |
| IRBY SUPPLY CO. | S011311247 | 05/02/2019 | BASHLIN 27 GAFF SHAPING KIT | 503-3702-44615 | 45.72 |
| IRBY SUPPLY CO. | S011311247 | 05/02/2019 | BUCKADJUSTER 9-8-7FT | 503-3702-44615 | 302.18 |
| VERIZON WIRELESS | 050619 | 05/10/2019 | CELL PHONE BILLS/OPEN PO FY ... | 503-3702-43775 | 57.16 |
| SIERRA ELECTRIC CO-OP, INC. | 050619 | 05/10/2019 | MIMS CITY LIGHTS FY 18/19 | 503-3702-43780 | 567.18 |

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| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|--------------------------------|----------------|------------|-------------------------------------|----------------|------------|
| SIERRA ELECTRIC CO-OP, INC. | 050619 | 05/10/2019 | POWER SERVICES FY18/19 | 503-3702-50795 | 128,627.80 |
| SSA SOLAR OF NM 4, LLC | 11029 | 05/10/2019 | POWER SERVICE/OPEN PO FY 1... | 503-3702-50795 | 19,636.85 |
| ALTEC INDUSTRIES, INC | 11165512 | 05/10/2019 | SHEAVE | 503-3702-47420 | 374.03 |
| ALTEC INDUSTRIES, INC | 11165512 | 05/10/2019 | PIN;DRILL ENDS 38 IN. | 503-3702-47420 | 122.46 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | NIPPLES | 503-3702-47415 | 7.92 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | 1 1/4" LB | 503-3702-47415 | 25.10 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | #12 GREEN | 503-3702-47415 | 10.40 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | WEATHERHEAD 1 1/4" | 503-3702-47415 | 25.98 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | #12 WHITE | 503-3702-47415 | 10.40 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | 1/2" EMT | 503-3702-47415 | 17.56 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | UNISTRUT | 503-3702-47415 | 26.65 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | #6 SOLID | 503-3702-47415 | 30.00 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | #12 BLACK | 503-3702-47415 | 10.40 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | ACORNS | 503-3702-47415 | 19.84 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | 20 AMPS BREAKERS | 503-3702-47415 | 17.98 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | GFI OUTDOOR BOX KITS | 503-3702-47415 | 251.94 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | OUTDOOR PANEL 6/12 | 503-3702-47415 | 59.98 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | 1 1/4" RIGID | 503-3702-47415 | 19.79 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | 1 1/4" CLAMPS | 503-3702-47415 | 10.76 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | 50 AMP BREAKER | 503-3702-47415 | 33.98 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | 15 AMP BREAKERS | 503-3702-47415 | 10.98 |
| SUN VALLEY, INC. | 145418/6 | 05/10/2019 | 1 1/4" HUBS | 503-3702-47415 | 14.98 |
| SUN VALLEY, INC. | 145630/6 | 05/10/2019 | 9" 6TPI BLADE | 503-3702-44607 | 10.99 |
| SUN VALLEY, INC. | 145630/6 | 05/10/2019 | MARKING WAND | 503-3702-44607 | 47.98 |
| SUN VALLEY, INC. | 145630/6 | 05/10/2019 | 9" 4/18T BLADE | 503-3702-44607 | 8.49 |
| SUN VALLEY, INC. | 145630/6 | 05/10/2019 | GRAY OUTDOOR ROUND COVER | 503-3702-47415 | 4.49 |
| SUN VALLEY, INC. | 145630/6 | 05/10/2019 | 3/4" 90 DEG. CONNECTOR | 503-3702-47415 | 6.98 |
| SUN VALLEY, INC. | 145630/6 | 05/10/2019 | ME GREY WP ROUND OUTLET ... | 503-3702-47415 | 8.49 |
| SUN VALLEY, INC. | 145630/6 | 05/10/2019 | 2" RIGID CONNECTOR | 503-3702-47415 | 21.98 |
| SUN VALLEY, INC. | 145630/6 | 05/10/2019 | 1/2" EMT STRAP | 503-3702-47415 | 12.90 |
| SUN VALLEY, INC. | 145630/6 | 05/10/2019 | GROUNDING PIGTAIL | 503-3702-47415 | 9.87 |
| SUN VALLEY, INC. | 145630/6 | 05/10/2019 | 1/3-2" THRD CONDUIT BODY | 503-3702-47415 | 8.49 |
| SUN VALLEY, INC. | 145630/6 | 05/10/2019 | GREY 2G MLT OUTLET COVER | 503-3702-47415 | 1.52 |
| ZIA ELECTRICAL PRODUCTS | 17304 | 05/10/2019 | FORM 9S RXRS4 CO-GEN METER | 503-3702-47415 | 880.00 |
| ZIA ELECTRICAL PRODUCTS | 17305 | 05/10/2019 | FM 9S/8S AX54E | 503-3702-44607 | 704.00 |
| TRIPLE H SOLAR, LLC | 180 | 05/10/2019 | ENGINEERING SERVICE/OPEN P... | 503-3702-48599 | 1,889.92 |
| WESTERN UNITED ELECTRIC | 4133574 | 05/10/2019 | 620 LUMEN | 503-3702-47415 | 450.00 |
| ALTEC INDUSTRIES, INC | 50402244 | 05/10/2019 | LABOR | 503-3702-47420 | 128.00 |
| ALTEC INDUSTRIES, INC | 50402244 | 05/10/2019 | SUPPLIES & ENVIRONMENTAL D... | 503-3702-47420 | 154.30 |
| ALTEC INDUSTRIES, INC | 50402244 | 05/10/2019 | MATERIALS | 503-3702-47420 | 677.08 |
| TDS | APRIL 2019-TDS | 05/10/2019 | TDS FIBER INTERNET OPEN PO ... | 503-3702-43780 | 651.01 |
| WESTERN AREA POWER ADMIN | JIPB1798A0419 | 05/10/2019 | POWER SERVICE FY18/19 | 503-3702-50795 | 46,704.76 |
| IRBY SUPPLY CO. | S011287984 | 05/10/2019 | CARHART FIRE RESISTANT SHIRT.. | 503-3702-42620 | 344.10 |
| IRBY SUPPLY CO. | S011287984 | 05/10/2019 | CARHART FIRE RESISTANT SHIRT.. | 503-3702-42620 | 344.10 |
| UTILITY CRANE & EQUIPMENT. ... | 0329238 | 05/17/2019 | FAULT FINDING ATTACHMENT | 503-3702-44613 | 898.00 |
| CITY UTILITIES | 051319 | 05/17/2019 | CITY LANDFILL BILLS - OPEN PO ... | 503-3702-43780 | 84.00 |
| CITY UTILITIES | 051619 | 05/17/2019 | CITY UTILITIES CYCLE A&B/OPEN.. | 503-3702-43780 | 231.77 |
| XEROX CORP. | 096807600 | 05/17/2019 | BASE CHARGE/METER USAGE FY... | 503-3702-44810 | 34.75 |
| BOHANNAN HUSTON INC | 105700 | 05/17/2019 | Engineering Services/Cielo Vista... | 503-3702-48599 | 1,624.69 |
| TRI-STATE GENERATION & TRA... | 302019 | 05/17/2019 | POWER SERVICE FY18/19- WHE... | 503-3702-50795 | 31,002.07 |
| CHERRILL'S WESTERN | 640827 | 05/17/2019 | WRANGLER JEANS | 503-3702-42620 | 138.00 |
| CHERRILL'S WESTERN | 640827 | 05/17/2019 | WRANGLER JEANS | 503-3702-42620 | 138.00 |
| CHERRILL'S WESTERN | 640827 | 05/17/2019 | BOOTS | 503-3702-44615 | 150.00 |
| CHERRILL'S WESTERN | 640827 | 05/17/2019 | BOOTS | 503-3702-44615 | 150.00 |
| REED'S TIRE CENTER | 6531 | 05/17/2019 | SWAP TIRES | 503-3702-47420 | 24.68 |
| REED'S TIRE CENTER | 6531 | 05/17/2019 | MOUNT TIRES | 503-3702-47420 | 24.00 |
| REED'S TIRE CENTER | 6531 | 05/17/2019 | HERCULES TIRES | 503-3702-47420 | 900.00 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 503-3702-43775 | 41.94 |
| ALTEC INDUSTRIES, INC | 11173597 | 05/24/2019 | REAR MOUNT PEDESTAL | 503-3702-47420 | 28.46 |
| ADVANCED COMMUNICATIONS... | 182342 | 05/24/2019 | KENWOOD TK-2170LAKVP POR... | 503-3702-44613 | 717.22 |

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| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|--------------------------------|----------------|------------|----------------------------------|----------------|------------|
| ADVANCED COMMUNICATIONS... | 182342 | 05/24/2019 | 170 SERIES VOLUME KNOB | 503-3702-44613 | 49.76 |
| ADVANCED COMMUNICATIONS... | 182342 | 05/24/2019 | KRA-26- VHF ANTENNA | 503-3702-44613 | 39.20 |
| TWIN PALMS EMBROIDERY, LLC | 2057 | 05/24/2019 | EMBROIDERY- FIRE RETARTDAN... | 503-3702-42620 | 60.00 |
| TWIN PALMS EMBROIDERY, LLC | 2057 | 05/24/2019 | HATS W/EMBROIDERY | 503-3702-42620 | 180.00 |
| B & H OIL CO. | 47558 | 05/24/2019 | UNLEADED FUEL FY 18/19 | 503-3702-43316 | 550.56 |
| B & H OIL CO. | 47558 | 05/24/2019 | DIESEL FUEL FY 18/19 | 503-3702-43317 | 490.82 |
| UTILITY CRANE & EQUIPMENT. ... | 0329239 | 05/31/2019 | FAULT FINDER ADAPTER | 503-3702-44613 | 61.87 |
| NEW MEXICO GAS COMPANY, I... | 051719 | 05/31/2019 | GAS BILLS/ELECTRIC | 503-3702-43780 | 21.24 |
| VILLAGE OF WILLIAMSBURG | 052919 | 05/31/2019 | FRANCHISE TAX JAN-MARCH 20... | 503-3702-45796 | 3,465.41 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 503-3702-41226 | 296.98 |
| CITY UTILITIES | 053019 | 05/31/2019 | CITY UTILITIES CYCLE C&D/OPEN... | 503-3702-43780 | 4,877.16 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 503-3702-41226 | 296.98 |
| Fund 503 - Electric Total: | | | | | 259,935.07 |

Fund: 504 - Water

| | | | | | |
|---------------------------------|----------------|------------|-------------------------------------|----------------|-----------|
| NEW MEXICO GAS COMPANY, I... | 041819 | 05/02/2019 | GAS BILLS/WATER | 504-3803-43780 | 31.40 |
| CITY UTILITIES | 042919 | 05/02/2019 | CITY UTILITIES CYCLE C&D/OPEN... | 504-3803-43780 | 10,004.87 |
| BAKER UTILITY SUPPLY CORP. | 262320 | 05/02/2019 | MJxMJ DI Long Sleeve 14"x 15" ... | 504-3803-44607 | 793.80 |
| BAKER UTILITY SUPPLY CORP. | 262320 | 05/02/2019 | MJ Skin Pack 14" REG GSK W/T-... | 504-3803-44607 | 154.60 |
| BAKER UTILITY SUPPLY CORP. | 262594 | 05/02/2019 | Resetter no Idea 5/8"x3/4"x9" ... | 504-3803-47425 | 1,801.00 |
| BAKER UTILITY SUPPLY CORP. | 262594 | 05/02/2019 | Badger M55 1" low lead mtr-loc... | 504-3803-47425 | 320.00 |
| BAKER UTILITY SUPPLY CORP. | 262594 | 05/02/2019 | Rubber meter gasket | 504-3803-47425 | 120.00 |
| Warm Springs Rent All | 49122 | 05/02/2019 | 16" Diamond Blade | 504-3803-44607 | 418.00 |
| SIERRA AUTO/CARQUEST | ID-245686 | 05/02/2019 | Oil Filter adaptor gasket | 504-3803-47420 | 13.16 |
| SIERRA AUTO/CARQUEST | ID-245686 | 05/02/2019 | Bracket Assy. | 504-3803-47420 | 3.35 |
| SIERRA AUTO/CARQUEST | ID-245687 | 05/02/2019 | Hydraulic Fitting | 504-3803-47421 | 23.91 |
| SIERRA AUTO/CARQUEST | ID-245687 | 05/02/2019 | Hyd Hose nps 51 in. | 504-3803-47421 | 20.40 |
| SIERRA AUTO/CARQUEST | ID-245687 | 05/02/2019 | Crimps | 504-3803-47421 | 12.00 |
| SIERRA AUTO/CARQUEST | ID-245687 | 05/02/2019 | Hydraulic Fitting | 504-3803-47421 | 19.31 |
| VERIZON WIRELESS | 050619 | 05/10/2019 | CELL PHONE BILLS/OPEN PO FY ... | 504-3803-43775 | 57.16 |
| TAXATION AND REVENUE | 050919 | 05/10/2019 | WATER CONSERVATION FEE 04... | 504-3803-43797 | 1,051.92 |
| U.S. DISTRIBUTING, INC. | 384548 | 05/10/2019 | Battery-G42769 | 504-3803-47420 | 184.88 |
| STAPLES CONTRACT & COMME... | 70109677 | 05/10/2019 | Staples Push Pins, Clear 500/pk | 504-3803-44606 | 3.97 |
| STAPLES CONTRACT & COMME... | 70109677 | 05/10/2019 | Staples Dry Erase Board | 504-3803-44606 | 27.36 |
| STAPLES CONTRACT & COMME... | 70109677 | 05/10/2019 | HP 63 Blk/Color Ink Cartridges,2... | 504-3803-44606 | 79.88 |
| STAPLES CONTRACT & COMME... | 70109677 | 05/10/2019 | Expo Starter Set Kit | 504-3803-44606 | 4.73 |
| STAPLES CONTRACT & COMME... | 70109677 | 05/10/2019 | 12" Hamilton Wall clock | 504-3803-44606 | 18.87 |
| TDS | APRIL 2019-TDS | 05/10/2019 | TDS FIBER INTERNET OPEN PO ... | 504-3803-43780 | 651.01 |
| INTERNAL SERVICE FUND | 051319 | 05/17/2019 | OIL-MAINT-SAFETY 04/19 | 504-3803-47420 | 9.75 |
| CITY UTILITIES | 051619 | 05/17/2019 | CITY UTILITIES CYCLE A&B/OPEN... | 504-3803-43780 | 495.76 |
| BARTOO SAND & GRAVEL, INC. | M29187 | 05/17/2019 | Hot Mix-NMDOT Approved | 504-3803-44607 | 2,427.29 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 504-3803-43775 | 68.53 |
| B & H OIL CO. | 47557 | 05/24/2019 | Unleaded Fuel | 504-3803-43316 | 558.22 |
| B & H OIL CO. | 47557 | 05/24/2019 | Diesel Fuel/ Def 2.5 | 504-3803-43317 | 1,038.33 |
| USA BLUEBOOK | 878186 | 05/24/2019 | Space Saver Flange, 4"x 3" | 504-3803-47415 | 673.42 |
| USA BLUEBOOK | 885252 | 05/24/2019 | 1-1/2" 12 VDC Submersible Pu... | 504-3803-44613 | 1,043.55 |
| NEW MEXICO GAS COMPANY, I... | 051719 | 05/31/2019 | GAS BILLS/WATER | 504-3803-43780 | 25.31 |
| VILLAGE OF WILLIAMSBURG | 052919 | 05/31/2019 | FRANCHISE TAX JAN-MARCH 20... | 504-3803-45796 | 678.22 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 504-3803-41226 | 93.55 |
| CITY UTILITIES | 053019 | 05/31/2019 | CITY UTILITIES CYCLE C&D/OPEN... | 504-3803-43780 | 8,531.35 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 504-3803-41226 | 116.42 |
| TERRY'S TIRE & ALIGNMENT, IN... | 24482 | 05/31/2019 | Turned-2 Rotors/2 Drums | 504-3803-47420 | 50.00 |
| Fund 504 - Water Total: | | | | | 31,625.28 |

Fund: 505 - Solid Waste

| | | | | | |
|------------------------------|----------|------------|-------------------------------------|----------------|--------|
| QUEST DIAGNOSTICS LAB, INC. | 04162019 | 05/02/2019 | Screening Fees/ Soild Waste De... | 505-3904-44615 | 108.80 |
| NEW MEXICO GAS COMPANY, I... | 041819 | 05/02/2019 | GAS BILLS/RECYCLE CENTER | 505-3904-43780 | 30.85 |
| CITY UTILITIES | 042919 | 05/02/2019 | CITY UTILITIES CYCLE C&D/OPEN... | 505-3904-43780 | 555.93 |
| CERTIFIED LABORATORIES | 3282179 | 05/02/2019 | Hi- Vis Vest, ANSI Class 2, B-A ... | 505-3904-44615 | 25.50 |
| CERTIFIED LABORATORIES | 3282179 | 05/02/2019 | Hi- Vis Vest, ANSI Class 2, B-A ... | 505-3904-44615 | 25.50 |
| CERTIFIED LABORATORIES | 3282179 | 05/02/2019 | Hi- Vis Vest, ANSI Class 2, B-A ... | 505-3904-44615 | 25.50 |
| CERTIFIED LABORATORIES | 3282179 | 05/02/2019 | Gloves, Double Palm shoulder c... | 505-3904-44615 | 45.95 |

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| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|--------------------------------------|----------------|------------|-------------------------------------|----------------|------------------|
| CERTIFIED LABORATORIES | 3282179 | 05/02/2019 | Hi- Vis Vest, ANSI Class 2, B-A ... | 505-3904-44615 | 51.63 |
| CERTIFIED LABORATORIES | 3282179 | 05/02/2019 | Gloves, Double Palm shoulder c... | 505-3904-44615 | 45.95 |
| CERTIFIED LABORATORIES | 3282179 | 05/02/2019 | Hi- Vis Vest, ANSI Class 2, B-A ... | 505-3904-44615 | 25.50 |
| SIERRA AUTO/CARQUEST | ID-246341 | 05/02/2019 | air fitting | 505-3904-47420 | 6.85 |
| SIERRA AUTO/CARQUEST | ID-246341 | 05/02/2019 | windshield wiper blades | 505-3904-47420 | 5.12 |
| SIERRA AUTO/CARQUEST | ID-246341 | 05/02/2019 | parking brake chamber | 505-3904-47420 | 129.99 |
| SIERRA AUTO/CARQUEST | ID-246341 | 05/02/2019 | air brake chamber | 505-3904-47420 | 42.89 |
| SIERRA AUTO/CARQUEST | ID-246341 | 05/02/2019 | radiator cap | 505-3904-47420 | 4.26 |
| SOUTHWESTERN EQUIPMENT ... | 037041 | 05/10/2019 | freight | 505-3904-47420 | 20.60 |
| SOUTHWESTERN EQUIPMENT ... | 037041 | 05/10/2019 | Pins on Mast Assembly | 505-3904-47420 | 281.60 |
| SOUTHWESTERN EQUIPMENT ... | 037077 | 05/10/2019 | Mast Lift Cylinder G-66541 | 505-3904-47420 | 715.00 |
| SOUTHWESTERN EQUIPMENT ... | 037077 | 05/10/2019 | freight | 505-3904-47420 | 45.00 |
| VERIZON WIRELESS | 050619 | 05/10/2019 | CELL PHONE BILLS/OPEN PO FY ... | 505-3904-43775 | 57.16 |
| SIERRA COUNTY SENTINEL | 104492 | 05/10/2019 | Help Wanted - Solid Waste | 505-3904-43740 | 21.97 |
| SIERRA COUNTY SENTINEL | 104506 | 05/10/2019 | Sentinel Ad for Free spring clean.. | 505-3904-43740 | 162.75 |
| SUN VALLEY, INC. | 145724/6 | 05/10/2019 | 14" Chop Saw | 505-3904-44613 | 200.00 |
| CHERRILL'S WESTERN | 640822 | 05/10/2019 | Safety Boots Joseph Daley | 505-3904-44615 | 150.00 |
| CHERRILL'S WESTERN | 640822 | 05/10/2019 | Safety Boots Carmen Howell | 505-3904-44615 | 139.00 |
| CHERRILL'S WESTERN | 640823 | 05/10/2019 | 6 Work Shirts Joseph Daley | 505-3904-42620 | 137.94 |
| CHERRILL'S WESTERN | 640823 | 05/10/2019 | 6 Work Jeans Joseph Daley | 505-3904-42620 | 143.94 |
| TDS | APRIL 2019-TDS | 05/10/2019 | TDS FIBER INTERNET OPEN PO ... | 505-3904-43780 | 651.01 |
| CITY UTILITIES | 051319 | 05/17/2019 | CITY LANDFILL BILLS - OPEN PO ... | 505-3904-34601 | 24,844.80 |
| INTERNAL SERVICE FUND | 051319 | 05/17/2019 | OIL-MAINT-SAFETY 04/19 | 505-3904-43316 | 67.25 |
| INTERNAL SERVICE FUND | 051319 | 05/17/2019 | OIL-MAINT-SAFETY 04/19 | 505-3904-47420 | 67.52 |
| XEROX CORP. | 096807587 | 05/17/2019 | LA6-283718 Meter Usage | 505-3904-44810 | 29.86 |
| REED'S TIRE CENTER | 6497 | 05/17/2019 | 2 LT 265/ 70 R17 10 ply Tires for.. | 505-3904-47420 | 276.00 |
| REED'S TIRE CENTER | 6526 | 05/17/2019 | Tire mount for G-90258 | 505-3904-47420 | 37.87 |
| 4 RIVERS EQUIPMENT | 664056 | 05/17/2019 | SEAL | 505-3904-47420 | 47.14 |
| 4 RIVERS EQUIPMENT | 664056 | 05/17/2019 | WINDOWPANE | 505-3904-47420 | 346.82 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 505-3904-43775 | 164.53 |
| SIERRA VISTA HOSPITAL | 05212019-1 | 05/24/2019 | Collection Fees/ Solid Waste De... | 505-3904-44615 | 25.00 |
| B & H OIL CO. | 47552 | 05/24/2019 | Unleaded Fuel - Open PO FY 18... | 505-3904-43316 | 404.20 |
| B & H OIL CO. | 47552 | 05/24/2019 | Diesel Fuel - Open PO FY 18/19 | 505-3904-43317 | 2,410.94 |
| NEW MEXICO GAS COMPANY, I... | 051719 | 05/31/2019 | GAS BILLS/RECYCLE CENTER | 505-3904-43780 | 21.44 |
| VILLAGE OF WILLIAMSBURG | 052919 | 05/31/2019 | FRANCHISE TAX JAN-MARCH 20... | 505-3904-45796 | 1,251.29 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 505-3904-41226 | 390.49 |
| CITY UTILITIES | 053019 | 05/31/2019 | CITY UTILITIES CYCLE C&D/OPEN.. | 505-3904-43780 | 552.63 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 505-3904-41226 | 393.13 |
| NM RECYCLING COALITION | 1194 | 05/31/2019 | Annual Membership dues | 505-3904-43770 | 200.00 |
| NM RECYCLING COALITION | 1194 | 05/31/2019 | Associate Membership Scott Ev... | 505-3904-43770 | 50.00 |
| Fund 505 - Solid Waste Total: | | | | | 35,437.10 |

Fund: 506 - WWTP

| | | | | | |
|------------------------------|----------------|------------|------------------------------------|----------------|-----------|
| FORT BEND SERVICES, INC. | 0222018 | 05/02/2019 | Fuel Surcharge | 506-4005-44605 | 41.73 |
| FORT BEND SERVICES, INC. | 0222018 | 05/02/2019 | CationicPolymer For Process Co... | 506-4005-44605 | 2,200.00 |
| QUEST DIAGNOSTICS LAB, INC. | 04162019-1 | 05/02/2019 | Screening & MRO Fee/ Wastew... | 506-4005-44615 | 54.40 |
| NEW MEXICO GAS COMPANY, I... | 041819 | 05/02/2019 | GAS BILLS/VACUUM STATIONS | 506-4005-43780 | 23.05 |
| CITY UTILITIES | 042919 | 05/02/2019 | CITY UTILITIES CYCLE C&D/OPEN.. | 506-4005-43780 | 11,621.95 |
| INTERLAB | 22767 | 05/02/2019 | TKN | 506-4005-44605 | 200.00 |
| INTERLAB | 22767 | 05/02/2019 | Chloride | 506-4005-44605 | 99.50 |
| INTERLAB | 22767 | 05/02/2019 | N03N (Nitrate) | 506-4005-44605 | 75.00 |
| INTERLAB | 22767 | 05/02/2019 | TDS | 506-4005-44605 | 75.00 |
| DUKATT 71 | 050119 | 05/10/2019 | Signage for Maintaining State C... | 506-4005-47425 | 475.00 |
| VERIZON WIRELESS | 050619 | 05/10/2019 | CELL PHONE BILLS/OPEN PO FY ... | 506-4005-43775 | 228.68 |
| VILLAGE OF WILLIAMSBURG | 050919 | 05/10/2019 | SEWER RECEIPTS 04/19 | 506-4005-48798 | 4,473.84 |
| TDS | APRIL 2019-TDS | 05/10/2019 | TDS FIBER INTERNET OPEN PO ... | 506-4005-43780 | 651.01 |
| INTERNAL SERVICE FUND | 051319 | 05/17/2019 | OIL-MAINT-SAFETY 04/19 | 506-4005-43316 | 44.00 |
| CITY UTILITIES | 051319 | 05/17/2019 | CITY LANDFILL BILLS - OPEN PO ... | 506-4005-43780 | 2,178.86 |
| INTERNAL SERVICE FUND | 051319 | 05/17/2019 | OIL-MAINT-SAFETY 04/19 | 506-4005-47420 | 5.15 |
| CITY UTILITIES | 051619 | 05/17/2019 | CITY UTILITIES CYCLE A&B/OPEN.. | 506-4005-43780 | 294.30 |
| JESSE COLE | 051919 | 05/17/2019 | ADVANCED MILEAGE/ALBUQU... | 506-4005-42305 | 104.90 |

EOM AP Report

Payment Dates: 05/01/2019 - 05/31/2019

| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|------------------------------|----------------|------------|-----------------------------------|----------------|-----------|
| JESSE COLE | 051919 | 05/17/2019 | ADVANCED PER DIEM/ALBUQU... | 506-4005-42310 | 145.60 |
| POWER FORD | 91387 | 05/17/2019 | Tow Package & Wiring | 506-4005-80810 | 895.00 |
| POWER FORD | 91387 | 05/17/2019 | Item-7,F1E, 2019 F-150 Truck,1... | 506-4005-80810 | 22,236.00 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 506-4005-43775 | 103.25 |
| WEX BANK | 060343 | 05/24/2019 | Unleaded Fuel- Open P O FY 18... | 506-4005-43316 | 32.27 |
| INTERLAB | 22793 | 05/24/2019 | Acrylonitrile | 506-4005-44605 | 840.00 |
| INTERLAB | 22793 | 05/24/2019 | Cadmium | 506-4005-44605 | 300.00 |
| INTERLAB | 22793 | 05/24/2019 | TSS-Influent | 506-4005-44605 | 188.00 |
| INTERLAB | 22793 | 05/24/2019 | TSS-Effluent | 506-4005-44605 | 60.00 |
| INTERLAB | 22793 | 05/24/2019 | Bod-Effluent | 506-4005-44605 | 140.00 |
| INTERLAB | 22793 | 05/24/2019 | Bod-Influent | 506-4005-44605 | 140.00 |
| B & H OIL CO. | 47556 | 05/24/2019 | Unleaded Fuel | 506-4005-43316 | 521.63 |
| B & H OIL CO. | 47556 | 05/24/2019 | Diesel Fuel | 506-4005-43317 | 69.31 |
| DPC INDUSTRIES, INC. | DE7400025819 | 05/24/2019 | Demurrage/Rental of Chlorine ... | 506-4005-44607 | 55.00 |
| NEW MEXICO GAS COMPANY, I... | 051719 | 05/31/2019 | GAS BILLS/VACUUM STATIONS | 506-4005-43780 | 23.28 |
| JESSE COLE | 052119 | 05/31/2019 | MILEAGE DUE/ALBUQUERQUE | 506-4005-42305 | 26.22 |
| JESSE COLE | 052119 | 05/31/2019 | PER DIEM DUE/ALBUQUERQUE | 506-4005-42310 | 36.40 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 506-4005-41226 | 218.15 |
| CITY UTILITIES | 053019 | 05/31/2019 | CITY UTILITIES CYCLE C&D/OPEN.. | 506-4005-43780 | 7,368.16 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 506-4005-41226 | 241.91 |
| J & K SERVICES | 1039 | 05/31/2019 | Labor | 506-4005-43416 | 893.56 |
| J & K SERVICES | 1039 | 05/31/2019 | Materials | 506-4005-43416 | 1,044.69 |
| NM MUNICIPAL LEAGUE | 14488 | 05/31/2019 | REGISTRATION FEE/JESSE COLE | 506-4005-42720 | 120.00 |
| SOUTHWEST ENVIROTEC | 43019 | 05/31/2019 | Travel | 506-4005-43416 | 359.50 |
| SOUTHWEST ENVIROTEC | 43019 | 05/31/2019 | Camera Line | 506-4005-43416 | 400.00 |
| Fund 506 - WWTP Total: | | | | | 59,304.30 |

Fund: 507 - Solid Waste Transfer Station

| | | | | | |
|--|---------------|------------|---------------------------------------|----------------|-----------|
| DESERT GRAPHICS INC. | 5603 | 05/02/2019 | Signs for recycle trailers and yar... | 507-4203-44607 | 671.04 |
| CITY OF LAS CRUCES | 63407 | 05/02/2019 | Solid Waste Disposal Transport... | 507-4203-45601 | 35,967.93 |
| GORDON ENVIRONMENTAL/PSC | 01005619.00-2 | 05/17/2019 | Gordon Enviromental PSC Landfi... | 507-4203-80845 | 1,021.95 |
| XEROX CORP. | 096807587 | 05/17/2019 | E1B-082733 Base Charge/Meter... | 507-4203-44810 | 101.35 |
| Fund 507 - Solid Waste Transfer Station Total: | | | | | 37,762.27 |

Fund: 508 - Golf Course

| | | | | | |
|------------------------------|------------|------------|----------------------------------|----------------|----------|
| REED'S TIRE CENTER | 6451 | 05/02/2019 | USED TIRES | 508-4303-47420 | 40.00 |
| SIERRA AUTO/CARQUEST | ID-246002 | 05/02/2019 | COUPLER B M FE 1/4NP | 508-4303-47420 | 5.58 |
| SIERRA AUTO/CARQUEST | ID-246002 | 05/02/2019 | LUBE SPIN-ON | 508-4303-47420 | 8.09 |
| SIERRA AUTO/CARQUEST | ID-246002 | 05/02/2019 | AIR HOSE | 508-4303-47420 | 26.81 |
| SIERRA AUTO/CARQUEST | ID-246002 | 05/02/2019 | OIL FILTER-HD | 508-4303-47420 | 27.48 |
| SIERRA AUTO/CARQUEST | ID-246002 | 05/02/2019 | CQ RED GREASE 14OZ | 508-4303-47420 | 45.90 |
| SIERRA AUTO/CARQUEST | ID-246002 | 05/02/2019 | COUPLER P M FE 1/4NP | 508-4303-47420 | 3.13 |
| YAMAHA MOTOR FINANCE COR... | MAN 200923 | 05/02/2019 | 2018 Yamaha Quietech EFI Golf... | 508-4303-43465 | 903.51 |
| NEW MEXICO STATE ALCOHOL ... | 050219 | 05/10/2019 | SUNDAY SALES FEE | 508-4303-43770 | 100.00 |
| NEW MEXICO STATE ALCOHOL ... | 050219 | 05/10/2019 | RENEWAL FEE | 508-4303-43770 | 1,300.00 |
| NEW MEXICO STATE ALCOHOL ... | 050219 | 05/10/2019 | BASE LATE FEE | 508-4303-43770 | 350.00 |
| NEW MEXICO STATE ALCOHOL ... | 050219 | 05/10/2019 | RESIDENT AGENT FEE | 508-4303-43770 | 50.00 |
| SUN VALLEY, INC. | 145626/6 | 05/10/2019 | 9-1/2" V-JAW CHAN PLIER | 508-4303-44607 | 16.99 |
| SUN VALLEY, INC. | 145626/6 | 05/10/2019 | 16" TONGUE & GROOVE PLIER | 508-4303-44607 | 17.89 |
| SUN VALLEY, INC. | 145626/6 | 05/10/2019 | 24" COMM PUSH BROOM | 508-4303-44607 | 75.98 |
| SUN VALLEY, INC. | 145626/6 | 05/10/2019 | ARMOR EDG CABLE STRIPPER | 508-4303-44607 | 18.99 |
| SUN VALLEY, INC. | 145626/6 | 05/10/2019 | GAL SMOOTH HAND CLEANER | 508-4303-44607 | 35.98 |
| SUN VALLEY, INC. | 145626/6 | 05/10/2019 | SLIME, GALLON | 508-4303-47420 | 101.97 |
| SUN VALLEY, INC. | 145627/6 | 05/10/2019 | 3/8 X 8 X 400 YEL BRAID ROPE | 508-4303-47415 | 432.18 |
| BANK OF AMERICA | 170836 | 05/10/2019 | 12-FT X 12-FT INSTANT CANOPY | 508-4303-44613 | 224.85 |
| TRACTOR SUPPLY COMPANY | 200167272 | 05/10/2019 | GW 25lb Bermuda | 508-4303-47415 | 399.96 |
| TRACTOR SUPPLY COMPANY | 200167570 | 05/10/2019 | B & D 20 V MAX POWER COM... | 508-4303-44607 | 89.99 |
| TRACTOR SUPPLY COMPANY | 200167570 | 05/10/2019 | RW SEED CAN 10GAL GALV | 508-4303-44607 | 179.91 |
| TRACTOR SUPPLY COMPANY | 200167570 | 05/10/2019 | B & D 20 V MAX STRING TRIM... | 508-4303-44607 | 79.99 |
| TRACTOR SUPPLY COMPANY | 200167570 | 05/10/2019 | BALLISTIC HYBRID | 508-4303-44607 | 28.99 |
| CITY UTILITIES | 051619 | 05/17/2019 | CITY UTILITIES CYCLE A&B/OPEN... | 508-4303-43780 | 1,013.05 |
| XEROX CORP. | 096658860 | 05/17/2019 | XEROX OPEN PO FY -18/19 | 508-4303-43465 | 183.39 |

EOM AP Report

Payment Dates: 05/01/2019 - 05/31/2019

| Vendor Name | Payable Number | Post Date | Description (Item) | Account Number | Amount |
|--|----------------|------------|----------------------------------|----------------|-------------------|
| SUN COUNTRY AMATEUR GOLF... | 2013219 | 05/17/2019 | Membership fees | 508-4303-43770 | 900.00 |
| KSN ENTERPRISES, LLC | 201614 | 05/17/2019 | (7) 2 PASSENGER GOLF CARTS ... | 508-4303-43465 | 796.68 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 508-4303-43775 | 191.83 |
| YAMAHA MOTOR FINANCE COR... | 669856 | 05/24/2019 | 2018 Yamaha Quietech EFI Golf... | 508-4303-43465 | 903.51 |
| EWING IRRIGATION | 7395237 | 05/24/2019 | 2.5GL 28-0-0 N-SLOW | 508-4303-47415 | 215.71 |
| EWING IRRIGATION | 7395237 | 05/24/2019 | 2.5GL CHLOROTHANLONIL 720 | 508-4303-47415 | 271.52 |
| Fund 508 - Golf Course Total: | | | | | 9,039.86 |
| Fund: 509 - Muni Airport | | | | | |
| NM MUNICIPAL LEAGUE | 042919 | 05/02/2019 | NM AVIATION CONFERENCE | 509-4403-42720 | 150.00 |
| BLAIR WYMAN | 050819 | 05/02/2019 | ADVANCED MILEAGE/RUIDOSO | 509-4403-42305 | 119.68 |
| BLAIR WYMAN | 050819 | 05/02/2019 | ADVANCED PER DIEM/RUIDOSO | 509-4403-42310 | 136.00 |
| VERIZON WIRELESS | 050619 | 05/10/2019 | CELL PHONE BILLS/OPEN PO FY ... | 509-4403-43775 | 171.51 |
| TRACTOR SUPPLY COMPANY | 200164608 | 05/10/2019 | PALMFLEX NITRILE GLOVES | 509-4403-44615 | 9.99 |
| TRACTOR SUPPLY COMPANY | 200164608 | 05/10/2019 | PALMFLEX NITRILE GLOVES | 509-4403-44615 | 9.99 |
| BANK OF AMERICA | 220462 | 05/10/2019 | GLOVES | 509-4403-44606 | 6.84 |
| BANK OF AMERICA | 220462 | 05/10/2019 | DOORMATS | 509-4403-44606 | 12.94 |
| BANK OF AMERICA | 220462 | 05/10/2019 | BROOM/DUSTPAN | 509-4403-44606 | 6.81 |
| BANK OF AMERICA | 220462 | 05/10/2019 | MOP SOAP | 509-4403-44606 | 2.94 |
| BANK OF AMERICA | 220462 | 05/10/2019 | TOILET BRUSH | 509-4403-44606 | 3.98 |
| BANK OF AMERICA | 220462 | 05/10/2019 | TOILET BOWL CLEANER | 509-4403-44606 | 1.97 |
| BANK OF AMERICA | 220462 | 05/10/2019 | SCRUBBIES | 509-4403-44606 | 5.48 |
| BLAIR WYMAN | 051019 | 05/17/2019 | MILEAGE DUE/RUIDOSO | 509-4403-42305 | 29.92 |
| BLAIR WYMAN | 051019 | 05/17/2019 | PER DIEM DUE/RUIDOSO | 509-4403-42310 | 34.00 |
| PINNACLE PROPANE | 0092313 | 05/24/2019 | F/1 Cylinder-Propane - Open P... | 509-4403-43780 | 30.92 |
| WINDSTREAM CORPORATION | 052019 | 05/24/2019 | PHONE BILLS - OPEN PO FY 18/... | 509-4403-43775 | 344.50 |
| SIERRA ELECTRIC CO-OP, INC. | 052319 | 05/24/2019 | PIPPEN BUILDING | 509-4403-43780 | 35.35 |
| SIERRA ELECTRIC CO-OP, INC. | 052319 | 05/24/2019 | AIRPORT FIRE STATION | 509-4403-43780 | 49.35 |
| SIERRA ELECTRIC CO-OP, INC. | 052319 | 05/24/2019 | AIRPORT FUELING STATON | 509-4403-43780 | 783.63 |
| NM RETIREE HEALTH CARE | 053019 | 05/31/2019 | BENEFIT PR ENDING 04/26/19 | 509-4403-41226 | 73.06 |
| NM RETIREE HEALTH CARE | 053019-1 | 05/31/2019 | BENEFIT PR ENDING 05/10/19 | 509-4403-41226 | 73.06 |
| Fund 509 - Muni Airport Total: | | | | | 2,091.92 |
| Fund: 600 - Internal Serv | | | | | |
| SIERRA AUTO/CARQUEST | ID-246201 | 05/02/2019 | TIRE PATCHES 2.25 | 600-7003-47420 | 6.85 |
| SIERRA AUTO/CARQUEST | ID-246201 | 05/02/2019 | CQ EPMOLY (TUBE GREASE) | 600-7003-47420 | 215.00 |
| SIERRA AUTO/CARQUEST | ID-246201 | 05/02/2019 | POWER STEERING FLUID | 600-7003-47420 | 83.76 |
| SIERRA AUTO/CARQUEST | ID-246201 | 05/02/2019 | GREASE FITTINGS | 600-7003-47420 | 8.84 |
| SIERRA AUTO/CARQUEST | ID-246201 | 05/02/2019 | 10 AMP FUSES | 600-7003-47420 | 21.60 |
| SIERRA AUTO/CARQUEST | ID-246201 | 05/02/2019 | MULTI PURPOSE LUBE | 600-7003-47420 | 39.24 |
| SIERRA AUTO/CARQUEST | ID-246201 | 05/02/2019 | R134A A/C CYLINDERS | 600-7003-47420 | 279.98 |
| SIERRA AUTO/CARQUEST | ID-246201 | 05/02/2019 | GREASE HOSE | 600-7003-47420 | 43.88 |
| Fund 600 - Internal Serv Total: | | | | | 699.15 |
| Grand Total: | | | | | 936,255.15 |

Report Summary

Fund Summary

| Fund | Payment Amount |
|------------------------------------|-------------------|
| 101 - General | 83,177.65 |
| 201 - Corrections | 5,852.00 |
| 209 - Fire | 17,681.07 |
| 211 - Law Enforce Prot | 987.90 |
| 214 - Lodgers Tax | 34,399.20 |
| 216 - Muni Street | 187,732.06 |
| 293 - Vet Wall Perp | 600.00 |
| 294 - State Library | 5,504.56 |
| 295 - Muni Pool | 9,734.84 |
| 302 - Elec Construction | 9,914.94 |
| 303 - Vet Wall | 137.21 |
| 306 - Cl Jt Uti | 39,163.89 |
| 403 - Pledge State | 100,602.50 |
| 501 - Cemetary | 595.09 |
| 502 - Util Office - Pool | 4,277.29 |
| 503 - Electric | 259,935.07 |
| 504 - Water | 31,625.28 |
| 505 - Solid Waste | 35,437.10 |
| 506 - WWTP | 59,304.30 |
| 507 - Solid Waste Transfer Station | 37,762.27 |
| 508 - Golf Course | 9,039.86 |
| 509 - Muni Airport | 2,091.92 |
| 600 - Internal Serv | 699.15 |
| Grand Total: | 936,255.15 |

Account Summary

| Account Number | Account Name | Payment Amount |
|----------------|---------------------------|----------------|
| 101-1000-43597 | ATTORNEY FEES-GOVERN... | 9,578.23 |
| 101-1001-41226 | RETIREE INSURANCE-OFF ... | 250.06 |
| 101-1001-43316 | GAS & OIL | 29.35 |
| 101-1001-43740 | PRINTING/PUBLISHING | 639.69 |
| 101-1001-43770 | SUBSCRIPTION & DUES | 305.00 |
| 101-1001-43775 | TELEPHONE | 338.17 |
| 101-1001-44606 | OFFICE SUPPLIES | 151.15 |
| 101-1001-44810 | EQUIPMENT & MACHINE... | 363.59 |
| 101-1002-41226 | RETIREE INSURANCE-MUN.. | 85.20 |
| 101-1002-42305 | MILEAGE REIMBURSEME... | 22.19 |
| 101-1002-43775 | TELEPHONE | 92.49 |
| 101-1002-44606 | OFFICE SUPPLIES | 265.00 |
| 101-1002-60576 | Grant Expenses/JAF GRA... | 1,584.28 |
| 101-1002-60840 | OTHER CAP PUR/AOC/JID ... | 426.83 |
| 101-1003-41226 | RETIREE INSURANCE-OFF ... | 306.84 |
| 101-1003-43316 | GAS & OIL | 62.04 |
| 101-1003-43770 | SUBSCRIPTION & DUES | 195.00 |
| 101-1003-43775 | TELEPHONE | 536.99 |
| 101-1003-44606 | OFFICE SUPPLIES | 767.50 |
| 101-1003-44810 | EQUIPMENT & MACHINE... | 301.08 |
| 101-1003-47406 | PROMOTIONAL/ADVERTIS... | 580.00 |
| 101-1004-41226 | RETIREE INSURANCE-ADM... | 415.44 |
| 101-1004-43740 | PRINTING/PUBLISHING | 21.70 |
| 101-1004-43770 | SUBSCRIPTION & DUES | 390.00 |
| 101-1004-43775 | TELEPHONE | 449.95 |
| 101-1004-44810 | EQUIPMENT & MACHINE... | 260.05 |
| 101-1007-41226 | RETIREE INSURANCE-POLI... | 1,816.96 |
| 101-1007-42620 | UNIFORM/LINEN-POLICE ... | 656.44 |
| 101-1007-43316 | GAS & OIL | 3,264.03 |
| 101-1007-43775 | TELEPHONE | 1,118.34 |

Account Summary

| Account Number | Account Name | Payment Amount |
|----------------|-----------------------------|----------------|
| 101-1007-44606 | OFFICE SUPPLIES | 656.38 |
| 101-1007-44615 | SAFETY EQUIPMENT | 54.40 |
| 101-1007-44810 | EQUIPMENT & MACHINE... | 232.84 |
| 101-1007-47420 | MAINTENANCE VEHICLE/... | 1,197.39 |
| 101-1007-48598 | PROFESSIONAL SERVICES | 912.58 |
| 101-1008-41226 | RETIREE INSURANCE-COD... | 379.58 |
| 101-1008-42310 | PER DIEM-CODE ENF/AN... | 40.00 |
| 101-1008-42620 | UNIFORMS LINEN-CODE ... | 697.37 |
| 101-1008-43316 | GAS & OIL | 481.35 |
| 101-1008-43740 | PRINTING/PUBLISHING | 25.23 |
| 101-1008-43775 | TELEPHONE | 210.03 |
| 101-1008-44607 | FIELD SUPP-CODE ENF/AN... | 808.79 |
| 101-1008-44615 | SAFETY EQUIPMENT | 451.00 |
| 101-1008-45555 | Miscellaneous Exp | 383.20 |
| 101-1008-47420 | MAINTENANCE VEH/EQUI... | 16.87 |
| 101-1008-48599 | OTHER CONTRACTUAL SE... | 516.39 |
| 101-1009-41226 | RETIREE INSURANCE-MUN.. | 198.52 |
| 101-1009-43316 | GAS & OIL | 514.81 |
| 101-1009-43317 | DIESEL-RECREATION | 105.18 |
| 101-1009-43465 | RENT OF EQUIPMENT | 213.20 |
| 101-1009-43775 | TELEPHONE | 336.30 |
| 101-1009-44607 | FIELD SUPPLIES-MUNI RE... | 2,070.17 |
| 101-1009-44615 | SAFETY EQUIPMENT | 108.80 |
| 101-1009-47410 | Maintenance Contracts | 800.00 / |
| 101-1009-47415 | MAINTENANCE-GROUNDS | 187.16 |
| 101-1009-47420 | MAINTENANCE VEHICLE/... | 66.30 |
| 101-1009-48599 | OTHER CONTRACTUAL SE... | 7,781.69 |
| 101-1010-41226 | RETIREE INSURANCE-BUIL... | 81.38 |
| 101-1010-42305 | MILEAGE REIMBURSEME... | 105.42 |
| 101-1010-42310 | PER DIEM-BLDG INSPECT... | 135.00 |
| 101-1010-43775 | TELEPHONE | 410.65 |
| 101-1010-44606 | OFFICE SUPPLIES | 223.54 |
| 101-1010-44613 | NON-CAPITAL ITEMS | 222.99 |
| 101-1010-48598 | PROFESSIONAL SERVICES | 3,632.81 |
| 101-1011-41226 | RETIREE INSURANCE-STRE... | 526.98 |
| 101-1011-43775 | TELEPHONE | 81.39 |
| 101-1012-41226 | RETIREE INSURANCE-FLEE... | 75.84 |
| 101-1012-43316 | GAS & OIL | 39.71 |
| 101-1012-43775 | TELEPHONE | 209.23 |
| 101-1012-44810 | EQUIPMENT & MACHINE... | 11.32 |
| 101-1012-47420 | MAINTENANCE-VEHICLE/... | 8.86 |
| 101-1014-41226 | RETIREE INSURANCE-FACI... | 467.94 |
| 101-1014-43316 | GAS & OIL | 665.73 |
| 101-1014-43403 | REGULAR BUILDING MAI... | 3,423.22 |
| 101-1014-43775 | TELEPHONE | 401.50 |
| 101-1014-44607 | FIELD SUPPLIES-FACILITY ... | 3,263.32 |
| 101-1014-44615 | SAFETY EQUIPMENT | 79.40 |
| 101-1014-47410 | MAINTENANCE CONTRAC... | 53.94 |
| 101-1016-41226 | RETIREE INSURANCE-LIBR... | 317.78 |
| 101-1016-44830 | CITY BOOK PURCHASING-L.. | 113.28 |
| 101-1018-43780 | UTILITIES | 22,644.30 |
| 101-1018-46733 | VEHICLE INSURANCE | 763.00 |
| 101-1099-34348 | RENT OF PUBLIC FACILITIES | 500.00 |
| 201-1903-44805 | AUTO/LAB/DWI/JUD ED | 532.00 |
| 201-1903-48710 | CARE OF PRISONERS-COR... | 5,320.00 |
| 209-1603-42310 | PER DIEM-STATE FIRE FU... | 750.00 |
| 209-1603-43316 | GAS & OIL | 195.54 |
| 209-1603-43770 | SUBSCRIPTION & DUES | 365.24 |

Account Summary

| Account Number | Account Name | Payment Amount |
|----------------|-----------------------------|----------------|
| 209-1603-43775 | TELEPHONE | 117.42 |
| 209-1603-43780 | UTILITIES | 846.72 |
| 209-1603-47420 | MAINTENANCE VEHICLE/... | 1,356.25 |
| 209-1603-80845 | OTHER CAPITAL PURCHAS... | 14,049.90 |
| 211-2003-42535 | EMPLOYEE TRAINING | 97.00 |
| 211-2003-43770 | SUBSCRIPTION & DUES | 100.00 |
| 211-2003-44573 | UNIFORM & EQUIPMENT | 790.90 |
| 214-2503-43770 | SUBSCRIPTION & DUES | 800.00 |
| 214-2503-44810 | EQUIPMENT & MACHINE... | 950.73 |
| 214-2503-47406 | PROMOTIONAL/ADVERTIS... | 17,539.02 |
| 214-2503-47597 | 9% ADVERTISING/MARKET.. | 5,942.79 |
| 214-2503-48591 | MAIN STREET CONTRACT | 8,750.00 |
| 214-2503-48815 | SERVICE CONTRACTS-LO... | 416.66 |
| 216-4503-42620 | UNIFORM LINEN-MUNI S... | 546.00 |
| 216-4503-42720 | EMPLOYEE TRAINING-M... | 40.00 |
| 216-4503-43316 | GAS & OIL | 272.85 |
| 216-4503-43317 | DIESEL FUEL-STREET MAI... | 2,469.77 |
| 216-4503-43550 | ROADWAY MAINTENANCE | 5,051.07 |
| 216-4503-44607 | FIELD SUPPLIES-STREETS | 1,288.62 |
| 216-4503-44615 | SAFETY EQUIPMENT | 300.00 |
| 216-4503-47420 | MAINT.VEHICLE/FURN/E... | 18,685.43 |
| 216-4503-80810 | OTHER CAPITAL EQUIPM... | 156,349.00 |
| 216-4503-80845 | CAPITAL IMPROVEMENTS | 2,729.32 |
| 293-5103-44810 | COLUMBARIUM EXPENSES | 600.00 |
| 294-5003-43775 | TELEPHONE | 81.20 |
| 294-5003-48599 | OTHER CONTRACTUAL SE... | 39.91 |
| 294-5003-48830 | LIBRARY ACQUISITION (B... | 5,383.45 |
| 295-4803-34355 | POOL DEPOSIT/RENTAL | 50.00 |
| 295-4803-41226 | RETIREE INSURANCE-MUN.. | 210.09 |
| 295-4803-42620 | UNIFORMS-LIFEGUARDS | 752.39 |
| 295-4803-42720 | EMPLOYEE TRAINING-M... | 52.35 |
| 295-4803-43780 | UTILITIES-MUNI POOL | 6,515.55 |
| 295-4803-44607 | FIELD SUPPLIES-MUNI PO... | 1,807.00 |
| 295-4803-44615 | SAFETY EQUIPMENT | 347.46 |
| 302-4603-12906 | CWPA TORC 6 OPERATING | 9,914.94 |
| 303-4703-43775 | TELEPHONE | 137.21 |
| 306-6103-12902 | CWPA TORC 2 OPERATING | 10,022.95 |
| 306-6103-12918 | CWPA TORC 18 OPERATI... | 690.58 |
| 306-6103-12919 | CWPA TORC 19 OPERATI... | 7,598.72 |
| 306-6103-90905 | DEBT SERVICE PRINCIPAL-... | 20,432.00 |
| 306-6103-90910 | DEBT SERVICE INTEREST | 419.64 |
| 403-1203-90905 | DEBT SERVICE PRINCIPAL-... | 85,000.00 |
| 403-1203-90910 | DEBT SERVICE INTEREST | 15,602.50 |
| 501-1803-43780 | UTILITIES | 595.09 |
| 502-3601-41226 | RETIREE INSURANCE-UTIL... | 518.78 |
| 502-3601-42620 | UNIFORM/LINEN | 266.00 |
| 502-3601-43316 | GAS & OIL | 631.03 |
| 502-3601-43740 | PRINTING/PUBLISHING | 21.97 |
| 502-3601-43770 | SUBSCRIPTIONS & DUES | 579.95 |
| 502-3601-43775 | TELEPHONE | 574.89 |
| 502-3601-43780 | UTILITIES | 754.36 |
| 502-3601-44810 | EQUIPMENT & MACHINE | 512.54 |
| 502-3601-46733 | VEHICLE INSURANCE | 10.00 |
| 502-3601-47420 | MAINT. FURNITURE/FIX/... | 407.77 |
| 503-3702-41226 | RETIREE INSURANCE-ELEC... | 593.96 |
| 503-3702-42620 | UNIFORM/LINEN-ELECTRI... | 1,204.20 |
| 503-3702-43316 | GAS & OIL | 550.56 |
| 503-3702-43317 | DIESEL FUEL-ELECTRIC DIV... | 490.82 |

Account Summary

| Account Number | Account Name | Payment Amount |
|----------------|---------------------------|----------------|
| 503-3702-43770 | SUBSCRIPTION & DUES | 3,010.68 |
| 503-3702-43775 | TELEPHONE | 99.10 |
| 503-3702-43780 | UTILITIES | 11,367.74 |
| 503-3702-44606 | OFFICE SUPPLIES | 192.33 |
| 503-3702-44607 | FIELD SUPPLIES | 771.46 |
| 503-3702-44613 | NON-CAPITAL ITEMS | 1,766.05 |
| 503-3702-44615 | SAFETY EQUIPMENT | 2,459.55 |
| 503-3702-44810 | EQUIPMENT/MACHINERY... | 34.75 |
| 503-3702-45796 | FRANCHISE TAX-ELECTRIC... | 3,465.41 |
| 503-3702-47415 | MAINTENANCE/GROUNDS.. | 2,009.36 |
| 503-3702-47420 | MAINTENANCE-VEHICLE/... | 2,433.01 |
| 503-3702-48599 | OTHER CONTRACTUAL SE... | 3,514.61 |
| 503-3702-50795 | WHOLESALE POWER COS... | 225,971.48 |
| 504-3803-41226 | RETIREE INSURANCE-WAT... | 209.97 |
| 504-3803-43316 | GAS & OIL | 558.22 |
| 504-3803-43317 | DIESEL-WATER DIVISION | 1,038.33 |
| 504-3803-43775 | TELEPHONE | 125.69 |
| 504-3803-43780 | UTILITIES | 19,739.70 |
| 504-3803-43797 | WATER CONSERVATION-... | 1,051.92 |
| 504-3803-44606 | OFFICE SUPPLIES | 134.81 |
| 504-3803-44607 | FIELD SUPPLIES-WATER D... | 3,793.69 |
| 504-3803-44613 | NON-CAPITAL ITEMS | 1,043.55 |
| 504-3803-45796 | FRANCHISE TAX-WATER D... | 678.22 |
| 504-3803-47415 | MAINTENANCE-GROUNDS.. | 673.42 |
| 504-3803-47420 | MAINTENANCE-VEHICLE/... | 261.14 |
| 504-3803-47421 | MAINTENANCE EQUIPME... | 75.62 |
| 504-3803-47425 | OTHER MAINT-WATER M... | 2,241.00 |
| 505-3904-34601 | WASTE DISPOSAL | 24,844.80 |
| 505-3904-41226 | RETIREE INSURANCE-SOLI... | 783.62 |
| 505-3904-42620 | UNIFORM/LINEN-SOLID ... | 281.88 |
| 505-3904-43316 | GAS & OIL | 471.45 |
| 505-3904-43317 | DIESEL FUEL-SOLID WASTE.. | 2,410.94 |
| 505-3904-43740 | PRINTING/PUBLISHING | 184.72 |
| 505-3904-43770 | SUBSCRIPTION & DUES | 250.00 |
| 505-3904-43775 | TELEPHONE | 221.69 |
| 505-3904-43780 | UTILITIES | 1,811.86 |
| 505-3904-44613 | NON-CAPITAL ITEMS | 200.00 |
| 505-3904-44615 | SAFETY EQUIPMENT | 668.33 |
| 505-3904-44810 | EQUIPMENT & MACHINE... | 29.86 |
| 505-3904-45796 | FRANCHISE TAX | 1,251.29 |
| 505-3904-47420 | MAINTENANCE-VEHICLE/... | 2,026.66 |
| 506-4005-41226 | RETIREE INSURANCE-WAS... | 460.06 |
| 506-4005-42305 | MILEAGE REIMBURSEME... | 131.12 |
| 506-4005-42310 | PER DIEM-WASTEWATER ... | 182.00 |
| 506-4005-42720 | EMPLOYEE TRAINING-WA... | 120.00 |
| 506-4005-43316 | GAS & OIL | 597.90 |
| 506-4005-43317 | DIESEL FUEL-WASTEWAT... | 69.31 |
| 506-4005-43416 | O & M PURCHASES-WAST... | 2,697.75 |
| 506-4005-43775 | TELEPHONE | 331.93 |
| 506-4005-43780 | UTILITIES | 22,160.61 |
| 506-4005-44605 | CHEMICALS/LABORATORY... | 4,359.23 |
| 506-4005-44607 | FIELD SUPPLIES-WASTEW... | 55.00 |
| 506-4005-44615 | SAFETY EQUIPMENT | 54.40 |
| 506-4005-47420 | MAINTENANCE-VEHICLE/... | 5.15 |
| 506-4005-47425 | OTHER MAINTENANCE-W... | 475.00 |
| 506-4005-48798 | VILLAGE OF WILLIAMSBU... | 4,473.84 |
| 506-4005-80810 | OTHER CAPITAL EQUIPM... | 23,131.00 |
| 507-4203-44607 | FIELD SUPPLIES | 671.04 |

Account Summary

| Account Number | Account Name | Payment Amount |
|----------------|--------------------------|-------------------|
| 507-4203-44810 | EQUIPMENT & MACHINE... | 101.35 |
| 507-4203-45601 | WASTE DISPOSAL | 35,967.93 |
| 507-4203-80845 | CAPITAL PURCHASES(LAN... | 1,021.95 |
| 508-4303-43465 | RENT OF EQUIPMENT | 2,787.09 |
| 508-4303-43770 | SUBSCRIPTION & DUES | 2,700.00 |
| 508-4303-43775 | TELEPHONE | 191.83 |
| 508-4303-43780 | UTILITIES | 1,013.05 |
| 508-4303-44607 | FIELD SUPPLIES | 544.71 |
| 508-4303-44613 | NON-CAPITAL ITEMS | 224.85 |
| 508-4303-47415 | MAINTENANCE-GROUNDS | 1,319.37 |
| 508-4303-47420 | MAINTENANCE VEHICLE/... | 258.96 |
| 509-4403-41226 | RETIREE INSURANCE-AIR... | 146.12 |
| 509-4403-42305 | MILEAGE REIMBURSEME... | 149.60 |
| 509-4403-42310 | PER DIEM-AIRPORT | 170.00 |
| 509-4403-42720 | TRAVEL & EDUCATION | 150.00 |
| 509-4403-43775 | TELEPHONE | 516.01 |
| 509-4403-43780 | UTILITIES | 899.25 |
| 509-4403-44606 | OFFICE SUPPLIES | 40.96 |
| 509-4403-44615 | SAFETY EQUIPMENT | 19.98 |
| 600-7003-47420 | MAINTENANCE-VEHICLE/... | 699.15 |
| | Grand Total: | 936,255.15 |

Project Account Summary

| Project Account Key | Payment Amount |
|---------------------|-------------------|
| **None** | 936,255.15 |
| Grand Total: | 936,255.15 |



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: June 12, 2019

Agenda Item #: **F.3**

SUBJECT: Approve the Contracts for Deschamps, Sage, and Gibson as the Court appointed Attorneys for the Indigent Defendants for Municipal Court

DEPARTMENT: Municipal Court

DATE SUBMITTED: June 5, 2019

SUBMITTED BY: Margaret Clanton

WHO WILL PRESENT THE ITEM: City Manager Madrid

Summary/Background:

These are annual Public Defender Contracts for Services for indigent defendants.

Recommendation:

Approve the Contracts for 2019-2020

Attachments:

- Contract with Lee Deschamps
- Contract with Steven Sage
- Contract with Anne Gibson

***Fiscal Impact (Finance):* Unknown**

They are used on an as-needed basis.

***Legal Review (City Attorney):* Yes**

The contracts used were reviewed by City Attorney Rubin.

Approved For Submittal By: ☐ Department Director

Reviewed by: ☒ City Clerk ☒ Finance ☐ Legal ☐ Other: _

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. N/A Ordinance No. N/A

Continued To: - Referred To: -

☐ Approved ☐ Denied ☐ Other: [Click here to enter text.](#)

File Name: 06-12-2019/AR Municipal Court Contracts for Deschamps-Sage-Gibson

City of Truth or Consequences

505 Sims

Truth or Consequences, New Mexico 87901

Attention: MORRIS MADRID, City Manager

NAME: (LEE) DESCHAMPS LAW FIRM, LLC **Contractor**
NAME: _____, **Attorney**
ADDRESS: 104 Church St. P.O. Box 37
CITY, STATE, ZIP Socorro, NM 87801
FEDERAL / EMPLOYEE ID NUMBER 85-0464073
STATE ID 02-411801-00
BUSINESS LICENSE NUMBER _____
TELEPHONE: 575-838-0777 **CELL** 575-517-0034
FAX: 575-838-2922

CAPTIONS

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

APPROVALS

City:

_____, **Mayor** _____ **Date** _____

ATTEST: RENEE CANTIN, City Clerk _____ **Date** _____

Contractor

_____, **Attorney** _____ **Date** _____

_____ **Date** _____

J. RUBIN, City Attorney

City of Truth or Consequences

Contract for services

2019-2020

Part I
DESCHAMPS Law Firm, LLC

This agreement for services by and between the City of Truth or Consequences (hereinafter called "City ") and DESCHAMPS Law Firm, LLC, Attorney (hereinafter called "Contractor").

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

Now therefore the parties do mutually agree as follows:

The City agrees to engage the Contractor and the Contractor hereby agrees to perform the Scope of Work detailed in **Exhibit A** to this agreement.

Time of performance

The services of the Contractor shall commence on **July 1, 2019** and be completed on **June 30, 2020**. The Contractor represents that he/she are in good standing with the **New Mexico State Bar**.

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

Access to Information

It is agreed that all information, data, report, records, maps, etc. as are existing available and necessary for the carrying out of work outlined in the agreement, shall be furnished to the contractor by the City at no charge.

Compensation and Method of Payment

The maximum amount of compensation and reimbursement to be paid hereunder **shall not exceed Six Hundred Fifty and No/100 (\$650.00) per case**. Applicable gross receipts taxes, services including travel, per diem, and other expenses of the contractor or its subcontractors shall be the Contractors' responsibility. Total compensation to be paid under the agreement shall not exceed \$26,000 in total. If compensation paid under this contract exceeds \$600.00 the City will issue IRS Form 1099 on calendar year basis.

CLAIMS

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

Bribes and Gratuities

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

EXHIBIT A

SCOPE OF WORK

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

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

City of Truth or Consequences

505 Sims

Truth or Consequences, New Mexico 87901

Attention: MORRIS MADRID, City Manager

Contractor

NAME: _Anne E Gibson, Attorney

ADDRESS: ___1502 N. Date St., Suite A___

CITY, STATE, ZIP __T or C, NM 87901_____

FEDERAL / EMPLOYEE ID NUMBER___47-196065___

STATE ID __03-1303017-00-0_____

BUSINESS LICENSE NUMBER_130876_____

TELEPHONE: _575-894-0550__ CELL _505-506-4464__

FAX: _505-214-5881_____

CAPTIONS

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

APPROVALS

City:

_____, Mayor _____ Date _____

ATTEST: RENEE CANTIN, City Clerk _____ **Date** _____

Contractor

 _____, Attorney **Date** 05/24/19

_____ **Date** _____

J. RUBIN, City Attorney

City of Truth or Consequences

Contract for services

2019-2020

Part I

This agreement for services by and between the City of Truth or Consequences (hereinafter called "City ") and Anne E Gibson , Attorney (hereinafter called "Contractor").

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

Now therefore the parties do mutually agree as follows:

The City agrees to engage the Contractor and the Contractor hereby agrees to perform the Scope of Work detailed in **Exhibit A** to this agreement.

Time of performance

The services of the Contractor shall commence on **July 1, 2019** and be completed on **June 30, 2020**. The Contractor represents that he/she are in good standing with the **New Mexico State Bar**.

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

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Bribes and Gratuities

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

EXHIBIT A

SCOPE OF WORK

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

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

City of Truth or Consequences

505 Sims

Truth or Consequences, New Mexico 87901

Attention: MORRIS MADRID, City Manager

Contractor

NAME: STEVEN LLOYD SAGE, Attorney

ADDRESS: 909 N ALAMEDA BLVD

CITY, STATE, ZIP LAS CRUCES, NM 88005

FEDERAL / EMPLOYEE ID NUMBER 81-0905390

STATE ID 03-170245-007

BUSINESS LICENSE NUMBER 20-693

TELEPHONE: 575-526-1755 CELL 575-650-6868

FAX: 575-526-1189

CAPTIONS

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APPROVALS

City:

_____, Mayor _____ Date _____

ATTEST: RENEE CANTIN, City Clerk _____ **Date** _____

Contractor

_____, Attorney

Date 5-31-14

Date _____

J. RUBIN, City Attorney

City of Truth or Consequences

Contract for services

2019-2020

Part I

This agreement for services by and between the City of Truth or Consequences (hereinafter called "City ") and STEVEN LLOYD SAGE, Attorney (hereinafter called "Contractor").

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

Now therefore the parties do mutually agree as follows:

The City agrees to engage the Contractor and the Contractor hereby agrees to perform the Scope of Work detailed in **Exhibit A** to this agreement.

Time of performance

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EXHIBIT A

SCOPE OF WORK

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

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



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: June 12, 2019

Agenda Item #: **G.1**

SUBJECT: Public Hearing/Discussion/Action: Request for Special Use Permit allowing for 6 Unit Apartment Complex and Variance for Development Standards

DEPARTMENT: Community Development

DATE SUBMITTED: June 4, 2019

SUBMITTED BY: Traci Burnette

WHO WILL PRESENT THE ITEM: Morris Madrid

Summary/Background:

Property owner is requesting a Special Use Permit to allow development of a 6 unit apartment complex on their lot on Pershing Street. Lot is in C-1 General Commercial District. Variance of Sidewalk, Curb and Gutter is also requested. All required documents have been submitted as required and required fees have been paid. Public Hearing notice was posted 5-24-2019 and Certified Mailings were sent out to area properties.

Recommendation:

Approve Special Use and Variance

Attachments:

- Planning Application Form
- Property Map
- Public Notice
- Municipal Code – Sec. 11-9-7. - C-1 General Commercial District

[Click here to enter text.](#)

Fiscal Impact (Finance): N/A

[Click here to enter text.](#)

Legal Review (City Attorney): Yes

Attorney has reviewed

Approved For Submittal By: ☐ Department Director

Reviewed by: ☒ City Clerk ☐ Finance ☒ Legal ☐ Other: [Click here to enter text.](#)

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. [Click here to enter text.](#) Ordinance No. [Click here to enter text.](#)

Continued To: [Click here to enter a date.](#) Referred To: [Click here to enter text.](#)

☐ Approved ☐ Denied ☐ Other: [Click here to enter text.](#)

File Name: AF SUP-Variance for Pershing Apartments



Sandra K. Whitehead
Mayor

Kathleen Clark
Mayor Pro-Tem

George Szigeti
Commissioner



505 Sims St.
Truth or Consequences, New Mexico 87901
P: 575-894-6673 ♦ F: 575-894-7767
www.torcnm.org

Rolf Hechler
Commissioner

Paul Baca
Commissioner

Morris Madrid
City Manager

NOTICE OF PUBLIC HEARING

NOTICE is hereby given that the City of Truth or Consequences City Commission will hold a Public Hearing on Wednesday, June 12, 2019, at 9:00 A.M. in the Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico to receive input regarding the following:

Discussion/Action: Request approval of Special Use Permit and Variance for the purpose of allowing development of a 6-unit apartment complex on the property at the following location:

Property Code 3022078132240
Subdivision Original Townsite
Block 26 Lot N10' Of Lot 12 & All of Lots 13,14,15.

All interested parties are welcome to attend.

The agenda for this meeting may be obtained on Friday, June 7, 2019 by contacting the City Clerk's Office at 575-894-6673 or by email to: rcantin@torcnm.org.

/s/ Renee Cantin, CMC, City Clerk

Published on the following date:

- o Sentinel – Friday, May 24, 2019



COMMUNITY DEVELOPMENT DEPARTMENT
Voice - (575) 894-6673 x 316 Fax - (575) 894-0363
505 Sims Street - Truth or Consequences, NM 87901

(Staff Use Only)
Case No

Related Case(s)

PLANNING APPLICATION FORM

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

CHECK APPLICATION TYPE(S) REQUESTED

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

PROJECT SUMMARY:

Project/Business Name (if any): 607 Pershing St
R&N Apartments

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

6 unit, 2-story Apartment building

Property Address/Location: 607 Pershing St

Assessor's Parcel Number(s): 3022078132240

Total Gross Lot Area: 14,000 sqft

Total Net Lot Area: _____

Existing Master Plan/Comprehensive Plan Designation: _____

Existing Zoning Designation: C1

Proposed Master Plan Designation (if applicable): _____

Proposed Zoning Designation: _____

Existing Uses and/or Structures on Site: None

Surrounding Uses: North: Apartment units

South: Apartment units

East: Alley

West: single family

| | | | |
|--|--|--|--|
| APPLICANT/ REPRESENTATIVE Name: <u>Bear Creek Builders LLC</u> | | REPRESENTATIVE(S): | |
| Address: <u>603 Shadow Valley Dr</u> | | Telephone No.: <u>575-635-9900</u> | |
| City: <u>Las Cruces</u> | | Fax No.: <u>N/A</u> | |
| Contact Person: <u>Chris Franich</u> | | State: <u>NM</u> Zip Code: <u>88001</u> | |
| E-mail Address: <u>ChrisF.bcb@gmail.com</u> | | | |
| I certify under penalty of perjury that all the application information is true and correct. | | | |
| Applicant's Signature: <u>[Signature]</u> | | Date: <u>5/15/19</u> | |
| PROPERTY OWNER/ AGENT Name: <u>Laura Ariola</u> | | Telephone No.: <u>561-314-8005</u> | |
| Address: <u>601 Grape St</u> | | Fax No.: <u>N/A</u> | |
| City: <u>Truth or Consequences</u> | | State: <u>NM</u> Zip Code: <u>87901</u> | |
| Contact Person: <u>Chris Franich</u> | | E-mail Address: <u>lauryariola@yahoo.com</u> | |
| The City will provide the applicant with hearing notices and staff reports unless another party is identified. | | | |
| Date/Time Received: _____ | | Receipt No(s): _____ | |
| Received By: _____ | | Amount Received: \$ _____ | |

PLANNING APPLICATION FORM -page 2

I, _____ am the owner of the property described in this application and hereby authorize

Chris Franich Print Name

to act on my behalf on matters pertaining to this application.
Name of applicant or representative

Property Owner's Signature: _____

Date: 5-15-19

Note: If more than one owner, a separate page must be attached listing the names and addresses of all persons (if a corporation, list officers, and principals) having interest in the property ownership.

ARCHITECT Name: Keith Whitney Telephone No.: 575-740-2468

Address: P.O. Box 1874

Fax No.: _____

City: El Phant Butte

State: NM

Zip Code: 88935

Contact Person: Keith Whitney

E-mail Address: WhitneyscAddesign@gmail.com

ENGINEER Name: Borland Engineering

Telephone No.: 575-522-1443

Address: 2540 N. Telshor Ave

Fax No.: N/A

City: Las Cruces

State: NM

Zip Code: 88011

Contact Person: Chris Scanlon

E-mail Address: CScanlon@zianet.com

APPLICANT'S AGREEMENT:

Processing of this application will not begin unless this application is complete and all signatures are provided: I, the undersigned as project Applicant or Representative of the project Applicant, hereby authorize the City of Truth or Consequences to review the submitted plans and specifications for this Application in accordance with the City of Truth or Consequences Municipal Code.

Applicant(s) acknowledge and agree that by filing this application City staff may enter upon the subject property and make examinations and surveys, provided that the entries, examinations and surveys do not unreasonably interfere with the use of the land by those persons lawfully entitled to the possession thereof. Applicant(s) certify under penalty of perjury that I am the legal owner(s) (all individual owners must sign as they appear on the deed to the land), Corporate Officer(s) empowered to sign for the corporation, Owner's Legal Agent having power of Attorney (a notarized Power of Attorney document must accompany this application), or the owner's authorized representative (include a notarized consent form from the owner).

Applicant(s) acknowledge and agree that I have included all of the required items and understand that missing items may result in delaying the processing of my application.

Applicants) agree to defend, indemnify and hold harmless the City of Truth or Consequences ("City") and its agents, officers, consultants, independent contractors and employees ("City's Agents") from any and all claims, actions or proceedings against the City or the City's Agents to attack, set aside, void, or annul an approval by the City, or the City's Agents concerning the Project (collectively "Claim"). The City shall promptly notify the Applicant of any Claim and the City shall cooperate fully in the defense. If the City fails to promptly notify the Applicant of any Claim or if the City fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City. Nothing in this paragraph shall obligate the City to defend any Claim and the City shall not be required to pay or perform any settlement arising from any such Claim not defended by the City, unless the settlement is approved in writing by the City. Nothing contained in this paragraph shall prohibit the City from independently defending any Claim, and if the City does decide to independently defend a Claim, the City shall bear its own attorney's fees, expenses of litigation and costs for that independent defense. The Applicant may agree to reimburse the City for attorney's fees, expenses of litigation and costs for that independent defense. Should the City decide to independently defend any Claim, the Applicant(s) shall not be required to pay or perform any settlement arising from any such Claim unless the settlement is approved by the Applicant.

IT IS SO AGREED:

[Signature]
Applicant's Signature

5-15-19
Date

Laura Ariola
Name of Applicant (Print)

Sec. 11-9-7. - C-1 General Commercial District.

- A. **PURPOSE.** The intent of the C-1 District is to provide for certain commercial/retail uses which serve both transient and local trade. The District is intended for areas surrounding major arterial or collector streets where a wide range of automobile-related service facilities, convenience goods and personal services are desirable and appropriate as a land use.
- B. **DEVELOPMENT STANDARDS.** Development standards and other requirements are provided in Articles X through XIV of this Code.
- C. **C-1 PERMITTED USES.**

| | |
|---|---|
| • Accountant Office | • Arts and Crafts Studio |
| • Advertising Services | • Auditoriums |
| • Animal Hospital and Clinic | • Automobile Parking Lot |
| • Auto and Camper Sales, Service and Rental | • Gasoline Pumps |
| • Automotive Equipment | • Gasoline Stations |
| • Bakery | • Gift Shop |
| • Banking and Financial Institution | • Glass Cutting and Finishing |
| • Barber Shop and Beauty Parlor | • Golf Course |
| • Bathhouse or Spa | • Grocery Store |
| • Bicycle Sales and Service | • Gymnasium |
| • Boat and RV Storage | • Hardware Store |
| • Bookstores and Stationery Shops | • Heavy Equipment Sales |
| • Building and Other Construction-Contractor: office only | • Hobby Shop |
| • Business Service Establishment | • Hospital or Overnight Clinic |
| • Butcher Shop and Meat Sales | • Hotel and Motel |
| • Catering | • Household Appliance Sales and Service and |

| | |
|---|---|
| | Repair |
| • Cigarette and Cigar Shop | • Insurance Services |
| • Clinic | • Institutions, Public and Quasi-Public |
| • Clothing Store and Apparel Shop | • Jewelry Store |
| • Coffee Shop | • Kennel, Commercial |
| • Columbarium | • Laboratory (medical, dental or engineering) |
| • Community Center or Public Office Building | • Liquor Store - Taverns and Package Stores |
| • Convenience Store | • Pet Shop or Grooming Parlor |
| • Convention or Exhibition Hall | • Photographic Studio and Supply Store |
| • Country Club | • Plant Nursery |
| • Dance Hall or Music Academy | • Plumbing and Heating Shop |
| • Dentist Office | • Pool and Billiard Room |
| • Department Store | • Post Office |
| • Dressmaking Shop | • Private Club or Lounge |
| • Drugstore | • Public Park, Playground and Recreational |
| • Dry-cleaning and Steam cleaning Establishment | • Radio, Television Broadcasting Studios, Music Store |
| • Electrical Shop and Electricians | • Real Estate Services |
| • Farm Machinery | • Restaurant |
| • Farm and Ranch Products and Supplies | • Retail Sales |
| • Fast Food Sales including Drive-In Sales | • Roofing and Sheet Metal Shop |

| | |
|--|---|
| • Firewood Sales | • Shoe Repair |
| • Florist Shop | • Show and Sales Room for Business Products |
| • Food Store | • Skating Rink |
| • Frozen Food Locker | • Sporting Goods Store |
| • Funeral Home, Mortuary (including crematorium) | • Tailoring |
| • Furniture and Home Furnishings | • Taverns and Cocktail Lounges |
| • Taxicab Transportation | • Travel Agency |
| • Telephone Exchange Station | • Upholstery |
| • Telegraph and Messenger Service | • Variety Store |
| • Tire Sales and Service | • Warehousing and Storage |
| • Title and Abstracting Services | • Watch and Clock Sales and Service |

D. **PERMITTED USES—WITH CONDITIONS.** The following C-1 uses are permitted in accordance with stated conditions and upon approval by the Planning and Zoning Commission.

1. **Adult Entertainment Uses:** Uses such as adult bookstores, adult movie theaters, and adult news racks, as defined in Article 8 of this Code, shall be permitted provided such use is located a minimum of three hundred (300) feet from a property line of any:
 - a. School;
 - b. Church;
 - c. Public park or recreational facility;
 - d. Residential District;
 - e. Another adult entertainment facility.

There shall be no public display visible outside of the building. In addition, display of adult pictures of other materials within a grocery store, bookstore, or other retail or wholesale store shall be concealed from public view.

2. **Amusement Park or Enterprise:** Subject to any other provisions and requirements of the Municipal Code. Temporary amusement enterprises are prohibited within three hundred (300) feet of any residential zoning District. Permanent amusement enterprises are prohibited within five hundred (500) feet of any residential zoning District.

3. Automobile Body and Repair Shop: Not permitted within one hundred (100) feet of any residential District.
4. Bank Drive-up Windows: Stacking lane(s) of one hundred eighty (180) feet by ten (10) feet for each drive-up must be provided and designed to insure that no bank traffic backs onto the street giving access. Banks must be located on a collector or arterial streets as shown on the City Street Plan.
5. Bowling Alley: Subject to approval of site and related plans. Bowling alleys are prohibited within three hundred (300) feet of any residential zoning District.
6. Bus or Motor Freight Terminal: Only when located on an arterial street as designated on the City Street Plan.
7. Car Washes: There shall be no run-off onto neighboring properties or streets resulting from the use. Any discharge into public liquid waste disposal systems shall be approved by the administrator of the system prior to approval of the business. If the subject property is not served by a public waste disposal system, approval from the New Mexico Environmental Department shall be required.
8. Child Care Center, Nursery or Similar Use: Play areas shall be in accord with State licensing requirements and enclosed by a solid wall or fence five (5) feet in height.
9. Christmas Tree Sales: Temporary, not prior to November 15, provided lots are cleaned and removed by December 31.
10. Church: Only when located on an arterial or collector street as designated on the City Street Plan.
11. Construction or Contractor's Yard: Yard shall be maintained in a neat and orderly fashion and enclosed by a fence at least six (6) feet in height except that the height shall be limited to three (3) feet above street curb within a clear site triangle as defined in this Code.
12. Drive-In Theater: Subject to approval of site and related plans.
13. Firewood Sales: No more than twenty (20) cords stored on site.
14. Flea Market: Subject to any other requirements of the Municipal Code.
15. Furniture Assembly (Accessory Use): Permitted only as an incidental or accessory use to retail sales. Maximum floor area for assembly shall not exceed three thousand (3,000) square feet, not exceed thirty percent (30%) of the total business floor area, and shall be within the same building.
16. Gas Pressure Control Stations: (Public or Private Utility.)
17. Heavy Equipment Repair (Accessory Use): Permitted only as an incidental or accessory use to heavy equipment sales. Floor area for repair shall not exceed three thousand (3,000) square feet and not exceed thirty percent (30%) of the total gross floor area. Welding is permitted only in conjunction with repair and shall not be used for the purpose of heavy equipment assembly.
18. Miniature Golf Course: Subject to approval of site and related plans. Not permitted within one hundred (100) feet of any residential District.
19. Mini Storage Units: Units shall not be used for commercial sales of products, merchandise, service or repair. (This does not preclude a business from using storage units solely for storage of commercial or business related items provide that the actual commercial operation or business is conducted elsewhere, and there is no external evidence of the business at the storage unit.)
20. School, Public, Private or Trade: Sites shall be located on an arterial or collector street as shown on the City Street Plan.

21. Shopping Center: Providing site, drainage, and related plans for the entire development are approved.
 22. Storage of Wrecked or Dismantled Vehicles and Parts (Accessory Use): The storage of wrecked and dismantled vehicles and parts thereof shall be permitted only as an incidental accessory use to a vehicle repair establishment or a body shop:
 - a. Storage shall be within an enclosed building or within a sight-obscuring fence at least six (6) feet in height;
 - b. Vehicles and parts stored at the exterior of the building shall be owned by customers of the business and such storage shall be only for the purpose of repair and return to customer;
 - c. Exterior storage of vehicles shall not remain on the premises for a period exceeding three (3) months;
 - d. A maximum of five (5) wrecked vehicles may be stored at the building exterior during any one time;
 - e. Exterior storage shall be a minimum of one hundred (100) feet from a residential District.
 23. Swimming Pools: Permitted only when a protective fence four (4) feet in height is provided around the yard, lot or pool area. The pool shall be no closer than five (5) feet from any property line, and approval from all utilities is required to insure overhead safety.
 24. Television and Radio Towers and all Other Free Standing Towers (Public and Private Uses): Towers shall have manufacturer's specifications to withstand a 75 mph wind and shall be constructed to meet New Mexico Building Code standards.
 25. Welding (Accessory Use): Welding shall be permitted only as an incidental or accessory use necessary for the repair of vehicles or equipment permitted in the C-1 District. Welding uses shall be approved by the Fire Department and shall be in accord with any other provisions of the Municipal Code.
 26. Wrecker Service: In accord with storage of wrecked vehicle provisions of Item D.22 of this Section.
- E. **SPECIAL USES FOR C-1 DISTRICT.** The following uses require approval of the City Commission. Specific conditions and provisions for special use may be referred to in Article V.
1. Dwelling Unit: Special Use Permits are required for dwellings within the C-1 District upon lots or other parcels located directly adjacent to Broadway Avenue, Main Street or Date Street. Dwellings elsewhere within the C-1 District are permitted by right. Manufactured Homes (MH's) are permitted within the C-1 District subject to the provisions stated herein and in Articles 11 and 14.
 2. Apartments ten (10) unit minimum)
 3. Concrete Sales and Ready Mix
 4. Correctional Facilities and Institutions
 5. Heavy Equipment Repair and Service
 6. Kennel (Commercial)
 7. Manufactured Home Park or Subdivision: Subject to the provisions of Articles 11 and 14.
 8. Propane or Liquefied Petroleum Gas Distribution Point: Up to two thousand (2,000) gallons, not be located within three hundred thirty (330) feet of any residential zoning district, or within the area bounded by Date, Main and Austin Streets.
 9. Racetrack
 10. Residential Vehicle Park

11. Recycle Purchase Center
12. Stadium: Baseball, Football, Soccer or Track.
13. Townhouses (R-2 Development Standards apply)
14. Welding Shop



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: June 12, 2019

Agenda Item #: **H.1**

SUBJECT: Ordinance No. 702 for publication amending the Code of Ordinances by adding a Section related to Sale of Real Property pursuant to §NMSA 1978 3-54-1.

DEPARTMENT: City Attorney

DATE SUBMITTED: May 30, 2019

SUBMITTED BY: Jay Rubin, City Attorney

WHO WILL PRESENT THE ITEM: Morris Madrid, City Manager/Jay Rubin

Summary/Background:

The City received an offer from AB Southwest to purchase real property owned by the City. The proposed purchase price is \$70,000.00, which is equal to the appraised value. Pursuant to Section 3-54-1, the proposed Agreement must be approved by ordinance.

Recommendation:

Approve Ordinance No. 702 for publication amending the Code of Ordinances by adding a Section related to Sale of Real Property pursuant to §NMSA 1978 3-54-1.

Attachments:

- Ordinance No. 702

Fiscal Impact (Finance): Yes

Revenue of \$70,000

Legal Review (City Attorney): Yes

City Attorney prepared the proposed ordinance.

Approved For Submittal By: ☐ Department Director

Reviewed by: ☒ City Clerk ☒ Finance ☒ Legal ☐ Other: [Click here to enter text.](#)

Final Approval: ☐ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. [Click here to enter text.](#) Ordinance No. [Click here to enter text.](#)

Continued To: [Click here to enter a date.](#) Referred To: [Click here to enter text.](#)

☐ Approved ☐ Denied ☐ Other: [Click here to enter text.](#)

File Name: 06-12-2019/AR Ordinance. 702 Sale of Real Property 05-31-2019

ORDINANCE No. 702

AN ORDINANCE AMENDING THE CITY OF TRUTH OR CONSEQUENCES CODE OF ORDINANCES; BY ADDING A SECTION THAT AUTHORIZES, PURSUANT TO SECTION 3-54-1 NMSA 1978, THE SALE OF REAL PROPERTY

A. WHEREAS, the City of Truth or Consequences, New Mexico (the "City") is a legally created, established, organized and existing incorporated municipality under the constitution and laws of the State of New Mexico; and

B. WHEREAS, the City owns certain real property located within its boundaries specifically described as follows:

A 7.16-acre tract of undeveloped land along the south right-of-way line of E 2nd Avenue between Kopra Street and Locust Street proximate to the central business district of Truth or Consequences, Sierra County, NM acquired by condemnation by the City of Truth or Consequences (now owner of record). Said tract is located within NW/4 of the SE/4 of the SW/4 of Section 33, Township 135, Range 4W, NMPM.

C. WHEREAS, the City has negotiated a Purchase Agreement with AB Southwest, a New Mexico Limited Liability Company, whereby the City shall convey its interest in and to the above-described property to AB Southwest; and

D. WHEREAS, the City has determined that the real property is not needed for any other purpose; and

E. WHEREAS, under Section 3-54-1 NMSA 1978, the City is required to obtain an appraisal from a qualified appraiser of any property to be sold, and said appraisal was obtained on February 5, 2019 from Eric Van Pelt, certified appraiser. The appraised value was determined to be \$70,000.00; and

F. WHEREAS, the gross proposed sales price is equal to the appraised value.

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

Section 1. Authority. The City is authorized to convey interests in real property pursuant to the provisions of Section 3-54-1, N.M.S.A. (1978).

Section 2. Material Terms Purchase Agreement.

A. The City shall sell and convey the above-described property to AB Southwest, a New Mexico Limited Liability Company for the consideration of **SEVENTY THOUSAND DOLLARS (\$70,000.00)** to be paid at closing. Attached

hereto are the Purchase Agreement and the related documents which confirms the terms of agreement.

B. The closing costs shall be equally divided between the parties.

C. The Purchaser acknowledged that he is buying the property in an “as is” condition, and the City has made no warranties or representations regarding the real Property, nor whether the real property can be used for any particular purpose.

Section 3. Effective Date. This Ordinance shall be effective forty-five (45) days after its adoption.

Section 4. Severability. If any section, paragraph, clause or provision shall be held to be valid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

PASSED, ADOPTED, SIGNED AND APPROVED THIS ____ DAY OF _____, 2019.

CITY OF TRUTH OR CONSEQUENCES

By _____
SANDRA WHITEHEAD, Mayor

ATTEST:

By _____
RENEE CANTIN, City Clerk



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: June 12, 2019

Agenda Item #: **H.2**

SUBJECT: Introduction of Ordinance No. 703 authorizing the issuance of Joint Utility System Improvement Revenue Bonds Series 2019A.

DEPARTMENT: Community Development

DATE SUBMITTED: June 4, 2019

SUBMITTED BY: Traci Burnette

WHO WILL PRESENT THE ITEM: Chris Muirhead, Attorney, Modrall Sperling

Summary/Background:

Authorizing The Issuance Of The City Of Truth Or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2019a, In The Principal Amount Of Seven Hundred Fifteen Thousand Dollars (\$715,000) For The Purpose Of Acquiring, Extending, Enlarging, Bettering, Repairing Or Otherwise Improving The Wastewater System Within The City's Joint Utility System

Recommendation:

Approve introduction of Ordinance No. 703

Attachments:

- Ordinance 703 for Bond Series 2019A
- -

Fiscal Impact (Finance): Yes

-

Legal Review (City Attorney): Yes

Reviewed and approved

Approved For Submittal By: ☐ Department Director

Reviewed by: ☒ City Clerk ☐ Finance ☒ Legal ☐ Other: Click here to enter text.

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. [Click here to enter text.](#) Ordinance No. [Click here to enter text.](#)

Continued To: [Click here to enter a date.](#) Referred To: [Click here to enter text.](#)

☐ Approved ☐ Denied ☐ Other: [Click here to enter text.](#)

File Name: [Click here to enter text.](#)

STATE OF NEW MEXICO)
COUNTY OF SIERRA) ss.
CITY OF TRUTH OR CONSEQUENCES)

The City Commission of the City of Truth or Consequences, New Mexico, met in regular session in full conformity with law and the rules and regulations of the City Commission at the City Commission Chambers, 405 West Third Street, Truth or Consequences, New Mexico, being the regular meeting place of the City Commission, on the 26th day of June, 2019, at the hour of 9:00 a.m. Upon roll call, the following members, which constitute a quorum of the City Commission, were found to be present:

Present:

Absent:

Thereupon, there was officially filed with the Mayor, each Commissioner and the City Clerk-Treasurer a copy of a proposed bond ordinance in final form.

CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
ORDINANCE NO. 703

AUTHORIZING THE ISSUANCE OF THE CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO JOINT UTILITY SYSTEM IMPROVEMENT REVENUE BONDS, SERIES 2019A, IN THE PRINCIPAL AMOUNT OF SEVEN HUNDRED FIFTEEN THOUSAND DOLLARS (\$715,000) FOR THE PURPOSE OF ACQUIRING, EXTENDING, ENLARGING, BETTERING, REPAIRING OR OTHERWISE IMPROVING THE WASTEWATER SYSTEM WITHIN THE CITY'S JOINT UTILITY SYSTEM; PROVIDING FOR THE ISSUANCE AND SALE OF THE BONDS; PROVIDING THAT THE BONDS WILL BE PAYABLE AND COLLECTIBLE SOLELY FROM NET REVENUES TO BE DERIVED FROM THE OPERATION OF THE CITY'S JOINT UTILITY SYSTEM; PROVIDING FOR THE TERMS AND CONDITIONS OF THE BONDS, THE MANNER OF THEIR EXECUTION, THE METHOD OF PAYING THE BONDS AND OTHER DETAILS CONCERNING THE BONDS AND SUCH SYSTEM, INCLUDING BUT NOT LIMITED TO COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH AND APPERTAINING THERETO.

Capitalized terms used in the following preambles have the same meaning as defined in Section 1 of this Ordinance unless the context requires otherwise.

WHEREAS, the City of Truth or Consequences, Sierra County, New Mexico, is a legally and regularly created, established, organized and existing municipal corporation under the general laws of the State of New Mexico; and

WHEREAS, the City now owns, operates and maintains a public joint utility comprised of water and wastewater services, and which the City hereby declares shall be continued to be operated as a public utility; and

WHEREAS, the City has heretofore provided for the imposition of rates and charges against users of the System; and

WHEREAS, the City entered into a loan agreement with the New Mexico Finance Authority, dated October 31, 2001, in the aggregate principal amount of \$1,841,089, which loan agreement is payable from, and has a parity lien on, the Net Revenues of the System; and

WHEREAS, the City entered into a loan agreement with the New Mexico Finance Authority, dated December 30, 2011, in the aggregate principal amount of \$256,000, which loan agreement is payable from, and has a parity lien on, the Net Revenues of the System; and

WHEREAS, the City entered into a loan agreement with the New Mexico Finance Authority, dated October 1, 2012 in the aggregate principal amount of \$165,741, which loan agreement is payable from, and has a parity lien on, the Net Revenues of the System; and

WHEREAS, the City entered into a loan agreement with the New Mexico Finance Authority, dated March 21, 2014, in the aggregate principal amount of \$64,000, which loan agreement is payable from, and has a subordinate lien on, the Net Revenues of the System; and

WHEREAS, the City entered into a loan agreement with the New Mexico Finance Authority, dated January 8, 2016 in the aggregate principal amount of \$75,000, which loan agreement is payable from, and has a subordinate lien on, the Net Revenues of the System; and

WHEREAS, the City issued its Joint Utility System Improvement Revenue Bonds, Series 2016 in the aggregate principal amount of \$910,000 on May 11, 2016 which Series 2016 Bonds are payable from, and has a parity lien on, the Net Revenues of the System; and

WHEREAS, the City intends to issue its Joint Utility System Improvement Revenue Bonds, Series 2019B in the aggregate principal amount of \$315,000 on or about August 1, 2019 which Series 2019B Bonds are payable from, and has a parity lien on, the Net Revenues of the System; and

WHEREAS, other than as identified in this Ordinance, the City has not pledged nor in any way hypothecated revenues derived from the System, or any part thereof, to the payment of any bonds or any other obligations now outstanding or for any other purpose; and

WHEREAS, the City is authorized under the Act to issue revenue bonds for the Project and the Series 2019A Bonds shall be issued pursuant to the Act; and

WHEREAS, the issuance of the Series 2019A Bonds will provide for the preservation of the public health, peace and safety; and

WHEREAS, it is in the best interest of the City that the Series 2019A Bonds be issued with a first lien on the Net Revenues; and

WHEREAS, the United States of America has offered to purchase the Series 2019A Bonds, in the principal amount of \$715,000 at par and at an interest rate of 1.625% per annum pursuant to this Ordinance, plus accrued interest, if any, to the date of delivery; and

WHEREAS, all required authorizations, consents or approvals of any state, governmental body, agency or authority, in connection with the authorization, execution and delivery of the Series 2019A Bonds which are required to have been obtained by the date hereof have been obtained, and which will be required to be obtained prior to the date of the issuance of the Series 2019A Bonds, will have been obtained by such date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO:

Section 1. Definitions. In addition to words and terms elsewhere defined in this Ordinance, the following words and terms shall have the following meanings:

“Act” means the powers of the City under the authority given by the provisions of Sections 3-31-1 through 3-31-12 NMSA 1978, as amended and supplemented, and all enactments of the Commission relating to the issuance of the Series 2019A Bonds.

“Asset Management Reserve Fund” means a reserve fund created herein and funded from Net Revenues in the amount of \$16,486 monthly.

“Bond Fund” means the “City of Truth or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2019A, Interest and Bond Retirement Fund” created by Section 16 hereof.

“Bondholder”, “holder” or “owner” means any registered owner of the Series 2019A Bonds.

“City” means the municipal corporation, a body corporate and politic known as the “City of Truth or Consequences, New Mexico.”

“Commission” means the City Commission, or any succeeding legislative body of the City, as such governing body from time to time may be constituted and authorized to act and approve actions by a properly constituted quorum.

“Construction Fund” means the “City of Truth or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2019A, Construction Fund” created by Section 14 hereof.

“Consulting Engineer” means any registered or licensed professional engineer or firm of such engineers having a wide and favorable repute for skill and experience in the field of designing, preparing plans and specifications for, and supervising construction of water/wastewater systems and facilities entitled to practice and practicing as such under the laws of the State of New Mexico.

“Debt Service Schedule” means the payment schedule for the Series 2019 Bonds as provided by the Purchaser, as the same may be revised in the event of partial prepayment of the Series 2019A Bonds.

“Fiscal Year” means the period commencing on July 1 in each calendar year and ending on the last day of June of the next succeeding calendar year, or any other twelve-month period which any appropriate authority may hereafter establish for the City as its fiscal year.

“Herein” or “hereby” or “hereunder” or “hereof” or “hereinbefore” or “hereinafter” refers to this Ordinance and not solely to the particular portion thereof in which such word is used.

“Income Fund” means the “Joint Utility System Gross Income Fund” continued by Section 16 hereof.

“Independent Accountant” means an accountant employed by the State of New Mexico and under supervision of the State Auditor or any certified public accountant, registered accountant, or firm of such accountants duly licensed to practice and practicing as such under the laws of the State of New Mexico, appointed and paid by the City who (a) is, in fact, independent and not under the domination of the City, (b) does not have any substantial interest, direct or indirect, with the City, and (c) is not connected with the City as an officer or employee of the City, but who may be regularly retained to make annual or similar audits of the books or records of the City.

“Insured Bank” means a bank or savings and loan association insured by an agency of the United States and which invests public funds in accordance with the provisions of Section 6-10-10 NMSA 1978, as amended.

“Loan Resolution” means Form 1780-27 (City Resolution No. 23 16/17) as approved and adopted by the Commission on February 14, 2017 relating to a loan of \$715,000 and a grant of \$4,515,400 and signed by the Mayor.

“Mayor” means the Mayor of the City, or if the form of government of the City is changed, the presiding officer of the City no matter how such officer may be designated.

“Net Revenues” means the Gross Revenues of the System less operation and maintenance expenses, which net revenues are pledged to the payment of the Series 2019A Bonds are provided herein.

“NMFA” means the New Mexico Finance Authority.

“NMFA Loan Agreement (2001)” means the loan agreement dated October 31, 2001, by and between the City and the New Mexico Finance Authority in the aggregate amount of \$1,841,089, which has a parity lien on Net Revenues of the System.

“NMFA Loan Agreement (2011)” means the loan agreement dated December 30, 2011, by and between the City and the New Mexico Finance Authority in the aggregate amount of \$256,000, which has a parity lien on Net Revenues of the System.

“NMFA Loan Agreement (2012)” means the loan agreement dated October 1, 2012, by and between the City and the New Mexico Finance Authority in the aggregate amount of \$165,741, which has a parity lien on Net Revenues of the System.

“NMFA Loan Agreement (2014)” means the loan agreement dated March 21, 2014, by and between the City and the New Mexico Finance Authority in the aggregate amount of \$64,000, which has a subordinate lien on Net Revenues of the System.

“NMFA Loan Agreement (2016)” means the loan agreement dated January 8, 2016, by and between the City and the New Mexico Finance Authority in the aggregate amount of \$75,000, which has a subordinate lien on Net Revenues of the System.

“NMSA 1978” means the compilation of the laws of the State of New Mexico known as New Mexico Statutes Annotated, 1978 Compilation, as from time to time amended and supplemented.

“Operation and Maintenance Fund” means the “Operation and Maintenance Fund” continued herein.

“Operation and Maintenance Expenses” means all reasonable and necessary current expenses of the City, paid or accrued, of operating, maintaining and repairing the System, and shall include without limiting the generality of the foregoing, insurance premiums, reasonable charges of depository banks, paying agents and bond registrars, contractual services, professional services required by this Ordinance, salaries and System administrative expenses, labor, cost of materials and supplies used for current operations, legal and overhead expenses of the various City departments directly related and reasonably allocable to the administration of the System, any payments made to the City's general fund as payments in lieu of franchise taxes or fees or other City taxes or fees or other similar payments or transfers to other funds of the City, but shall not include any allowance for depreciation, liabilities incurred by the City as the result of negligence in the operation of the System, costs of improvements, extensions, enlargements or betterments, or any charges for the accumulation of reserves for capital replacements.

“Ordinance” means this ordinance.

“Outstanding” or “outstanding” means, on any particular date, the aggregate of such bonds issued and delivered under the City ordinance authorizing the issuance of such bonds except:

A. Those cancelled at or prior to such date or delivered to or acquired by the City at or prior to such date for cancellation;

B. Those which have been paid or are deemed to be paid in accordance with the City ordinance authorizing the issuance of the applicable bonds or otherwise relating thereto; and

C. Those in lieu of or in exchange or substitution for which other bonds have been delivered, unless proof satisfactory to the City and paying agent for the applicable bonds is presented that any bond for which a new bond was issued or exchanged is held by a bona fide holder in due course.

“Parity Obligations” or “Parity Bonds” means the NMFA Loan Agreement (2001), NMFA Loan Agreement (2011), NMFA Loan Agreement (2012), Series 2016 Bonds, Series 2019B Bonds, and any other bonds and other obligations now or hereafter issued or incurred payable from the Net Revenues and issued or incurred with a lien on the Net Revenues on parity with the Series 2019A Bonds.

“Paying Agent” means the City Clerk-Treasurer or any successor thereto designated by the Commission to act in such capacity for the Series 2019A Bonds.

“Project” means acquiring, extending, enlarging, bettering, repairing or otherwise improving the wastewater infrastructure within the System as approved by the Rural Utilities Service.

“Purchaser” means the United States of America to whom the Series 2019A Bonds are to be originally sold and delivered.

“Registrar” means the City Clerk-Treasurer or any successor thereto designated by the Commission to act in such capacity for the Series 2019A Bonds.

“Required Reserve Fund Deposit” means the monthly amount required to be deposited in the Debt Service Reserve Fund as described in Section 17(C) hereof.

“Revenues”, “Gross Revenues”, “income” or “gross income” means all income and revenues (including but not limited to interest income from the investment of System revenues) derived by the City from the operation of the System, or any part thereof, whether resulting from improvements, extensions, enlargements, repairs or betterments to the System, or otherwise, and includes all revenues derived by the City or any municipal corporation succeeding to the rights of the City, from the System and from the sale and use of water or wastewater service and facilities, or any combination thereof, to the residents of what is now the City (including all territorial annexations which may be made while the Series 2019A Bonds or any part thereof are outstanding), or from the sale and use of water or wastewater service and facilities, by means of the System owned and operated by the City as the same may at any time exist to serve customers outside the City limits as well as customers within the City limits.

“Rural Utilities Service” means the United States Department of Agriculture, Rural Utilities Service.

“Series 2016 Bonds” means the City of Truth or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2016 issued on May 11, 2016 in the aggregate amount of \$910,000, which bonds have a parity lien on Net Revenues of the System.

“Series 2019A Bonds” means the “City of Truth or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2019A” authorized by Section 5 hereof.

“Series 2019B Bonds” means the “City of Truth or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2019B” issued on or about August 1, 2019 in the aggregate amount of \$315,000, which bonds have a parity lien on Net Revenues of the System.

“Service Area” means the area served by the System, whether situated within or without the limits of the City.

“System” or “Utility” means the municipally owned public utility designated as the City's joint water and wastewater utility system, consisting of all properties, real, personal, mixed or otherwise, now owned or hereafter acquired by the City through purchase, condemnation, construction or otherwise, including all expansions, extensions, enlargements and improvements of or to the joint water and wastewater utility system, and used in connection therewith or relating thereto, and any other related activity or enterprise of the City designated by the Commission as part of the joint water and wastewater utility system, whether situated within or without the limits of the City.

Section 2. Ratification. All action heretofore taken (not inconsistent with the provisions of this Ordinance) by the Commission and the officers of the City directed toward the Project and toward the issuance of the Series 2019A Bonds and the sale of the Series 2019A Bonds to the Purchaser is hereby ratified, approved and confirmed.

Section 3. Authorization of Project. The Project shall be constructed and acquired at a total estimated cost not exceeding \$5,230,400 with costs in excess of the amount of the purchase price of the Series 2019A Bonds to be defrayed from sources other than proceeds from the issuance of the Series 2019A Bonds.

Section 4. Findings. The Commission hereby declares that it has considered all relevant information and data and hereby makes the following findings:

A. It is in the best interest of the City and its residents to undertake the sale of the Series 2019A Bonds.

B. Moneys available for the Project from all sources other than the issuance of the Series 2019A Bonds are not sufficient to accomplish the Project.

C. The issuance by the City of the Series 2019A Bonds under the Act to provide funds for the Project is necessary and in the interest of the public health, safety, morals and welfare of the residents of the City.

D. The Net Revenues may lawfully be pledged to secure the payment of the Series 2019A Bonds as set forth herein.

E. The net effective interest rate on the Series 2019A Bonds is less than the statutory maximum of 12% per annum.

Section 5. The Series 2019A Bonds.

A. Authorization. Pursuant to the findings of Section 4 hereof, it is hereby declared that the City, pursuant to the Act, shall issue and sell the Series 2019A Bonds. The Series 2019A Bonds, in the principal amount of \$715,000, are hereby authorized to be issued and sold at par to the Purchaser.

B. Details of the Series 2019A Bonds. There are hereby authorized and created a series of bonds designated as the “City of Truth or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2019A.”

The Series 2019A Bonds shall be dated as of the date of issuance and delivery, shall be originally issued as one bond in the denomination of \$715,000, numbered R-1, shall be payable to the registered owner, shall bear interest on the outstanding principal amount of the Series 2019A Bonds at a rate of 1.625% per annum, calculated on the basis of a 365-day year, actual number of days elapsed. Both principal and interest on the Series 2019A Bonds shall be payable in equal monthly installments commencing on or about August 1, 2020 and continuing on the 1st day of each month until the principal and interest are fully paid, except that the final installment of the entire balance of principal and interest, if not sooner paid in accordance with the terms of the Series 2019A Bonds, shall be come due and payable on August 1, 2059 (each installment being applied first to interest due and then to unpaid principal).

The form, term, and provisions of the Series 2019A Bonds, in the form set forth in Section 12 hereof are hereby approved with only such changes therein as are not inconsistent with this Ordinance.

Section 6. Prior Redemption.

A. Optional Redemption, Date and Price. The Series 2019A Bonds, on and after January 1, 2030, are subject to prior redemption at the option of the City on any date, in whole or in part, as the City may determine, at a redemption price equal to the principal amount being redeemed, plus accrued interest to the date fixed for redemption. Additionally, any Series 2019A Bonds owned by the United States of America are subject to redemption prior to maturity, on any date without restriction, in whole or in part, as the City may determine, at a redemption price equal to the principal amount being redeemed, plus accrued interest to the date fixed for redemption. Any partial redemption of the Series 2019A Bonds shall be in inverse order of principal maturity and, after principal redemptions, if any, interest thereafter shall accrue only upon the then outstanding principal amount of Series 2019A Bonds.

B. Notice. Notice of redemption shall be given by the Registrar by sending a copy of such notice by first-class, postage prepaid mail at least thirty (30) days prior to the redemption date to the registered owner of the Series 2019A Bonds to be redeemed at the address shown on the registration books kept by the Registrar as of the close of business of the Registrar on the fifth day prior to the mailing of notice. Notice of redemption shall specify the principal amount to be redeemed, the date fixed for redemption, and that on such redemption date there will become and be due and payable at the office of the Paying Agent the principal amount to be redeemed plus accrued interest to the redemption date and that from and after such date interest will cease to accrue on such amount. Notice having been given in the manner provided above, the principal amount of the Series 2019A Bonds so called for redemption shall become due and payable on the redemption date so designated and if an amount of money sufficient to redeem the principal amount of the Series 2019A Bonds called for redemption shall on the redemption date be on deposit with the Paying Agent, the principal amount of the Series 2019A Bonds to be redeemed shall be deemed not outstanding and shall cease to bear interest from and after such

redemption date. Upon presentation of the Series 2019A Bonds to be redeemed at the office of the Paying Agent, the Paying Agent will pay the principal amount of the Series 2019A Bonds so called for redemption plus accrued interest to the redemption date.

Section 7. Signatures, Execution and Authentication of Series 2019A Bonds.

A. Filing of Signatures. Prior to the execution of any Series 2019A Bond, the Mayor and City Clerk-Treasurer shall each file with the New Mexico Secretary of State his or her manual signature certified by him or her under oath pursuant to Sections 6-9-1 to 6-9-6 NMSA 1978, as amended; provided that filing shall not be necessary for any officer where any previous filing may have legal application to the Series 2019A Bonds.

B. Execution. The Series 2019A Bonds shall be signed with the engraved, imprinted, stamped or otherwise reproduced facsimile of the signature, or the manual signature, of the Mayor and shall be attested with the facsimile or the manual signature of the City Clerk-Treasurer. There shall be affixed to each Series 2019A Bond the printed, engraved, stamped or otherwise placed facsimile of, or imprint of, the City's corporate seal. The Series 2019A Bonds shall be authenticated by the manual signature of an authorized officer of the Registrar. The Series 2019A Bonds when authenticated and bearing the manual or facsimile signature of the officers in office at the time of signing thereof shall be valid and binding special obligations of the City, notwithstanding that before delivery thereof and payment therefor, any or all of the persons whose signatures appear thereon shall have ceased to fill their respective offices. The Mayor and City Clerk-Treasurer, at the time of the execution of the Series 2019A Bonds and the signature certificate, each may adopt as and for his or her own facsimile signature, the facsimile signature of his or her predecessor in office if such facsimile signature appears upon any of the Series 2019A Bonds or certificates pertaining to the Series 2019A Bonds.

C. Authentication. No Series 2019A Bond shall be valid or obligatory for any purpose unless the certificate of authentication has been duly executed by the Registrar. The Registrar's certificate of authentication shall be deemed to have been fully executed if manually signed and inscribed by an authorized officer of the Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Series 2019A Bonds issued hereunder.

Section 8. Negotiability. The Series 2019A Bonds shall be fully negotiable and shall have all the qualities of negotiable paper, and the Bondholder shall possess all rights enjoyed by the holders of negotiable instruments under the provisions of the Uniform Commercial Code--Investment Securities.

Section 9. Payment and Presentation of Series 2019A Bonds for Payment. Principal and interest on the Series 2019A Bonds shall be payable in lawful money of the United States of America, without deduction for exchange or collection charges. Principal and interest on the Series 2019A Bonds shall be payable by check or draft mailed to the registered owner thereof (or in such other manner as may be agreed upon by the Paying Agent and the registered owner), as shown on the registration books maintained by the Registrar at the address appearing therein on the 5th calendar day next preceding the payment date (the "Record Date"). If any payment on

the Series 2019A Bonds remains unpaid when due, the payment shall continue to bear interest at the rate or rates designated in, and applicable to, the Series 2019A Bonds. The records of the Paying Agent and the Registrar with respect to payments paid to the registered owners of the Series 2019A Bonds shall be conclusive and no posting or notation of payments on the Series 2019A Bond forms shall be required.

Section 10. Registration, Transfer, Exchange and Ownership of Series 2019A Bonds.

A. Registration, Transfer and Exchange. The City shall cause books for registration, transfer, and exchange of the Series 2019A Bonds as provided herein to be kept at the principal office of the Registrar. At all times while the Series 2019A Bonds are held or insured by the United States of America, the Series 2019A Bonds shall be registered only in the name of "United States of America". The principal of and interest payable on the Series 2019A Bonds may be separately registered on the registration books at the request of the United States of America. Subject to the restrictions set forth in the preceding sentence, upon surrender for transfer or exchange of the fully registered Series 2019A Bonds at the principal office of the Registrar duly endorsed by the registered owner or his attorney duly authorized in writing, or accompanied by a written instrument or instruments of transfer or exchange in form satisfactory to the Registrar and duly executed, the Registrar shall, without cost to the registered owner, authenticate and deliver, not more than three (3) business days after receipt of the Series 2019A Bonds to be transferred, in the name of the transferee or registered owner, as appropriate, a new Series 2019A Bond or Series 2019A Bonds in authorized denominations, in fully registered form of the same aggregate principal amount, maturity and interest rate.

B. Limitations. The Registrar shall not be required to transfer or exchange any Series 2019A Bonds (i) during the period of fifteen (15) days next preceding mailing of notice calling the Series 2019A Bonds for prior redemption as herein provided, or (ii) after mailing to the registered owner of notice calling such Series 2019A Bonds for prior redemption as herein provided. The Registrar shall close books for change of registered owners' addresses five (5) days prior to each payment date. Transfers shall be permitted within the five (5) days prior to each payment date; such transfer shall not include a transfer of the principal and interest payable on such payment date.

C. Owner of Series 2019A Bonds. The entity in whose name the Series 2019A Bonds are registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of either the principal of or interest on the Series 2019A Bonds shall be made only to or upon the order of the registered owner thereof or his legal representative as stated herein, but such registration may be changed as hereinabove provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Series 2019A Bonds to the extent of the sum or sums so paid.

D. Lost Series 2019A Bonds. If the Series 2019A Bonds shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such Series 2019A Bonds, if mutilated, and such evidence, information or indemnity relating thereto as the Registrar may reasonably require, authenticate and deliver replacement Series 2019A Bonds of a like aggregate principal amount and of the same series, maturity and interest rate, bearing a number or numbers

not contemporaneously outstanding. If any such lost, stolen, destroyed or mutilated Series 2019A Bonds shall have matured, the Registrar may request the Paying Agent to pay such bond in lieu of replacement.

Section 11. Special Obligations. The Series 2019A Bonds, together with interest accruing thereon, shall be payable and collectible solely out of Net Revenues, the revenues of which are so pledged, and the Bondholders may not look to any general or other municipal fund for the payment of principal and interest on such obligations, except the designated special funds pledged therefor. The Series 2019A Bonds shall not constitute indebtedness or a debt within the meaning of any constitutional or statutory provision or limitation, nor shall they be considered or held to be general obligations of the City. Nothing herein shall prevent the City from using any other legally available funds for the payment of the principal of and interest on the Series 2019A Bonds, in its sole discretion.

Section 12. Form of Series 2019A Bonds. The Series 2019A Bonds and the forms of authentication and assignment to be attached thereto shall be in substantially the following form with such changes therein as are not inconsistent with this Ordinance.

(Form of Series 2019A Bonds)

UNITED STATES OF AMERICA
STATE OF NEW MEXICO COUNTY OF SIERRA
CITY OF TRUTH OR CONSEQUENCES
JOINT UTILITY SYSTEM IMPROVEMENT REVENUE BONDS
SERIES 2019A

No. R-1 **\$715,000**

| | | |
|---------------|----------------|----------------|
| Interest Rate | Maturity Date | Date of Bonds |
| 1.625% | August 1, 2059 | August 1, 2019 |

REGISTERED OWNER: UNITED STATES OF AMERICA

PRINCIPAL AMOUNT: SEVEN HUNDRED FIFTEEN THOUSAND DOLLARS

The City of Truth or Consequences, New Mexico (the "City") for value received, hereby acknowledges itself indebted and promises to pay, but only from the sources and in the manner provided for herein, to the Registered Owner stated above, or its registered assigns, in lawful money of the United States of America the principal amount stated above, together with interest thereon, in the amounts and on the dates set forth in the debt service schedule provided by the Registered Owner, until full payment of the principal amount plus accrued interest has been made. This bond shall bear interest on the outstanding principal amount hereof at the rate of 1.625% per annum, calculated on the basis of a 365-day year, actual number of days elapsed. Both principal and interest on the Series 2019 Bonds shall be payable in equal monthly installments commencing August 1, 2020 and continuing on the 1st day of each month until the principal and interest are fully paid, except that the final installment of the entire balance of

principal and interest, if not sooner paid in accordance with the terms of the Series 2019 Bonds, shall be come due and payable on August 1, 2059 (each installment being applied first to interest due and then to unpaid principal). Payment of principal and interest of the Series 2019 Bonds shall be made through an electronic preauthorized debt system to the registered owner shown on the registration books of the City, which shall be maintained by the City Clerk-Treasurer, as Registrar. Final payment shall be payable upon presentation and surrender of the Series 2019 Bonds to the City Clerk-Treasurer, as Paying Agent. The principal of and interest payable on the Series 2019 Bonds may be separately registered on the registration books at the request of the United States of America. If any payment of this bond is not made as herein provided, the payment shall continue to bear interest at the Interest Rate stated above until the payment is paid in full. The principal and interest on this bond are payable in lawful money of the United States of America, without deduction for the services of the Paying Agent or Registrar.

This bond is a fully registered bond of the City in the aggregate principal amount of \$715,000, designated as the "City of Truth or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2019A" (the "Series 2019A Bonds") issued under and pursuant to City Ordinance No. _____ (the "Bond Ordinance").

FOR PURPOSES OF SECTION 265(B)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED TO DATE OF ORIGINAL DELIVERY OF THIS BOND, THE CITY HAS DESIGNATED THE BONDS AS "QUALIFIED TAX-EXEMPT OBLIGATIONS."

This bond may be redeemed, in whole or in part, at the option of the City on any date on or after January 1, 2030 at a redemption price equal to the principal amount being redeemed, plus accrued interest to the date fixed for redemption. Additionally, if this bond is owned by the United States of America, it may be redeemed on any date without restriction, at a redemption price equal to the principal amount being redeemed, plus accrued interest to the date fixed for redemption.

Notice of redemption will be given by providing at least thirty (30) days prior written notice by first-class, postage prepaid mail to the owner of the Series 2019A Bonds, to be redeemed at the address shown on the registration books as of the close of business of the Registrar on the fifth day prior to the mailing of notice. The notice of redemption shall specify the redemption date and the principal amount thereof, plus accrued interest to the redemption date, and that from and after such date interest will cease to accrue. Notice having been given in the manner provided above, the Series 2019A Bonds so called for redemption shall become due and payable on the redemption date so designated and if an amount of money sufficient to redeem the Series 2019A Bonds called for redemption shall on the redemption date be on deposit with the Paying Agent, the Series 2019A Bonds to be redeemed shall not be deemed to be outstanding and shall cease to bear interest from and after such redemption date.

At all times while the Series 2019A Bonds are held or insured by the United States of America, the Series 2019A Bonds shall be registered only in the name of "United States of America". Subject to the restrictions set forth in the preceding sentence, upon surrender for transfer or exchange of this bond at the principal office of the Registrar duly endorsed by the registered owner or his attorney duly authorized in writing, or accompanied by a written

instrument of transfer or exchange in form satisfactory to the Registrar and duly executed, the Registrar will authenticate and deliver in the name of the transferee or registered owner, as appropriate, a new bond in fully registered form of the same outstanding principal amount, maturity and interest rate, in an authorized denomination. The person in whose name any Bond is registered will be deemed and regarded as the absolute owner thereof for all purposes, and payment of principal of and interest on the Series 2019A Bonds will be made only to or upon the order of the registered owner thereof or his legal representative. All such payments will be valid and effectual to satisfy and discharge the liability upon the Series 2019A Bonds to the extent of the sum so paid.

This bond and the payments of principal hereof and interest hereon do not constitute indebtedness of the City within the meaning of any constitutional or statutory provision or limitation, shall not be considered or held to be a general obligation of the City and is payable and collectible solely out of the net revenues of the City's joint utility system (the "Net Revenues") as more particularly described in the Bond Ordinance. The holder of this bond may not look to any general or other municipal fund for payment of the principal of or interest on this bond. The City has covenanted to pay the Net Revenues an amount sufficient to pay specified operation and maintenance expenses of the System, the monthly Required Reserve Fund Deposit, the Asset Management Reserve Fund deposit (each as defined in the Bond Ordinance), and the regularly scheduled payments on the Series 2019A Bonds and other Parity Obligations when due. For a more complete description of the nature and extent of the security, including the monthly deposits to the various reserve funds afforded by the Bond Ordinance for the payment of the principal of and interest on the Series 2019A Bonds, reference is made to the Bond Ordinance.

The Series 2019A Bonds are issued by the City for the purpose of acquiring, extending, enlarging, bettering, repairing or otherwise improving the wastewater infrastructure within the City's Joint Utility System (the "Project").

The Series 2019A Bonds are secured by a pledge of the Net Revenues. The Series 2019A Bonds constitute an irrevocable first lien (but not an exclusive first lien) upon the Net Revenues on parity with the lien thereon of the City's outstanding Parity Obligations (as defined in the Bond Ordinance). Additional bonds may be issued and made payable from the Net Revenues, subject to express conditions, having a lien thereon on parity with the lien of the Series 2019A Bonds in accordance with the provisions of the Bond Ordinance. The City covenants and agrees with the owner of this bond and with each and every person who may become the owner hereof that it will keep and perform all of the covenants of the Bond Ordinance.

The Series 2019A Bonds will not be entitled to any benefit under the Bond Ordinance or become valid or obligatory for any purpose until an authorized officer of the Registrar has manually signed the Certificate of Authentication hereon.

It is hereby certified that all acts and conditions necessary to be done or performed by the City or to have happened precedent to and in the issuance of the Series 2019A Bonds to make them legal, valid and binding special obligations of the City have been performed and have

happened, as required by law, and that the Series 2019A Bonds do not exceed or violate any constitutional, statutory or charter limitation. No member of the City Commission, or any officer or employee of the City, including those executing this bond, shall be personally liable on any Series 2019A Bonds.

IN WITNESS WHEREOF, the City of Truth or Consequences, in the State of New Mexico, has caused this bond to be signed and executed on the City's behalf by the signatures of its Mayor and City Clerk-Treasurer and has caused the seal of the City to be affixed hereon all as of the Date of Bond specified above.

CITY OF TRUTH OR CONSEQUENCES
NEW MEXICO

By _____
Mayor

[SEAL]

By _____
Clerk-Treasurer

(Form of Certificate of Authentication)

Date of Registration: _____

This bond is one of the Series 2019A Bonds authorized to be issued by and under the provisions of the Bond Ordinance.

By _____
Clerk-Treasurer
Truth or Consequences, New Mexico

(End of Form of Certificate of Authentication)

(Form of Assignment)

ASSIGNMENT CLAUSE

For value received, the undersigned sells, assigns and transfers unto _____, whose social security or tax identification number is _____, the within bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ as legal

representative to transfer the within bond on the books of the Registrar, with full power of substitution in the premises.

DATED: _____

NOTE: The above signature must correspond with the name as written on the face of the within bond in every particular.

(End of Form of Assignment)

(End of Form of Bonds)

Section 13. Sale of Series 2019A Bonds. The sale and award of the Series 2019A Bonds to the Purchaser are hereby ratified, approved and confirmed. The Mayor and other City officers are hereby authorized to do all things necessary and consistent with this Ordinance in connection with the sale, issuance and delivery of the Series 2019A Bonds.

Section 14. Delivery of the Series 2019A Bonds and Disposition of Proceeds. When the Series 2019A Bonds have been duly executed and authenticated, they shall be delivered to the Purchaser. By purchasing the Series 2019A Bonds, the United States of America agrees to pay to the City the principal amount of the Series 2019A Bonds.

The City shall account for the proceeds of the Series 2019A Bonds as follows:

A. Accrued Interest. The Series 2019A Bonds shall be dated as of the date of actual issuance and delivery and no accrued interest shall be payable by the United States of America for the period prior to the date of actual issuance and delivery of the Series 2019A Bonds.

B. Sale Proceeds. The proceeds from the sale of the Series 2019A Bonds shall be deposited promptly upon the receipt thereof in a separate account in an Insured Bank, designated by the City, which account is hereby created and shall be known as the "City of Truth or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2019A, Construction Fund." The Insured Bank shall be required to pledge collateral security for all deposits in the Construction Fund in accordance with the laws of the State of New Mexico, and laws and regulations of the United States of America. The monies in the Construction Fund, except as herein otherwise specifically provided, shall be used and paid out solely for the purposes specified in this Ordinance.

C. Purchaser Not Responsible. The Purchaser of the Series 2019A Bonds shall not be responsible for the application or disposal by the City or by its officers of the funds derived from the sale thereof or of any other funds herein designated.

Section 15. The Construction Fund.

A. Withdrawals. Monies shall be withdrawn from the Construction Fund for the Project upon warrants or checks drawn and signed by the Mayor and the City Clerk-Treasurer.

No such warrant or check for any sum for any actual construction work or purchase of construction materials pursuant to the terms and provisions of construction contracts shall be issued until the City has received engineering approval certifying that such sum is due and owing for work under such contracts and has received approval and concurrence for such payment from the Rural Utilities Service. The designated engineering approval shall be by the Consulting Engineer whose approval must be in the form of a written certificate stating that the payment therein approved is being made to pay for materials supplied or work satisfactorily completed in substantial accordance with the plans and specifications for the work involved. The designated Rural Utilities Service approval shall be in the form of a written certificate stating that the Rural Utilities Service has reviewed the request for payment and has concurred with making the payment. Such certificates of approval shall be in appropriate form, shall be signed by the Consulting Engineer or his duly authorized representative or by an authorized representative of the Rural Utilities Service, as applicable, and shall be filed with the City Clerk-Treasurer and the Insured Bank holding the Construction Fund.

B. Disposition of Unspent Amounts in the Construction Fund. When all work on the Project is completed in accordance with the plans and specifications and all amounts due therefor are paid, the Consulting Engineer and the Rural Utilities Service shall file with the Insured Bank and the City Clerk-Treasurer a certificate so stating, and thereupon the Insured Bank shall transfer to the Bond Fund all funds remaining in the Construction Fund, if any, and such proceeds shall be promptly used to pay debt service on the Series 2019A Bonds.

Section 16. Special Funds.

A. The Income Fund is hereby continued. The Joint Utility System Gross Income Fund shall be used for the deposit of the Gross Revenues of the System and shall be a special fund, not part of the general treasury or general fund of the City.

B. The Operation and Maintenance Fund is hereby continued as a separate account in the Income Fund and shall be used for the deposit of revenues of the System to be used for the payment of Operation and Maintenance Expenses of the System as set forth in Section 17 of this Ordinance.

C. The Bond Fund is hereby created as a separate account in the Income Fund and shall be used for deposit of Net Revenues of the System to be used for the payment of principal and interest on the Series 2019A Bonds as set forth in Section 17 hereof.

D. The Debt Service Reserve Fund is hereby created as a separate account in the Income Fund and shall be used as set forth in Section 17 hereof.

E. The Asset Management Reserve Fund is hereby created as a separate account in the Income Fund and shall be used as set forth in Section 17 hereof.

Section 17. Administration of Income Fund. So long as the Series 2019A Bonds shall be outstanding either as to principal or interest, or both, the Gross Revenues of the System shall be set aside and deposited into the Income Fund and the following monthly payments shall be made from the Income Fund:

A. Operation and Maintenance Expenses. Money in the Income Fund shall first be disbursed to make deposits into the Operation and Maintenance Fund. There shall be deposited in the Operation and Maintenance Fund each month an amount sufficient to meet the current Operation and Maintenance Expenses of the month plus an amount equal to 1/12th of the Operation and Maintenance Expenses payable on an annual basis such as insurance.

B. Bond Fund. Second and concurrently with the monthly payments required by paragraphs C, D and G of this Section, and subject to and after the payments required by paragraph A of this Section, from any moneys remaining in the Income Fund there shall be deposited to the Bond Fund the following:

(1) Monthly, commencing on the first of the month immediately succeeding the issuance and delivery of the Series 2019 Bonds, an amount which is necessary, together with any moneys therein and available therefor, to pay the payment of principal and interest on the Series 2019 Bonds as provided in the Debt Service Schedule; and

(2) If prior to any payment date, there has been accumulated in the Bond Fund the entire amount necessary to pay the next payment of principal and interest, the payment required in subparagraph (1) of this subsection, may be appropriately reduced; but the required monthly amounts shall again be credited to the Bond Fund commencing on the applicable payment date.

Except as provided in paragraph I of this Section, the moneys in the Bond Fund shall be used only to pay the principal of and interest on the Series 2019A Bonds as the same become due.

C. Debt Service Reserve Fund. Concurrently with the monthly payments required by paragraphs B, D and G of this Section, and subject to and after the payments required by paragraph A of this Section, from any moneys remaining in the Income Fund there shall be deposited in the Debt Service Reserve Fund, monthly, commencing on the first day of the month immediately succeeding delivery of the Series 2019A Bonds, an amount equal to one-hundred and twentieth (1/120) of the average annual principal and interest installment payment on the Bonds ("Required Reserve Fund Deposit"). Monthly payments of the Required Reserve Fund Deposit shall be made into the Debt Service Reserve Fund until there is accumulated one annual installment of principal and interest due on the Bonds. The accumulated

amounts of the Required Reserve Fund Deposits in the Debt Service Reserve Fund shall be maintained as a continuing reserve to be used, with the approval of the Rural Utilities Service or the registered owner of the Series 2019A Bonds, only (i) to prevent deficiencies in the payment of the principal of and interest on the Series 2019A Bonds resulting from the failure to deposit into the Bond Fund sufficient funds to pay said principal and interest as the same become due, (ii) for paying the cost of repairing or replacing any damage to facilities constituting a part of the System caused by catastrophe, (iii) for extensions or improvements to facilities constituting a part of the System, and (iv) for repairing or replacing of short-lived assets which have a useful life significantly less than the final maturity date of the Series 2019A Bonds. After any use of moneys in the Debt Service Reserve Fund for an approved purpose as set forth in the preceding sentence, monthly deposits of the Required Reserve Fund Deposit shall continue until there is accumulated one annual installment of principal and interest due on the Bonds. Moneys on deposit in the Debt Service Reserve Fund to the extent in excess of the amount which may be held in a “reasonably required reserve fund” within the meaning of the Internal Revenue Code of 1986, as amended, and applicable U.S. Treasury Regulations (collectively, the “Code”) shall not be invested at a yield in excess of the yield on the Series 2019A Bonds or in any other manner which would cause the Series 2019A Bonds to become “arbitrage bonds” within the meaning of the Code or otherwise cause interest on the Series 2019A Bonds to become includible in gross income of the registered owner thereof for federal income tax purposes under the Code.

D. Payment of the Additional Parity Obligations. Concurrently with the payments required by paragraphs B, C and G of this Section, and subject to and after the payments required by paragraph A of this Section, any balance remaining in the Income Fund shall be used by the City for the payment of principal of and interest on the Parity Obligations (including, in each case, reserves therefor), if any, issued and payable from the Net Revenues, as the same accrue.

E. Defraying Delinquencies in the Bond Fund and the Debt Service Reserve Fund. If, in any month, the City shall, for any reason, fail to pay into the Bond Fund the full amount above stipulated from the Net Revenues, then an amount equal to the difference between that paid from the Net Revenues and the full amount so stipulated shall be paid into the Bond Fund from the Debt Service Reserve Fund. If, in any month, the City shall, for any reason, fail to pay into the Debt Service Reserve Fund the Required Reserve Fund Deposit, the difference between the amount paid and the amount of the Required Reserve Fund Deposit shall be paid therein from the first Net Revenues thereafter received from the operation of the System not required to be otherwise applied.

F. Termination upon Deposits to Maturity. No payment need be made into the Bond Fund, the Debt Service Reserve Fund, or both, if the amount in the Bond Fund and the amount in the Debt Service Reserve Fund total a sum at least equal to the entire amount of the outstanding Series 2019A Bonds, both as to principal and interest to their maturities, and both accrued and not accrued, in which case, moneys in the two funds in an amount at least equal to such principal and interest requirements shall be used solely to pay such as the same become due, and any moneys in excess thereof in the two funds and any other moneys derived from the operation of the System may be used as provided in this Section.

G. Asset Management Reserve Fund. Concurrently with the monthly payments required by paragraphs B, C and D of this Section, and subject to and after the payments required by paragraph A of this Section, from any moneys remaining in the Income Fund there shall be deposited in the Asset Management Reserve Fund, monthly, commencing on the first day of the month immediately succeeding delivery of the Series 2019A Bonds, an amount equal to \$16,486 until the total aggregate amount in the Asset Management Reserve fund totals \$2,263,500. The accumulated amounts of the deposits in the Asset Management Reserve Fund shall be maintained as a continuing reserve to be used, with the approval of the Rural Utilities Service or the registered owner of the Series 2019A Bonds, only for repairing or replacing short-lived assets which have a useful life significantly less than the final maturity date of the Series 2019A Bonds. After any use of moneys in the Asset Management Reserve Fund for an approved purpose as set forth in the preceding sentence, monthly deposits shall continue and there shall be no requirement that the money so used be replenished from the Income Fund or any other available moneys of the City.

H. Payment of Subordinate Obligations. Third, and subject to and after the payments required by paragraphs A through G of this Section, from any monies remaining in the Income Fund, there shall be made the payment of interest on and principal of, and reserves for, additional bonds or other obligations hereafter authorized to be issued and payable from the Net Revenues with a lien thereon which is subordinate and junior to the lien thereon of Parity Obligations, including the NMFA Loan Agreement (2014) and NMFA Loan Agreement (2016).

I. Use of Surplus Revenues. Gross revenues accumulated over and above that needed to pay Operating and Maintenance Expenses and debt service and reserves for any outstanding obligations may only be retained or used to make prepayments on the Parity Obligations or subordinate obligations or for System improvements. Gross Revenues cannot be used to pay any expenses which are not directly incurred for the System.

Section 18. General Administration of Funds. The funds designated in Sections 16 and 17 shall be administered and invested as follows:

A. Places and Times of Deposits. The funds shall be separately maintained as a trust fund or funds for the purposes established and shall be deposited in one or more bank accounts in an Insured Bank or Banks. Each fund shall be continuously secured to the extent required by law and shall be irrevocable and not withdrawable by anyone for any purpose other than the stated purpose. Payments shall be made into the proper account not later than the first day of the month except when the first day shall be a Sunday or legal holiday, and then payment shall be made on the next succeeding secular day. No later than three (3) days prior to each payment date, moneys sufficient to pay interest and principal then due on the Series 2019A Bonds shall be transferred to the Paying Agent. Nothing in this Ordinance shall prevent the Commission from establishing one or more bank accounts in an Insured Bank or Insured Banks for all the funds required by this Ordinance or, except for the Construction Fund which must be maintained as a separate account, shall prevent the combination of such funds and accounts with any other bank account or accounts for other funds and accounts of the City.

B. Investment of Moneys. Moneys in any fund or account not immediately needed may be invested in any investment permitted by law. The obligations so purchased as an investment of moneys in any fund or account shall be deemed to be part of such fund or account, and the interest accruing thereon and any profit realized therefrom shall be credited to such fund or account, and any loss resulting from such investment shall be charged to such fund or account. The City Clerk-Treasurer shall present for redemption or sale on the prevailing market any obligations so purchased as an investment of moneys in the fund or account whenever it shall be necessary to do so in order to provide moneys to meet any payment or transfer from such fund.

Section 19. Lien on Net Revenues. The Series 2019A Bonds shall constitute an irrevocable first lien (but not an exclusive first lien) on, and the City hereby grants to the owners of the Series 2019A Bonds a security interest in, the Net Revenues as set forth herein and on parity with any existing Parity Obligations or future Parity Obligations which may be issued. The Net Revenues are hereby authorized to be pledged and are hereby pledged and the City grants a security interest therein and in the funds on deposit in the Bond Fund and Debt Service Reserve Fund for the payment of the principal of and interest on the Series 2019A Bonds.

Section 20. Additional Bonds or Other Obligations Payable from Net Revenues.

A. Earnings Test. Nothing in this ordinance contained shall be construed to prevent the issuance by the City of additional Parity Obligations payable from the Net Revenues and constituting a lien upon said revenues on a parity with, but not prior or superior to the lien of the Series 2019A Bonds, nor to prevent the issuance of bonds or other obligations refunding all or a part of the Series 2019A Bonds, provided, however, that before any such additional Parity Obligations are authorized or actually issued, the following tests shall be satisfied:

(1) The City is not, and has not been in default as to making any payments required by Section 17 hereof during the twelve months immediately preceding the issuance of such additional Parity Obligations, or if none of the Series 2019A Bonds have been issued and Outstanding for a period of at least twelve months, then for the longest period of time any of such Series 2019A Bonds have been issued and Outstanding; and

(2) The Net Revenues for the Fiscal Year immediately preceding the date of issuance of such additional Parity Obligations shall have been sufficient to pay an amount representing one hundred twenty percent (120%) of the combined average annual principal and interest requirements coming due in any subsequent Fiscal Year on the then outstanding Parity Obligations payable from and constituting a lien upon the Net Revenues and the additional Parity Obligations proposed to be issued (excluding any reserves therefor).

The foregoing limitations on the issuance of Parity Obligations shall not apply with regard to issuance of the Series 2019A Bonds or in the case of the issuance of additional Parity Obligations necessary to complete the Project in accordance with the original plans and specifications therefor.

B. Certification or Opinion of Earnings. A written certification or opinion by the Independent Accountant or City Clerk-Treasurer that Net Revenues for the Fiscal Year

immediately preceding the date of issuance of the proposed additional Parity Obligations are sufficient to pay said amounts, shall be conclusively presumed to be accurate in determining the right of the City to authorize, issue, sell and deliver the proposed additional Parity Obligations on a parity with the Series 2019A Bonds.

C. Consideration of Additional Revenue Permitted. In determining whether or not additional Parity Obligations may be issued as aforesaid, consideration may be given to any probable increase in the estimated Net Revenues of the System that may result from the expenditure of funds proposed to be derived from the issuance and sale of the proposed additional Parity Obligations or an increase in System rates.

D. Subordinate Obligations Permitted. Nothing herein contained shall be construed to prevent the City from issuing bonds or other obligations payable from the revenues of the System and having a lien thereon subordinate, inferior and junior to the lien of the Series 2019A Bonds.

E. Superior Obligations Prohibited. Nothing herein contained shall be construed to permit the City to issue bonds or other obligations payable from the revenues of the System and having a lien thereon prior and superior to the lien of the Series 2019A Bonds.

F. Rural Utilities Service Consent Required. No additional bonds or other obligations payable from revenues of the System (including Parity Obligations and subordinate obligations) will be issued without the prior written consent of Rural Utilities Service.

Section 21. Refunding Bonds. The provisions of Section 20 hereof are subject to the following exceptions:

A. Privilege of Issuing Refunding Obligations. If at any time the Commission shall find it desirable to refund the Outstanding Series 2019A Bonds, the Series 2019A Bonds may be refinanced and paid, in whole or in part, in advance of their maturity (but only with the consent of Rural Utilities Service, unless the obligations shall then mature or be callable). No refunding obligations shall be issued to advance refund or defease all or any portion of the Series 2019A Bonds as prohibited by Rural Utilities Service Instruction 1942.19(h)(10)(iii). As required by the Loan Resolution, the City shall issue refunding obligations to pay and refinance the Outstanding Series 2019A Bonds, in whole or in part, at the request of Rural Utilities Service if at any time it shall appear to Rural Utilities Service that the City is able to refund the Outstanding Series 2019A Bonds by issuing bonds or obtaining a loan at reasonable rates and terms for bonds or loans for similar purposes and periods of time.

B. Limitations upon Issuance of Parity Refunding Obligations. No refunding bonds or other refunding obligations payable from any revenues of the System shall be issued on a parity with the Series 2019A Bonds, unless the refunding bonds or other refunding obligations are issued in compliance with paragraph A of Section 20 hereof.

C. Limitations upon Issuance of any Refunding Obligations. Any refunding bonds or other refunding obligations payable from any revenues of the System shall be issued

with such details as the Commission may provide by ordinance and only with the consent of Rural Utilities Service and in accordance with any applicable Rural Utilities Service regulations, so long as the United States of America is the holder and/or insurer of the Series 2019A Bonds.

Section 22. Protective Covenants. The City covenants and agrees with each and every holder of the Series 2019A Bonds:

A. Public Utility. The municipal joint water and wastewater facilities of the City shall continue to constitute a public utility designated as the System and shall hereafter be operated and maintained as a public utility.

B. Use of Series 2019A Bonds Proceeds. The City, with the proceeds derived from the sale of the Series 2019A Bonds, shall proceed with and complete acquisition and construction of the Project without delay.

C. Payment of the Series 2019A Bonds. The City shall promptly pay the principal of and interest on the Series 2019A Bonds at the place, on the dates, and in the manner specified herein. Principal and interest on the Series 2019A Bonds are payable solely from Net Revenues, and the special funds herein authorized for such purpose.

D. City's Existence. The City shall maintain its corporate identity and existence so long as the Series 2019A Bonds remain outstanding, unless another political subdivision or authority by operation of law succeeds to the liabilities and rights of the City, without adversely affecting to any substantial degree the privileges and rights of the holder of the Series 2019A Bonds.

E. Impairment of Contract. Except with the approval of the holder of the Outstanding Series 2019A Bonds, the City agrees that this Ordinance shall not be repealed or otherwise directly or indirectly modified, in such a manner as to adversely affect the Outstanding Series 2019A Bonds.

F. Use Charges. Rates for services rendered by the System shall be reasonable and just, taking into account the cost and value of the System, Operation and Maintenance Expenses, proper allowances for depreciation and the amounts necessary to retire all bonds payable from Net Revenues, and any reserves therefor. There shall be charged against all users, including the City, rates and amounts, which shall be increased from time to time if necessary, sufficient to produce revenues to pay the annual Operation and Maintenance Expenses, the monthly Required Reserve Fund Deposit and deposits to the Asset Management Reserve Fund, and 120% of the combined average annual principal and interest requirements on all outstanding Parity Bonds and other obligations payable from Net Revenues. No free services of the System shall be furnished by the City. Any use of the System by the City shall be paid for from the City's general fund at the reasonable value of the use so made. Income so derived from the City shall be treated in the same manner as any other System income. The City is granted a statutory lien upon realty for unpaid rates and charges pursuant to Section 3-23-6 NMSA 1978. The City covenants and agrees that it will cause any lien on each property to be perfected and

enforced in accordance with the provisions of Sections 3-23-6 and 3-36-1 through 3-36-7 NMSA 1978.

G. Levy and Reduction of Charges. Prior to the delivery of the Series 2019A Bonds, the City has established and levied the required rates and charges for use of the System. No reduction in any initial rate schedule may be made unless:

(1) The City has complied with Section 17 hereof for at least one Fiscal Year immediately preceding such reduction;

(2) The audit for the one full Fiscal Year immediately preceding such reduction discloses that the estimated revenues resulting from the proposed rate schedule will be sufficient to meet the requirements of paragraph F of this Section; and

(3) The City has obtained the written consent of the Rural Utilities Service if the United States of America is the holder of the Series 2019A Bonds.

H. Efficient Operation. The City shall operate the System as long as the Series 2019A Bonds are outstanding and shall make such improvements and repairs to the System as may be necessary to insure its economical and efficient operation and its ability to meet demands for service and its continual operation and maintenance in good condition.

I. Records of System. Separate records will be kept showing complete and correct entries of all transactions relating to the System. Such records shall include monthly entries showing the number of customers, the revenues received, a detailed statement of expenses, and such other items specified by the Rural Utilities Service.

J. Right to Inspect. The United States of America, any other owner of the Series 2019A Bonds or their duly authorized agents shall have the right at all reasonable times to inspect the System and all records, accounts and data relating thereto.

K. Audits and Budgets. So long as the Series 2019A Bonds shall be Outstanding, the City shall furnish to the Purchaser, and to any owner or owners or insurers of the Series 2019A Bonds who has requested the same, not later than thirty (30) days after the close of each three-month fiscal period, complete operating and income statements of the System in reasonable detail covering such three-month period, and, not later than sixty (60) days after the close of each fiscal year, complete financial statements of the System to the owner of the Series 2019A Bonds covering such fiscal year. For a fiscal year in which an audit report is required under OMB Circular A-128 or the Purchaser's regulations as set forth in the Letter of Conditions issued to the City by the Purchaser, such report will take the place of the year-end financial statements and be submitted to the Purchaser within the timeframe required for the type of report submitted. In addition, the City will prepare and adopt prior to the beginning of each fiscal year, a budget for the ensuing fiscal year for the System, such budget to include an estimate of revenues and expenses during such fiscal year. The City will furnish a copy of each annual report and budget to Rural Utilities Service when available and without request, and to any other owner of the Series 2019A Bonds upon request.

L. Billing Procedure and Discontinuance of Service. All System bills shall be sent out on a regularly established day of each month in advance or after service is rendered. If bills are not paid within a reasonable time after such date, they shall be collected in any lawful manner. Upon nonpayment of charges, water or wastewater service will be discontinued if permitted by law and will be restored only upon payment of the delinquent amounts plus the cost of restoration.

M. Use of Bond Fund and Reserve Funds. The Bond Fund, Debt Service Reserve Fund and Asset Management Reserve Fund shall be used solely and only, and said funds are hereby pledged, for the purposes set forth in this Ordinance.

N. Charges and Liens upon System. The City, from Revenues, will pay all taxes and governmental charges lawfully levied in respect of the System when due. The City will comply with all valid requirements of any governmental authority relative to the System and will not create or permit to be created any lien or charge on the System or the Revenues except as permitted herein. The City will satisfy within sixty days after the same shall accrue all lawful claims and demands which might by law become a lien on the System or upon the Revenues unless the validity thereof is being contested in good faith by appropriate legal proceedings.

O. Insurance. The City, in its operation of the System, will carry fire and extended coverage insurance, public liability insurance and other types of insurance in such amounts and to such extent as is normally carried by private corporations operating facilities of the same type. The City will also maintain, as provided by law, a self-insurance fund to cover workmen's compensation insurance or will carry equivalent insurance. The cost of insurance shall be considered one of the Operation and Maintenance Expenses of the System. In the event of property loss or damage, insurance proceeds shall be used first for the purpose of restoring or replacing the property lost or damaged, any remainder shall be treated as Net Revenues, and shall be subject to distribution in the manner provided hereinabove in Section 17, for Net Revenues derived from the operation of the System. Nothing herein shall prevent the City from establishing a funded self-insurance program. In addition to the insurance required by this subsection, the City will acquire and maintain such additional insurance as may be required by the Rural Utilities Service.

P. Competing System. The City shall not grant any franchise or license to a competing system, or permit any person or organization to sell water or wastewater service and facilities within the City (unless required to do so by law). To the extent permitted by law, the City will require all residents to connect to the System facilities.

Q. Alienating System. While the Series 2019A Bonds are outstanding, the City will not sell, lease, mortgage, pledge or otherwise alienate the System, or any part thereof, without the prior written consent of the Rural Utilities Service. In the event of any sale as aforesaid, the proceeds of such sale shall be distributed as Net Revenues in the manner provided hereinabove in Section 17 hereof.

R. Extension of Interest Payments. The City will not extend or be a party to the extension of the time for paying any claim for interest on the Series 2019A Bonds. Any installment of interest so extended shall not be entitled in case of default hereunder to the benefit or security of this Ordinance except subject to the prior payment in full of the principal of all Series 2019A Bonds and interest which has not been extended.

S. Management of the System. The City shall employ competent and experienced management personnel for the System. If an “event of default” shall occur and continue for a period of sixty (60) days or if the Net Revenues in any Fiscal Year fail to equal principal, interest and reserve requirements for all Outstanding Parity Obligations and other obligations payable from the Net Revenues, the City shall retain an independent consultant who is qualified in the management of facilities similar to the System, to assist in the management of the System so long as such event of default continues or the Net Revenues are less than the amount designated.

T. Fidelity Bonds. Each municipal official responsible for receiving income and maintaining the accounts of the System shall be bonded at all times, which bond shall be conditioned upon the proper allocation of such income. The cost of each bond shall be considered one of the Operation and Maintenance Expenses of the System.

U. Performing Duties. To the extent permitted by applicable law, the City will faithfully and punctually perform all duties with respect to the System required by the Constitution and laws of the State of New Mexico and the ordinances and resolutions of the City, including but not limited to, the making and collecting of reasonable and sufficient rates and charges for services rendered or furnished by the System as hereinbefore provided.

V. Other Liens. Except as set forth in this Ordinance, there are no liens or encumbrances of any nature whatsoever, on or against the System or the revenues derived or to be derived from the operation of the same.

W. Service Connections. The City shall provide adequate service to all persons within the service area of the System who can feasibly and legally be served and shall obtain the concurrence of the Rural Utilities Service prior to refusing new or adequate services to such persons.

X. Debts or Liabilities of System. The City shall not borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the System (exclusive of normal maintenance) without the prior written consent of the Rural Utilities Service if such undertaking would involve the Gross Revenues of the System.

Y. Tax Covenants. The Mayor and/or City Clerk-Treasurer or any other officer of the City having responsibility for the issuance of the Series 2019A Bonds shall give an appropriate certificate of the City, for inclusion in the transcript of proceedings for the Series 2019A Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Series 2019A Bonds, the facts, circumstances and estimates on which

they are based, and other facts and circumstances relevant to the tax treatment of interest on the Series 2019A Bonds.

The City covenants that it (a) will take or cause to be taken such actions which may be required of it for the interest on the Series 2019A Bonds to be and remain excluded from gross income for federal income tax purposes, and (b) will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Series 2019A Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely rebate payments to the federal government, if required, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code. The Mayor and/or City Clerk-Treasurer and other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications, if any, as may be required or appropriate to assure such exclusion of that interest.

Z. Arbitrage Rebate Exemption. The City hereby certifies and warrants, for the purpose of qualifying for the exception contained in Section 148(f)(4)(D) of the Code, to the requirement to rebate arbitrage earnings from investments of the proceeds of the Series 2019A Bonds (the "Rebate Exemption"), that (i) the Series 2019A Bonds are issued by the City which has general taxing powers, (ii) neither the Series 2019A Bonds nor any portion thereof is a private activity bond as defined in Section 141 of the Code ("Private Activity Bond"), (iii) all of the net proceeds of the Series 2019A Bonds are to be used for local government activities of the City (or of a governmental unit, the jurisdiction of which is entirely within the jurisdiction of the City) and (iv) neither the City nor any aggregated issuer has issued or is reasonably expected to issue any tax-exempt bonds other than (A) Private Activity Bonds (as those terms are used in Section 148(f)(4)(D) of the Code) and (B) issued to refund any bond to the extent the amount of the refunding bond does not exceed the outstanding amount of the refunded bond, during the current calendar year, which would in the aggregate amount exceed \$5,000,000. For purposes of this paragraph, "aggregated issuer" means any entity which (a) issues obligations on behalf of the City, (b) derives its issuing authority from the City, or (c) is controlled directly or indirectly by the City within the meaning of Treasury Regulation Section 1.150-1(e). The City hereby represents that it has not created, does not intend to create and does not expect to benefit from any entity formed or availed of to avoid the purposes of Section 148(f)(4)(D) of the Code.

AA. Qualified Tax-Exempt Obligations. The Series 2019A Bonds are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code. In that connection, the City hereby covenants that the City, it having no "subordinate entities" with authority to issue obligations within the meaning of that Section of the Code, in or during the calendar year in which the Series 2019A Bonds are issued, (i) will not designate as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code, tax-exempt obligations, including the Series 2019A Bonds, in an aggregate principal amount in excess of \$10,000,000, and (ii) will not issue tax-exempt obligations within the meaning of Section 265(b)(4) of the Code, including the Series 2019A Bonds and any qualified 501(c)(3) bonds as defined in Section 145 of the Code (but excluding obligations, other than qualified 501(c)(3) bonds, that are private

activity bonds as defined in Section 141 of the Code), in an aggregate principal amount exceeding \$10,000,000, unless the City receives an opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not cause the Series 2019A Bonds to cease to be “qualified tax-exempt obligations.”

Section 23. Events of Default. It is an “event of default” if:

A. Nonpayment of Principal. Payment of principal of any Series 2019A Bonds is not made when due either at maturity or by proceedings for prior redemption, or otherwise; or

B. Nonpayment of Interest. If payment of any installment of interest shall not be made when the same becomes due and payable; or

C. Incapable to Perform. The City becomes incapable of fulfilling its obligations hereunder; or

D. Default of any Provision. The City defaults in the punctual performance of any other of its covenants hereunder for sixty (60) days after written notice shall have been given to the City by the holders of twenty-five percent (25%) of the principal amount of the Series 2019A Bonds then outstanding.

Section 24. Remedies on Default. Upon the happening and continuance of any event of default, the holder or holders of not less than twenty-five percent (25%) of the principal amount of the Series 2019A Bonds then outstanding, or a trustee therefor, may protect and enforce the rights of any owner of Series 2019A Bonds by proper legal or equitable remedy deemed most effectual including mandamus, specific performance of any covenant, the appointment of a receiver (the consent to such appointment being hereby granted), injunctive relief or requiring the Commission to act as if it were the trustee of an express trust, or any combination of such remedies. All proceedings shall be maintained for the equal benefit of all owners of Series 2019A Bonds. Any receiver appointed to protect the rights of owners of Series 2019A Bonds may take possession and operate and maintain the System in the same manner as the City itself might do. The failure of the owner of the Series 2019A Bonds to proceed does not relieve the City or any person of any liability for failure to perform any duty hereunder. The foregoing rights are in addition to any other rights and the exercise of any right by any owner of the Series 2019A Bonds shall not be deemed a waiver of any other right.

Section 25. Duties upon Default. Upon the happening of any event of default, the City will perform all proper acts to protect and preserve the security created for the prompt payment of the principal of and interest on the Series 2019A Bonds. The holders of not less than twenty-five percent (25%) in the principal amount of the Series 2019A Bonds, after written demand, may proceed to protect and enforce the rights provided by this Section and by Section 24.

Section 26. Amendment of Ordinance, Waiver of Rural Utilities Service Requirements. This Ordinance may not be amended without the written consent of the owner of the Series 2019A Bonds. Any provision of this Ordinance providing specific remedies or rights

to the United States of America may be waived while the United States of America is not the owner upon receipt of written consent of the owner of the then Outstanding Series 2019A Bonds.

Section 27. Delegated Powers. The officers of the City be, and they hereby are, authorized and directed to take all action required by this Ordinance, and all such other action as may be necessary or appropriate to effectuate the provisions of this Ordinance, including, without limiting the generality of the foregoing, any required printing of the Series 2019A Bonds and the execution of such certificates as may be required by the Purchaser or bond counsel.

Section 28. Repeal. This Ordinance shall not be repealed unless the Series 2019A Bonds have been discharged in full or provision has been fully made therefor pursuant to Rural Utilities Service regulations so long as the United States of America is the holder of the Series 2019A Bonds.

Section 29. Limitation of Action. After the passage of 30 days from the publication required by Section 32 hereof, any action attacking the validity of any proceedings had or taken by the City preliminary to and in the authorization and issuance of the Series 2019A Bonds, shall be perpetually barred.

Section 30. Severability Clause. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 31. Effective Date. Upon its adoption, final passage and approval, this Ordinance shall be recorded in the book of ordinances of the City kept for that purpose and authenticated by the signatures of the Mayor and the City Clerk-Treasurer and the seal of the City affixed hereto. The title and general summary of the subject matter contained in this Ordinance (set out in Section 32 hereof) shall be published in a newspaper which is of general circulation in the City in accordance with law, and the Ordinance shall be in full force and effect five days after such publication and posting as provided by law.

Section 32. General Summary for Publication. The title and a general summary of the subject matter contained in this Ordinance shall be published in substantially the following form:

(Form of Summary of Ordinance for Publication)

CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
NOTICE OF ADOPTION OF ORDINANCE

Notice is hereby given of the title and of a general summary of the subject matter contained in an Ordinance (the "Ordinance") duly adopted and approved by the City Commission of the City of Truth or Consequences, New Mexico, on June 26, 2019. Complete copies of the Ordinance are available for public inspection during the normal and regular business hours of the City Clerk-Treasurer, 505 Sims Street, Truth or Consequences, New Mexico. The title of the Ordinance is:

AUTHORIZING THE ISSUANCE OF THE CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO JOINT UTILITY SYSTEM IMPROVEMENT REVENUE BONDS, SERIES 2019A, IN THE PRINCIPAL AMOUNT OF SEVEN HUNDRED FIFTEEN THOUSAND DOLLARS (\$715,000) FOR THE PURPOSE OF ACQUIRING, EXTENDING, ENLARGING, BETTERING, REPAIRING OR OTHERWISE IMPROVING THE WASTEWATER SYSTEM WITHIN THE CITY'S JOINT UTILITY SYSTEM; PROVIDING FOR THE ISSUANCE AND SALE OF THE BONDS; PROVIDING THAT THE BONDS WILL BE PAYABLE AND COLLECTIBLE SOLELY FROM NET REVENUES TO BE DERIVED FROM THE OPERATION OF THE CITY'S JOINT UTILITY SYSTEM; PROVIDING FOR THE TERMS AND CONDITIONS OF THE BONDS, THE MANNER OF THEIR EXECUTION, THE METHOD OF PAYING THE BONDS AND OTHER DETAILS CONCERNING THE BONDS AND SUCH SYSTEM, INCLUDING BUT NOT LIMITED TO COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH AND APPERTAINING THERETO.

The title sets forth a general summary of the subject matter contained in the Ordinance. This notice constitutes compliance with Section 6-14-6 NMSA 1978.

(End of Form of Summary of Ordinance for Publication)

PASSED, APPROVED, AND ADOPTED THIS 26th DAY OF JUNE, 2019.

CITY OF TRUTH OR CONSEQUENCES
NEW MEXICO

MAYOR

[SEAL]

ATTEST:

CLERK-TREASURER

Commissioner _____ then moved adoption of the foregoing ordinance, duly seconded by Commissioner _____. The motion to adopt said ordinance, as amended, upon being put to a vote, was passed and adopted on the following recorded vote:

Those Voting Aye:

Those Absent:

_____ () Commissioner having voted in favor of said motion, the motion to suspend the rules was thereupon declared by the Mayor to have passed.

After consideration of the matters not relating to the ordinance, the meeting on motion duly made, seconded and unanimously carried, was adjourned.

Dated this 26th day of June, 2019.

CITY OF TRUTH OR CONSEQUENCES
NEW MEXICO

MAYOR

[SEAL]

ATTEST:

CLERK-TREASURER



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: June 12, 2019

Agenda Item #: **H.3**

SUBJECT: Introduction of Ordinance No. 704 authorizing the issuance of Joint Utility System Improvement Revenue Bonds Series 2019B

DEPARTMENT: Community Development

DATE SUBMITTED: June 4, 2019

SUBMITTED BY: Traci Burnette

WHO WILL PRESENT THE ITEM: Chris Muirhead, Attorney, Modrall Sperling

Summary/Background:

Authorizing The Issuance Of The City Of Truth Or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2019b, In The Principal Amount Of Three Hundred Fifteen Thousand Dollars (\$315,000) For The Purpose Of Acquiring, Extending, Enlarging, Bettering, Repairing Or Otherwise Improving The Wastewater System Within The City's Joint Utility System

Recommendation:

Approve introduction of Ordinance No. 704

Attachments:

- Ordinance 704 for Bond Series 2019B
- -

Fiscal Impact (Finance): Yes

[Click here to enter text.](#)

Legal Review (City Attorney): Yes

Reviewed and approved

Approved For Submittal By: ☐ Department Director

Reviewed by: ☒ City Clerk ☐ Finance ☒ Legal ☐ Other: [Click here to enter text.](#)

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. [Click here to enter text.](#) Ordinance No. [Click here to enter text.](#)

Continued To: [Click here to enter a date.](#) Referred To: [Click here to enter text.](#)

☐ Approved ☐ Denied ☐ Other: [Click here to enter text.](#)

File Name: H.3 AR Ordinance 704 Bond Series 2019B

STATE OF NEW MEXICO)
COUNTY OF SIERRA) ss.
CITY OF TRUTH OR CONSEQUENCES)

The City Commission of the City of Truth or Consequences, New Mexico, met in regular session in full conformity with law and the rules and regulations of the City Commission at the City Commission Chambers, 405 West Third Street, Truth or Consequences, New Mexico, being the regular meeting place of the City Commission, on the 26th day of June, 2019, at the hour of 9:00 a.m. Upon roll call, the following members, which constitute a quorum of the City Commission, were found to be present:

Present:

Absent:

Thereupon, there was officially filed with the Mayor, each Commissioner and the City Clerk-Treasurer a copy of a proposed bond ordinance in final form.

CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
ORDINANCE NO. 704

AUTHORIZING THE ISSUANCE OF THE CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO JOINT UTILITY SYSTEM IMPROVEMENT REVENUE BONDS, SERIES 2019B, IN THE PRINCIPAL AMOUNT OF THREE HUNDRED FIFTEEN THOUSAND DOLLARS (\$315,000) FOR THE PURPOSE OF ACQUIRING, EXTENDING, ENLARGING, BETTERING, REPAIRING OR OTHERWISE IMPROVING THE WASTEWATER SYSTEM WITHIN THE CITY'S JOINT UTILITY SYSTEM; PROVIDING FOR THE ISSUANCE AND SALE OF THE BONDS; PROVIDING THAT THE BONDS WILL BE PAYABLE AND COLLECTIBLE SOLELY FROM NET REVENUES TO BE DERIVED FROM THE OPERATION OF THE CITY'S JOINT UTILITY SYSTEM; PROVIDING FOR THE TERMS AND CONDITIONS OF THE BONDS, THE MANNER OF THEIR EXECUTION, THE METHOD OF PAYING THE BONDS AND OTHER DETAILS CONCERNING THE BONDS AND SUCH SYSTEM, INCLUDING BUT NOT LIMITED TO COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH AND APPERTAINING THERETO.

Capitalized terms used in the following preambles have the same meaning as defined in Section 1 of this Ordinance unless the context requires otherwise.

WHEREAS, the City of Truth or Consequences, Sierra County, New Mexico, is a legally and regularly created, established, organized and existing municipal corporation under the general laws of the State of New Mexico; and

WHEREAS, the City now owns, operates and maintains a public joint utility comprised of water and wastewater services, and which the City hereby declares shall be continued to be operated as a public utility; and

WHEREAS, the City has heretofore provided for the imposition of rates and charges against users of the System; and

WHEREAS, the City entered into a loan agreement with the New Mexico Finance Authority, dated October 31, 2001, in the aggregate principal amount of \$1,841,089, which loan agreement is payable from, and has a parity lien on, the Net Revenues of the System; and

WHEREAS, the City entered into a loan agreement with the New Mexico Finance Authority, dated December 30, 2011, in the aggregate principal amount of \$256,000, which loan agreement is payable from, and has a parity lien on, the Net Revenues of the System; and

WHEREAS, the City entered into a loan agreement with the New Mexico Finance Authority, dated October 1, 2012 in the aggregate principal amount of \$165,741, which loan agreement is payable from, and has a parity lien on, the Net Revenues of the System; and

WHEREAS, the City entered into a loan agreement with the New Mexico Finance Authority, dated March 21, 2014, in the aggregate principal amount of \$64,000, which loan agreement is payable from, and has a subordinate lien on, the Net Revenues of the System; and

WHEREAS, the City entered into a loan agreement with the New Mexico Finance Authority, dated January 8, 2016 in the aggregate principal amount of \$75,000, which loan agreement is payable from, and has a subordinate lien on, the Net Revenues of the System; and

WHEREAS, the City issued its Joint Utility System Improvement Revenue Bonds, Series 2016 in the aggregate principal amount of \$910,000 on May 11, 2016 which Series 2016 Bonds are payable from, and has a parity lien on, the Net Revenues of the System; and

WHEREAS, the City intends to issue its Joint Utility System Improvement Revenue Bonds, Series 2019A in the aggregate principal amount of \$715,000 on or about August 1, 2019 which Series 2019A Bonds are payable from, and has a parity lien on, the Net Revenues of the System; and

WHEREAS, other than as identified in this Ordinance, the City has not pledged nor in any way hypothecated revenues derived from the System, or any part thereof, to the payment of any bonds or any other obligations now outstanding or for any other purpose; and

WHEREAS, the City is authorized under the Act to issue revenue bonds for the Project and the Series 2019B Bonds shall be issued pursuant to the Act; and

WHEREAS, the issuance of the Series 2019B Bonds will provide for the preservation of the public health, peace and safety; and

WHEREAS, it is in the best interest of the City that the Series 2019B Bonds be issued with a first lien on the Net Revenues; and

WHEREAS, the United States of America has offered to purchase the Series 2019B Bonds, in the principal amount of \$315,000 at par and at an interest rate of 2.50% per annum pursuant to this Ordinance, plus accrued interest, if any, to the date of delivery; and

WHEREAS, all required authorizations, consents or approvals of any state, governmental body, agency or authority, in connection with the authorization, execution and delivery of the Series 2019B Bonds which are required to have been obtained by the date hereof have been obtained, and which will be required to be obtained prior to the date of the issuance of the Series 2019B Bonds, will have been obtained by such date.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO:

Section 1. Definitions. In addition to words and terms elsewhere defined in this Ordinance, the following words and terms shall have the following meanings:

“Act” means the powers of the City under the authority given by the provisions of Sections 3-31-1 through 3-31-12 NMSA 1978, as amended and supplemented, and all enactments of the Commission relating to the issuance of the Series 2019B Bonds.

“Bond Fund” means the “City of Truth or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2019B, Interest and Bond Retirement Fund” created by Section 16 hereof.

“Bondholder”, “holder” or “owner” means any registered owner of the Series 2019B Bonds.

“City” means the municipal corporation, a body corporate and politic known as the “City of Truth or Consequences, New Mexico.”

“Commission” means the City Commission, or any succeeding legislative body of the City, as such governing body from time to time may be constituted and authorized to act and approve actions by a properly constituted quorum.

“Construction Fund” means the “City of Truth or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2019B, Construction Fund” created by Section 14 hereof.

“Consulting Engineer” means any registered or licensed professional engineer or firm of such engineers having a wide and favorable repute for skill and experience in the field of designing, preparing plans and specifications for, and supervising construction of water/wastewater systems and facilities entitled to practice and practicing as such under the laws of the State of New Mexico.

“Debt Service Schedule” means the payment schedule for the Series 2019 Bonds as provided by the Purchaser, as the same may be revised in the event of partial prepayment of the Series 2019B Bonds.

“Fiscal Year” means the period commencing on July 1 in each calendar year and ending on the last day of June of the next succeeding calendar year, or any other twelve-month period which any appropriate authority may hereafter establish for the City as its fiscal year.

“Herein” or “hereby” or “hereunder” or “hereof” or “hereinbefore” or “hereinafter” refers to this Ordinance and not solely to the particular portion thereof in which such word is used.

“Income Fund” means the “Joint Utility System Gross Income Fund” continued by Section 16 hereof.

“Independent Accountant” means an accountant employed by the State of New Mexico and under supervision of the State Auditor or any certified public accountant, registered accountant, or firm of such accountants duly licensed to practice and practicing as such under the

laws of the State of New Mexico, appointed and paid by the City who (a) is, in fact, independent and not under the domination of the City, (b) does not have any substantial interest, direct or indirect, with the City, and (c) is not connected with the City as an officer or employee of the City, but who may be regularly retained to make annual or similar audits of the books or records of the City.

“Insured Bank” means a bank or savings and loan association insured by an agency of the United States and which invests public funds in accordance with the provisions of Section 6-10-10 NMSA 1978, as amended.

“Loan Resolution” means Form 1780-27 as approved and adopted by the Commission on June 26, 2019 relating to a loan of \$315,000 and a grant of \$485,600 and signed by the Mayor.

“Mayor” means the Mayor of the City, or if the form of government of the City is changed, the presiding officer of the City no matter how such officer may be designated.

“Net Revenues” means the Gross Revenues of the System less operation and maintenance expenses, which net revenues are pledged to the payment of the Series 2019B Bonds are provided herein.

“NMFA” means the New Mexico Finance Authority.

“NMFA Loan Agreement (2001)” means the loan agreement dated October 31, 2001, by and between the City and the New Mexico Finance Authority in the aggregate amount of \$1,841,089, which has a parity lien on Net Revenues of the System.

“NMFA Loan Agreement (2011)” means the loan agreement dated December 30, 2011, by and between the City and the New Mexico Finance Authority in the aggregate amount of \$256,000, which has a parity lien on Net Revenues of the System.

“NMFA Loan Agreement (2012)” means the loan agreement dated October 1, 2012, by and between the City and the New Mexico Finance Authority in the aggregate amount of \$165,741, which has a parity lien on Net Revenues of the System.

“NMFA Loan Agreement (2014)” means the loan agreement dated March 21, 2014, by and between the City and the New Mexico Finance Authority in the aggregate amount of \$64,000, which has a subordinate lien on Net Revenues of the System.

“NMFA Loan Agreement (2015)” means the loan agreement dated June 26, 2015, by and between the City and the New Mexico Finance Authority in the aggregate amount of \$75,000, which has a parity lien on Net Revenues of the System.

“NMSA 1978” means the compilation of the laws of the State of New Mexico known as New Mexico Statutes Annotated, 1978 Compilation, as from time to time amended and supplemented.

“Operation and Maintenance Fund” means the “Operation and Maintenance Fund” continued herein.

“Operation and Maintenance Expenses” means all reasonable and necessary current expenses of the City, paid or accrued, of operating, maintaining and repairing the System, and shall include without limiting the generality of the foregoing, insurance premiums, reasonable charges of depository banks, paying agents and bond registrars, contractual services, professional services required by this Ordinance, salaries and System administrative expenses, labor, cost of materials and supplies used for current operations, legal and overhead expenses of the various City departments directly related and reasonably allocable to the administration of the System, any payments made to the City's general fund as payments in lieu of franchise taxes or fees or other City taxes or fees or other similar payments or transfers to other funds of the City, but shall not include any allowance for depreciation, liabilities incurred by the City as the result of negligence in the operation of the System, costs of improvements, extensions, enlargements or betterments, or any charges for the accumulation of reserves for capital replacements.

“Ordinance” means this ordinance.

“Outstanding” or “outstanding” means, on any particular date, the aggregate of such bonds issued and delivered under the City ordinance authorizing the issuance of such bonds except:

A. Those cancelled at or prior to such date or delivered to or acquired by the City at or prior to such date for cancellation;

B. Those which have been paid or are deemed to be paid in accordance with the City ordinance authorizing the issuance of the applicable bonds or otherwise relating thereto; and

C. Those in lieu of or in exchange or substitution for which other bonds have been delivered, unless proof satisfactory to the City and paying agent for the applicable bonds is presented that any bond for which a new bond was issued or exchanged is held by a bona fide holder in due course.

“Parity Obligations” or “Parity Bonds” means the NMFA Loan Agreement (2001), NMFA Loan Agreement (2011), NMFA Loan Agreement (2012), NMFA Loan Agreement (2015), Series 2016 Bonds, Series 2019B Bonds, and any other bonds and other obligations now or hereafter issued or incurred payable from the Net Revenues and issued or incurred with a lien on the Net Revenues on parity with the Series 2019B Bonds.

“Paying Agent” means the City Clerk-Treasurer or any successor thereto designated by the Commission to act in such capacity for the Series 2019B Bonds.

“Project” means acquiring, extending, enlarging, bettering, repairing or otherwise improving the wastewater infrastructure within the System as approved by the Rural Utilities Service.

“Purchaser” means the United States of America to whom the Series 2019B Bonds are to be originally sold and delivered.

“Registrar” means the City Clerk-Treasurer or any successor thereto designated by the Commission to act in such capacity for the Series 2019B Bonds.

“Required Reserve Fund Deposit” means the monthly amount required to be deposited in the Debt Service Reserve Fund as described in Section 17(C) hereof.

“Revenues”, “Gross Revenues”, “income” or “gross income” means all income and revenues (including but not limited to interest income from the investment of System revenues) derived by the City from the operation of the System, or any part thereof, whether resulting from improvements, extensions, enlargements, repairs or betterments to the System, or otherwise, and includes all revenues derived by the City or any municipal corporation succeeding to the rights of the City, from the System and from the sale and use of water or wastewater service and facilities, or any combination thereof, to the residents of what is now the City (including all territorial annexations which may be made while the Series 2019B Bonds or any part thereof are outstanding), or from the sale and use of water or wastewater service and facilities, by means of the System owned and operated by the City as the same may at any time exist to serve customers outside the City limits as well as customers within the City limits.

“Rural Utilities Service” means the United States Department of Agriculture, Rural Utilities Service.

“Series 2016 Bonds” means the City of Truth or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2016 issued on May 11, 2016 in the aggregate amount of \$910,000, which bonds have a parity lien on Net Revenues of the System.

“Series 2019A Bonds” means the “City of Truth or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2019A” issued on or about August 1, 2019 in the aggregate amount of \$715,000, which bonds have a parity lien on Net Revenues of the System.

“Series 2019B Bonds” means the “City of Truth or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2019B” authorized by Section 5 hereof.

“Service Area” means the area served by the System, whether situated within or without the limits of the City.

“System” or “Utility” means the municipally owned public utility designated as the City's joint water and wastewater utility system, consisting of all properties, real, personal,

mixed or otherwise, now owned or hereafter acquired by the City through purchase, condemnation, construction or otherwise, including all expansions, extensions, enlargements and improvements of or to the joint water and wastewater utility system, and used in connection therewith or relating thereto, and any other related activity or enterprise of the City designated by the Commission as part of the joint water and wastewater utility system, whether situated within or without the limits of the City.

Section 2. Ratification. All action heretofore taken (not inconsistent with the provisions of this Ordinance) by the Commission and the officers of the City directed toward the Project and toward the issuance of the Series 2019B Bonds and the sale of the Series 2019B Bonds to the Purchaser is hereby ratified, approved and confirmed.

Section 3. Authorization of Project. The Project shall be constructed and acquired at a total estimated cost not exceeding \$800,600 with costs in excess of the amount of the purchase price of the Series 2019B Bonds to be defrayed from sources other than proceeds from the issuance of the Series 2019B Bonds.

Section 4. Findings. The Commission hereby declares that it has considered all relevant information and data and hereby makes the following findings:

A. It is in the best interest of the City and its residents to undertake the sale of the Series 2019B Bonds.

B. Moneys available for the Project from all sources other than the issuance of the Series 2019B Bonds are not sufficient to accomplish the Project.

C. The issuance by the City of the Series 2019B Bonds under the Act to provide funds for the Project is necessary and in the interest of the public health, safety, morals and welfare of the residents of the City.

D. The Net Revenues may lawfully be pledged to secure the payment of the Series 2019B Bonds as set forth herein.

E. The net effective interest rate on the Series 2019B Bonds is less than the statutory maximum of 12% per annum.

Section 5. The Series 2019B Bonds.

A. Authorization. Pursuant to the findings of Section 4 hereof, it is hereby declared that the City, pursuant to the Act, shall issue and sell the Series 2019B Bonds. The Series 2019B Bonds, in the principal amount of \$315,000, are hereby authorized to be issued and sold at par to the Purchaser.

B. Details of the Series 2019B Bonds. There are hereby authorized and created a series of bonds designated as the "City of Truth or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2019B."

The Series 2019B Bonds shall be dated as of the date of issuance and delivery, shall be originally issued as one bond in the denomination of \$315,000, numbered R-1, shall be payable to the registered owner, shall bear interest on the outstanding principal amount of the Series 2019B Bonds at a rate of 2.50% per annum, calculated on the basis of a 365-day year, actual number of days elapsed. Both principal and interest on the Series 2019B Bonds shall be payable in equal monthly installments commencing on or about August 1, 2020 and continuing on the 1st day of each month until the principal and interest are fully paid, except that the final installment of the entire balance of principal and interest, if not sooner paid in accordance with the terms of the Series 2019B Bonds, shall be come due and payable on August 1, 2059 (each installment being applied first to interest due and then to unpaid principal).

The form, term, and provisions of the Series 2019B Bonds, in the form set forth in Section 12 hereof are hereby approved with only such changes therein as are not inconsistent with this Ordinance.

Section 6. Prior Redemption.

A. Optional Redemption, Date and Price. The Series 2019B Bonds, on and after January 1, 2030, are subject to prior redemption at the option of the City on any date, in whole or in part, as the City may determine, at a redemption price equal to the principal amount being redeemed, plus accrued interest to the date fixed for redemption. Additionally, any Series 2019B Bonds owned by the United States of America are subject to redemption prior to maturity, on any date without restriction, in whole or in part, as the City may determine, at a redemption price equal to the principal amount being redeemed, plus accrued interest to the date fixed for redemption. Any partial redemption of the Series 2019B Bonds shall be in inverse order of principal maturity and, after principal redemptions, if any, interest thereafter shall accrue only upon the then outstanding principal amount of Series 2019B Bonds.

B. Notice. Notice of redemption shall be given by the Registrar by sending a copy of such notice by first-class, postage prepaid mail at least thirty (30) days prior to the redemption date to the registered owner of the Series 2019B Bonds to be redeemed at the address shown on the registration books kept by the Registrar as of the close of business of the Registrar on the fifth day prior to the mailing of notice. Notice of redemption shall specify the principal amount to be redeemed, the date fixed for redemption, and that on such redemption date there will become and be due and payable at the office of the Paying Agent the principal amount to be redeemed plus accrued interest to the redemption date and that from and after such date interest will cease to accrue on such amount. Notice having been given in the manner provided above, the principal amount of the Series 2019B Bonds so called for redemption shall become due and payable on the redemption date so designated and if an amount of money sufficient to redeem the principal amount of the Series 2019B Bonds called for redemption shall on the redemption date be on deposit with the Paying Agent, the principal amount of the Series 2019B Bonds to be redeemed shall be deemed not outstanding and shall cease to bear interest from and after such redemption date. Upon presentation of the Series 2019B Bonds to be redeemed at the office of the Paying Agent, the Paying Agent will pay the principal amount of the Series 2019B Bonds so called for redemption plus accrued interest to the redemption date.

Section 7. Signatures, Execution and Authentication of Series 2019B Bonds.

A. Filing of Signatures. Prior to the execution of any Series 2019B Bond, the Mayor and City Clerk-Treasurer shall each file with the New Mexico Secretary of State his or her manual signature certified by him or her under oath pursuant to Sections 6-9-1 to 6-9-6 NMSA 1978, as amended; provided that filing shall not be necessary for any officer where any previous filing may have legal application to the Series 2019B Bonds.

B. Execution. The Series 2019B Bonds shall be signed with the engraved, imprinted, stamped or otherwise reproduced facsimile of the signature, or the manual signature, of the Mayor and shall be attested with the facsimile or the manual signature of the City Clerk-Treasurer. There shall be affixed to each Series 2019B Bond the printed, engraved, stamped or otherwise placed facsimile of, or imprint of, the City's corporate seal. The Series 2019B Bonds shall be authenticated by the manual signature of an authorized officer of the Registrar. The Series 2019B Bonds when authenticated and bearing the manual or facsimile signature of the officers in office at the time of signing thereof shall be valid and binding special obligations of the City, notwithstanding that before delivery thereof and payment therefor, any or all of the persons whose signatures appear thereon shall have ceased to fill their respective offices. The Mayor and City Clerk-Treasurer, at the time of the execution of the Series 2019B Bonds and the signature certificate, each may adopt as and for his or her own facsimile signature, the facsimile signature of his or her predecessor in office if such facsimile signature appears upon any of the Series 2019B Bonds or certificates pertaining to the Series 2019B Bonds.

C. Authentication. No Series 2019B Bond shall be valid or obligatory for any purpose unless the certificate of authentication has been duly executed by the Registrar. The Registrar's certificate of authentication shall be deemed to have been fully executed if manually signed and inscribed by an authorized officer of the Registrar, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Series 2019B Bonds issued hereunder.

Section 8. Negotiability. The Series 2019B Bonds shall be fully negotiable and shall have all the qualities of negotiable paper, and the Bondholder shall possess all rights enjoyed by the holders of negotiable instruments under the provisions of the Uniform Commercial Code--Investment Securities.

Section 9. Payment and Presentation of Series 2019B Bonds for Payment. Principal and interest on the Series 2019B Bonds shall be payable in lawful money of the United States of America, without deduction for exchange or collection charges. Principal and interest on the Series 2019B Bonds shall be payable by check or draft mailed to the registered owner thereof (or in such other manner as may be agreed upon by the Paying Agent and the registered owner), as shown on the registration books maintained by the Registrar at the address appearing therein on the 5th calendar day next preceding the payment date (the "Record Date"). If any payment on the Series 2019B Bonds remains unpaid when due, the payment shall continue to bear interest at the rate or rates designated in, and applicable to, the Series 2019B Bonds. The records of the Paying Agent and the Registrar with respect to payments paid to the registered owners of the

Series 2019B Bonds shall be conclusive and no posting or notation of payments on the Series 2019B Bond forms shall be required.

Section 10. Registration, Transfer, Exchange and Ownership of Series 2019B Bonds.

A. Registration, Transfer and Exchange. The City shall cause books for registration, transfer, and exchange of the Series 2019B Bonds as provided herein to be kept at the principal office of the Registrar. At all times while the Series 2019B Bonds are held or insured by the United States of America, the Series 2019B Bonds shall be registered only in the name of "United States of America". The principal of and interest payable on the Series 2019B Bonds may be separately registered on the registration books at the request of the United States of America. Subject to the restrictions set forth in the preceding sentence, upon surrender for transfer or exchange of the fully registered Series 2019B Bonds at the principal office of the Registrar duly endorsed by the registered owner or his attorney duly authorized in writing, or accompanied by a written instrument or instruments of transfer or exchange in form satisfactory to the Registrar and duly executed, the Registrar shall, without cost to the registered owner, authenticate and deliver, not more than three (3) business days after receipt of the Series 2019B Bonds to be transferred, in the name of the transferee or registered owner, as appropriate, a new Series 2019B Bond or Series 2019B Bonds in authorized denominations, in fully registered form of the same aggregate principal amount, maturity and interest rate.

B. Limitations. The Registrar shall not be required to transfer or exchange any Series 2019B Bonds (i) during the period of fifteen (15) days next preceding mailing of notice calling the Series 2019B Bonds for prior redemption as herein provided, or (ii) after mailing to the registered owner of notice calling such Series 2019B Bonds for prior redemption as herein provided. The Registrar shall close books for change of registered owners' addresses five (5) days prior to each payment date. Transfers shall be permitted within the five (5) days prior to each payment date; such transfer shall not include a transfer of the principal and interest payable on such payment date.

C. Owner of Series 2019B Bonds. The entity in whose name the Series 2019B Bonds are registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of either the principal of or interest on the Series 2019B Bonds shall be made only to or upon the order of the registered owner thereof or his legal representative as stated herein, but such registration may be changed as hereinabove provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Series 2019B Bonds to the extent of the sum or sums so paid.

D. Lost Series 2019B Bonds. If the Series 2019B Bonds shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such Series 2019B Bonds, if mutilated, and such evidence, information or indemnity relating thereto as the Registrar may reasonably require, authenticate and deliver replacement Series 2019B Bonds of a like aggregate principal amount and of the same series, maturity and interest rate, bearing a number or numbers not contemporaneously outstanding. If any such lost, stolen, destroyed or mutilated Series 2019B Bonds shall have matured, the Registrar may request the Paying Agent to pay such bond in lieu of replacement.

Section 11. Special Obligations. The Series 2019B Bonds, together with interest accruing thereon, shall be payable and collectible solely out of Net Revenues, the revenues of which are so pledged, and the Bondholders may not look to any general or other municipal fund for the payment of principal and interest on such obligations, except the designated special funds pledged therefor. The Series 2019B Bonds shall not constitute indebtedness or a debt within the meaning of any constitutional or statutory provision or limitation, nor shall they be considered or held to be general obligations of the City. Nothing herein shall prevent the City from using any other legally available funds for the payment of the principal of and interest on the Series 2019B Bonds, in its sole discretion.

Section 12. Form of Series 2019B Bonds. The Series 2019B Bonds and the forms of authentication and assignment to be attached thereto shall be in substantially the following form with such changes therein as are not inconsistent with this Ordinance.

(Form of Series 2019B Bonds)

UNITED STATES OF AMERICA
STATE OF NEW MEXICO COUNTY OF SIERRA
CITY OF TRUTH OR CONSEQUENCES
JOINT UTILITY SYSTEM IMPROVEMENT REVENUE BONDS
SERIES 2019B

No. R-1 \$315,000

| | | |
|---------------|----------------|----------------|
| Interest Rate | Maturity Date | Date of Bonds |
| 2.50% | August 1, 2059 | August 1, 2019 |

REGISTERED OWNER: UNITED STATES OF AMERICA

PRINCIPAL AMOUNT: SEVEN HUNDRED FIFTEEN THOUSAND DOLLARS

The City of Truth or Consequences, New Mexico (the “City”) for value received, hereby acknowledges itself indebted and promises to pay, but only from the sources and in the manner provided for herein, to the Registered Owner stated above, or its registered assigns, in lawful money of the United States of America the principal amount stated above, together with interest thereon, in the amounts and on the dates set forth in the debt service schedule provided by the Registered Owner, until full payment of the principal amount plus accrued interest has been made. This bond shall bear interest on the outstanding principal amount hereof at the rate of 2.50% per annum, calculated on the basis of a 365-day year, actual number of days elapsed. Both principal and interest on the Series 2019 Bonds shall be payable in equal monthly installments commencing August 1, 2020 and continuing on the 1st day of each month until the principal and interest are fully paid, except that the final installment of the entire balance of principal and interest, if not sooner paid in accordance with the terms of the Series 2019 Bonds, shall be come due and payable on August 1, 2059 (each installment being applied first to interest due and then to unpaid principal). Payment of principal and interest of the Series 2019 Bonds

shall be made through an electronic preauthorized debt system to the registered owner shown on the registration books of the City, which shall be maintained by the City Clerk-Treasurer, as Registrar. Final payment shall be payable upon presentation and surrender of the Series 2019 Bonds to the City Clerk-Treasurer, as Paying Agent. The principal of and interest payable on the Series 2019 Bonds may be separately registered on the registration books at the request of the United States of America. If any payment of this bond is not made as herein provided, the payment shall continue to bear interest at the Interest Rate stated above until the payment is paid in full. The principal and interest on this bond are payable in lawful money of the United States of America, without deduction for the services of the Paying Agent or Registrar.

This bond is a fully registered bond of the City in the aggregate principal amount of \$315,000, designated as the "City of Truth or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2019B" (the "Series 2019B Bonds") issued under and pursuant to City Ordinance No. _____ (the "Bond Ordinance").

FOR PURPOSES OF SECTION 265(B)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED TO DATE OF ORIGINAL DELIVERY OF THIS BOND, THE CITY HAS DESIGNATED THE BONDS AS "QUALIFIED TAX-EXEMPT OBLIGATIONS."

This bond may be redeemed, in whole or in part, at the option of the City on any date on or after January 1, 2030 at a redemption price equal to the principal amount being redeemed, plus accrued interest to the date fixed for redemption. Additionally, if this bond is owned by the United States of America, it may be redeemed on any date without restriction, at a redemption price equal to the principal amount being redeemed, plus accrued interest to the date fixed for redemption.

Notice of redemption will be given by providing at least thirty (30) days prior written notice by first-class, postage prepaid mail to the owner of the Series 2019B Bonds, to be redeemed at the address shown on the registration books as of the close of business of the Registrar on the fifth day prior to the mailing of notice. The notice of redemption shall specify the redemption date and the principal amount thereof, plus accrued interest to the redemption date, and that from and after such date interest will cease to accrue. Notice having been given in the manner provided above, the Series 2019B Bonds so called for redemption shall become due and payable on the redemption date so designated and if an amount of money sufficient to redeem the Series 2019B Bonds called for redemption shall on the redemption date be on deposit with the Paying Agent, the Series 2019B Bonds to be redeemed shall not be deemed to be outstanding and shall cease to bear interest from and after such redemption date.

At all times while the Series 2019B Bonds are held or insured by the United States of America, the Series 2019B Bonds shall be registered only in the name of "United States of America". Subject to the restrictions set forth in the preceding sentence, upon surrender for transfer or exchange of this bond at the principal office of the Registrar duly endorsed by the registered owner or his attorney duly authorized in writing, or accompanied by a written instrument of transfer or exchange in form satisfactory to the Registrar and duly executed, the Registrar will authenticate and deliver in the name of the transferee or registered owner, as appropriate, a new bond in fully registered form of the same outstanding principal amount,

maturity and interest rate, in an authorized denomination. The person in whose name any Bond is registered will be deemed and regarded as the absolute owner thereof for all purposes, and payment of principal of and interest on the Series 2019B Bonds will be made only to or upon the order of the registered owner thereof or his legal representative. All such payments will be valid and effectual to satisfy and discharge the liability upon the Series 2019B Bonds to the extent of the sum so paid.

This bond and the payments of principal hereof and interest hereon do not constitute indebtedness of the City within the meaning of any constitutional or statutory provision or limitation, shall not be considered or held to be a general obligation of the City and is payable and collectible solely out of the net revenues of the City's joint utility system (the "Net Revenues") as more particularly described in the Bond Ordinance. The holder of this bond may not look to any general or other municipal fund for payment of the principal of or interest on this bond. The City has covenanted to pay the Net Revenues an amount sufficient to pay specified operation and maintenance expenses of the System, the monthly Required Reserve Fund Deposit (as defined in the Bond Ordinance), and the regularly scheduled payments on the Series 2019B Bonds and other Parity Obligations when due. For a more complete description of the nature and extent of the security, including the monthly deposits to the various reserve funds afforded by the Bond Ordinance for the payment of the principal of and interest on the Series 2019B Bonds, reference is made to the Bond Ordinance.

The Series 2019B Bonds are issued by the City for the purpose of acquiring, extending, enlarging, bettering, repairing or otherwise improving the wastewater infrastructure within the City's Joint Utility System (the "Project").

The Series 2019B Bonds are secured by a pledge of the Net Revenues. The Series 2019B Bonds constitute an irrevocable first lien (but not an exclusive first lien) upon the Net Revenues on parity with the lien thereon of the City's outstanding Parity Obligations (as defined in the Bond Ordinance). Additional bonds may be issued and made payable from the Net Revenues, subject to express conditions, having a lien thereon on parity with the lien of the Series 2019B Bonds in accordance with the provisions of the Bond Ordinance. The City covenants and agrees with the owner of this bond and with each and every person who may become the owner hereof that it will keep and perform all of the covenants of the Bond Ordinance.

The Series 2019B Bonds will not be entitled to any benefit under the Bond Ordinance or become valid or obligatory for any purpose until an authorized officer of the Registrar has manually signed the Certificate of Authentication hereon.

It is hereby certified that all acts and conditions necessary to be done or performed by the City or to have happened precedent to and in the issuance of the Series 2019B Bonds to make them legal, valid and binding special obligations of the City have been performed and have happened, as required by law, and that the Series 2019B Bonds do not exceed or violate any constitutional, statutory or charter limitation. No member of the City Commission, or any officer or employee of the City, including those executing this bond, shall be personally liable on any Series 2019B Bonds.

IN WITNESS WHEREOF, the City of Truth or Consequences, in the State of New Mexico, has caused this bond to be signed and executed on the City's behalf by the signatures of its Mayor and City Clerk-Treasurer and has caused the seal of the City to be affixed hereon all as of the Date of Bond specified above.

CITY OF TRUTH OR CONSEQUENCES
NEW MEXICO

By _____
Mayor

[SEAL]

By _____
Clerk-Treasurer

(Form of Certificate of Authentication)

Date of Registration: _____

This bond is one of the Series 2019B Bonds authorized to be issued by and under the provisions of the Bond Ordinance.

By _____
Clerk-Treasurer
Truth or Consequences, New Mexico

(End of Form of Certificate of Authentication)

(Form of Assignment)

ASSIGNMENT CLAUSE

For value received, the undersigned sells, assigns and transfers unto _____, whose social security or tax identification number is _____, the within bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ as legal representative to transfer the within bond on the books of the Registrar, with full power of substitution in the premises.

DATED: _____

NOTE: The above signature must correspond with the name as written on the face of the within bond in every particular.

(End of Form of Assignment)

(End of Form of Bonds)

Section 13. Sale of Series 2019B Bonds. The sale and award of the Series 2019B Bonds to the Purchaser are hereby ratified, approved and confirmed. The Mayor and other City officers are hereby authorized to do all things necessary and consistent with this Ordinance in connection with the sale, issuance and delivery of the Series 2019B Bonds.

Section 14. Delivery of the Series 2019B Bonds and Disposition of Proceeds. When the Series 2019B Bonds have been duly executed and authenticated, they shall be delivered to the Purchaser. By purchasing the Series 2019B Bonds, the United States of America agrees to pay to the City the principal amount of the Series 2019B Bonds.

The City shall account for the proceeds of the Series 2019B Bonds as follows:

A. Accrued Interest. The Series 2019B Bonds shall be dated as of the date of actual issuance and delivery and no accrued interest shall be payable by the United States of America for the period prior to the date of actual issuance and delivery of the Series 2019B Bonds.

B. Sale Proceeds. The proceeds from the sale of the Series 2019B Bonds shall be deposited promptly upon the receipt thereof in a separate account in an Insured Bank, designated by the City, which account is hereby created and shall be known as the “City of Truth or Consequences, New Mexico Joint Utility System Improvement Revenue Bonds, Series 2019B, Construction Fund.” The Insured Bank shall be required to pledge collateral security for all deposits in the Construction Fund in accordance with the laws of the State of New Mexico, and laws and regulations of the United States of America. The monies in the Construction Fund, except as herein otherwise specifically provided, shall be used and paid out solely for the purposes specified in this Ordinance.

C. Purchaser Not Responsible. The Purchaser of the Series 2019B Bonds shall not be responsible for the application or disposal by the City or by its officers of the funds derived from the sale thereof or of any other funds herein designated.

Section 15. The Construction Fund.

A. Withdrawals. Monies shall be withdrawn from the Construction Fund for the Project upon warrants or checks drawn and signed by the Mayor and the City Clerk-Treasurer.

No such warrant or check for any sum for any actual construction work or purchase of construction materials pursuant to the terms and provisions of construction contracts shall be issued until the City has received engineering approval certifying that such sum is due and owing for work under such contracts and has received approval and concurrence for such payment from the Rural Utilities Service. The designated engineering approval shall be by the Consulting Engineer whose approval must be in the form of a written certificate stating that the payment therein approved is being made to pay for materials supplied or work satisfactorily completed in substantial accordance with the plans and specifications for the work involved. The designated Rural Utilities Service approval shall be in the form of a written certificate stating that the Rural Utilities Service has reviewed the request for payment and has concurred with making the payment. Such certificates of approval shall be in appropriate form, shall be signed by the Consulting Engineer or his duly authorized representative or by an authorized representative of the Rural Utilities Service, as applicable, and shall be filed with the City Clerk-Treasurer and the Insured Bank holding the Construction Fund.

B. Disposition of Unspent Amounts in the Construction Fund. When all work on the Project is completed in accordance with the plans and specifications and all amounts due therefor are paid, the Consulting Engineer and the Rural Utilities Service shall file with the Insured Bank and the City Clerk-Treasurer a certificate so stating, and thereupon the Insured Bank shall transfer to the Bond Fund all funds remaining in the Construction Fund, if any, and such proceeds shall be promptly used to pay debt service on the Series 2019B Bonds.

Section 16. Special Funds.

A. The Income Fund is hereby continued. The Joint Utility System Gross Income Fund shall be used for the deposit of the Gross Revenues of the System and shall be a special fund, not part of the general treasury or general fund of the City.

B. The Operation and Maintenance Fund is hereby continued as a separate account in the Income Fund and shall be used for the deposit of revenues of the System to be used for the payment of Operation and Maintenance Expenses of the System as set forth in Section 17 of this Ordinance.

C. The Bond Fund is hereby created as a separate account in the Income Fund and shall be used for deposit of Net Revenues of the System to be used for the payment of principal and interest on the Series 2019B Bonds as set forth in Section 17 hereof.

D. The Debt Service Reserve Fund is hereby created as a separate account in the Income Fund and shall be used as set forth in Section 17 hereof.

Section 17. Administration of Income Fund. So long as the Series 2019B Bonds shall be outstanding either as to principal or interest, or both, the Gross Revenues of the System shall be set aside and deposited into the Income Fund and the following monthly payments shall be made from the Income Fund:

A. Operation and Maintenance Expenses. Money in the Income Fund shall first be disbursed to make deposits into the Operation and Maintenance Fund. There shall be deposited in the Operation and Maintenance Fund each month an amount sufficient to meet the current Operation and Maintenance Expenses of the month plus an amount equal to 1/12th of the Operation and Maintenance Expenses payable on an annual basis such as insurance.

B. Bond Fund. Second and concurrently with the monthly payments required by paragraphs C and D of this Section, and subject to and after the payments required by paragraph A of this Section, from any moneys remaining in the Income Fund there shall be deposited to the Bond Fund the following:

(1) Monthly, commencing on the first of the month immediately succeeding the issuance and delivery of the Series 2019 Bonds, an amount which is necessary, together with any moneys therein and available therefor, to pay the payment of principal and interest on the Series 2019 Bonds as provided in the Debt Service Schedule; and

(2) If prior to any payment date, there has been accumulated in the Bond Fund the entire amount necessary to pay the next payment of principal and interest, the payment required in subparagraph (1) of this subsection, may be appropriately reduced; but the required monthly amounts shall again be credited to the Bond Fund commencing on the applicable payment date.

Except as provided in paragraph I of this Section, the moneys in the Bond Fund shall be used only to pay the principal of and interest on the Series 2019B Bonds as the same become due.

C. Debt Service Reserve Fund. Concurrently with the monthly payments required by paragraphs B and D of this Section, and subject to and after the payments required by paragraph A of this Section, from any moneys remaining in the Income Fund there shall be deposited in the Debt Service Reserve Fund, monthly, commencing on the first day of the month immediately succeeding delivery of the Series 2019B Bonds, an amount equal to one-one hundred and twentieth (1/120) of the average annual principal and interest installment payment on the Bonds ("Required Reserve Fund Deposit"). Monthly payments of the Required Reserve Fund Deposit shall be made into the Debt Service Reserve Fund until there is accumulated one annual installment of principal and interest due on the Bonds. The accumulated amounts of the Required Reserve Fund Deposits in the Debt Service Reserve Fund shall be maintained as a continuing reserve to be used, with the approval of the Rural Utilities Service or the registered owner of the Series 2019B Bonds, only (i) to prevent deficiencies in the payment of the principal of and interest on the Series 2019B Bonds resulting from the failure to deposit into the Bond Fund sufficient funds to pay said principal and interest as the same become due, (ii) for paying the cost of repairing or replacing any damage to facilities constituting a part of the System

caused by catastrophe, (iii) for extensions or improvements to facilities constituting a part of the System, and (iv) for repairing or replacing of short-lived assets which have a useful life significantly less than the final maturity date of the Series 2019B Bonds. After any use of moneys in the Debt Service Reserve Fund for an approved purpose as set forth in the preceding sentence, monthly deposits of the Required Reserve Fund Deposit shall continue until there is accumulated one annual installment of principal and interest due on the Bonds. Moneys on deposit in the Debt Service Reserve Fund to the extent in excess of the amount which may be held in a “reasonably required reserve fund” within the meaning of the Internal Revenue Code of 1986, as amended, and applicable U.S. Treasury Regulations (collectively, the “Code”) shall not be invested at a yield in excess of the yield on the Series 2019B Bonds or in any other manner which would cause the Series 2019B Bonds to become “arbitrage bonds” within the meaning of the Code or otherwise cause interest on the Series 2019B Bonds to become includible in gross income of the registered owner thereof for federal income tax purposes under the Code.

D. Payment of the Additional Parity Obligations. Concurrently with the payments required by paragraphs B and C of this Section, and subject to and after the payments required by paragraph A of this Section, any balance remaining in the Income Fund shall be used by the City for the payment of principal of and interest on the Parity Obligations (including, in each case, reserves therefor), if any, issued and payable from the Net Revenues, as the same accrue.

E. Defraying Delinquencies in the Bond Fund and the Debt Service Reserve Fund. If, in any month, the City shall, for any reason, fail to pay into the Bond Fund the full amount above stipulated from the Net Revenues, then an amount equal to the difference between that paid from the Net Revenues and the full amount so stipulated shall be paid into the Bond Fund from the Debt Service Reserve Fund. If, in any month, the City shall, for any reason, fail to pay into the Debt Service Reserve Fund the Required Reserve Fund Deposit, the difference between the amount paid and the amount of the Required Reserve Fund Deposit shall be paid therein from the first Net Revenues thereafter received from the operation of the System not required to be otherwise applied.

F. Termination upon Deposits to Maturity. No payment need be made into the Bond Fund, the Debt Service Reserve Fund, or both, if the amount in the Bond Fund and the amount in the Debt Service Reserve Fund total a sum at least equal to the entire amount of the outstanding Series 2019B Bonds, both as to principal and interest to their maturities, and both accrued and not accrued, in which case, moneys in the two funds in an amount at least equal to such principal and interest requirements shall be used solely to pay such as the same become due, and any moneys in excess thereof in the two funds and any other moneys derived from the operation of the System may be used as provided in this Section.

G. Payment of Subordinate Obligations. Third, and subject to and after the payments required by paragraphs A through F of this Section, from any monies remaining in the Income Fund, there shall be made the payment of interest on and principal of, and reserves for, additional bonds or other obligations hereafter authorized to be issued and payable from the Net Revenues with a lien thereon which is subordinate and junior to the lien thereon of Parity Obligations, including the NMFA Loan Agreement (2014) and NMFA Loan Agreement (2016).

H. Use of Surplus Revenues. Gross revenues accumulated over and above that needed to pay Operating and Maintenance Expenses and debt service and reserves for any outstanding obligations may only be retained or used to make prepayments on the Parity Obligations or subordinate obligations or for System improvements. Gross Revenues cannot be used to pay any expenses which are not directly incurred for the System.

Section 18. General Administration of Funds. The funds designated in Sections 16 and 17 shall be administered and invested as follows:

A. Places and Times of Deposits. The funds shall be separately maintained as a trust fund or funds for the purposes established and shall be deposited in one or more bank accounts in an Insured Bank or Banks. Each fund shall be continuously secured to the extent required by law and shall be irrevocable and not withdrawable by anyone for any purpose other than the stated purpose. Payments shall be made into the proper account not later than the first day of the month except when the first day shall be a Sunday or legal holiday, and then payment shall be made on the next succeeding secular day. No later than three (3) days prior to each payment date, moneys sufficient to pay interest and principal then due on the Series 2019B Bonds shall be transferred to the Paying Agent. Nothing in this Ordinance shall prevent the Commission from establishing one or more bank accounts in an Insured Bank or Insured Banks for all the funds required by this Ordinance or, except for the Construction Fund which must be maintained as a separate account, shall prevent the combination of such funds and accounts with any other bank account or accounts for other funds and accounts of the City.

B. Investment of Moneys. Moneys in any fund or account not immediately needed may be invested in any investment permitted by law. The obligations so purchased as an investment of moneys in any fund or account shall be deemed to be part of such fund or account, and the interest accruing thereon and any profit realized therefrom shall be credited to such fund or account, and any loss resulting from such investment shall be charged to such fund or account. The City Clerk-Treasurer shall present for redemption or sale on the prevailing market any obligations so purchased as an investment of moneys in the fund or account whenever it shall be necessary to do so in order to provide moneys to meet any payment or transfer from such fund.

Section 19. Lien on Net Revenues. The Series 2019B Bonds shall constitute an irrevocable first lien (but not an exclusive first lien) on, and the City hereby grants to the owners of the Series 2019B Bonds a security interest in, the Net Revenues as set forth herein and on parity with any existing Parity Obligations or future Parity Obligations which may be issued. The Net Revenues are hereby authorized to be pledged and are hereby pledged and the City grants a security interest therein and in the funds on deposit in the Bond Fund and Debt Service Reserve Fund for the payment of the principal of and interest on the Series 2019B Bonds.

Section 20. Additional Bonds or Other Obligations Payable from Net Revenues.

A. Earnings Test. Nothing in this ordinance contained shall be construed to prevent the issuance by the City of additional Parity Obligations payable from the Net Revenues and constituting a lien upon said revenues on a parity with, but not prior or superior to the lien of

the Series 2019B Bonds, nor to prevent the issuance of bonds or other obligations refunding all or a part of the Series 2019B Bonds, provided, however, that before any such additional Parity Obligations are authorized or actually issued, the following tests shall be satisfied:

(1) The City is not, and has not been in default as to making any payments required by Section 17 hereof during the twelve months immediately preceding the issuance of such additional Parity Obligations, or if none of the Series 2019B Bonds have been issued and Outstanding for a period of at least twelve months, then for the longest period of time any of such Series 2019B Bonds have been issued and Outstanding; and

(2) The Net Revenues for the Fiscal Year immediately preceding the date of issuance of such additional Parity Obligations shall have been sufficient to pay an amount representing one hundred twenty percent (120%) of the combined average annual principal and interest requirements coming due in any subsequent Fiscal Year on the then outstanding Parity Obligations payable from and constituting a lien upon the Net Revenues and the additional Parity Obligations proposed to be issued (excluding any reserves therefor).

The foregoing limitations on the issuance of Parity Obligations shall not apply with regard to issuance of the Series 2019B Bonds or in the case of the issuance of additional Parity Obligations necessary to complete the Project in accordance with the original plans and specifications therefor.

B. Certification or Opinion of Earnings. A written certification or opinion by the Independent Accountant or City Clerk-Treasurer that Net Revenues for the Fiscal Year immediately preceding the date of issuance of the proposed additional Parity Obligations are sufficient to pay said amounts, shall be conclusively presumed to be accurate in determining the right of the City to authorize, issue, sell and deliver the proposed additional Parity Obligations on a parity with the Series 2019B Bonds.

C. Consideration of Additional Revenue Permitted. In determining whether or not additional Parity Obligations may be issued as aforesaid, consideration may be given to any probable increase in the estimated Net Revenues of the System that may result from the expenditure of funds proposed to be derived from the issuance and sale of the proposed additional Parity Obligations or an increase in System rates.

D. Subordinate Obligations Permitted. Nothing herein contained shall be construed to prevent the City from issuing bonds or other obligations payable from the revenues of the System and having a lien thereon subordinate, inferior and junior to the lien of the Series 2019B Bonds.

E. Superior Obligations Prohibited. Nothing herein contained shall be construed to permit the City to issue bonds or other obligations payable from the revenues of the System and having a lien thereon prior and superior to the lien of the Series 2019B Bonds.

F. Rural Utilities Service Consent Required. No additional bonds or other obligations payable from revenues of the System (including Parity Obligations and subordinate obligations) will be issued without the prior written consent of Rural Utilities Service.

Section 21. Refunding Bonds. The provisions of Section 20 hereof are subject to the following exceptions:

A. Privilege of Issuing Refunding Obligations. If at any time the Commission shall find it desirable to refund the Outstanding Series 2019B Bonds, the Series 2019B Bonds may be refinanced and paid, in whole or in part, in advance of their maturity (but only with the consent of Rural Utilities Service, unless the obligations shall then mature or be callable). No refunding obligations shall be issued to advance refund or defease all or any portion of the Series 2019B Bonds as prohibited by Rural Utilities Service Instruction 1942.19(h)(10)(iii). As required by the Loan Resolution, the City shall issue refunding obligations to pay and refinance the Outstanding Series 2019B Bonds, in whole or in part, at the request of Rural Utilities Service if at any time it shall appear to Rural Utilities Service that the City is able to refund the Outstanding Series 2019B Bonds by issuing bonds or obtaining a loan at reasonable rates and terms for bonds or loans for similar purposes and periods of time.

B. Limitations upon Issuance of Parity Refunding Obligations. No refunding bonds or other refunding obligations payable from any revenues of the System shall be issued on a parity with the Series 2019B Bonds, unless the refunding bonds or other refunding obligations are issued in compliance with paragraph A of Section 20 hereof.

C. Limitations upon Issuance of any Refunding Obligations. Any refunding bonds or other refunding obligations payable from any revenues of the System shall be issued with such details as the Commission may provide by ordinance and only with the consent of Rural Utilities Service and in accordance with any applicable Rural Utilities Service regulations, so long as the United States of America is the holder and/or insurer of the Series 2019B Bonds.

Section 22. Protective Covenants. The City covenants and agrees with each and every holder of the Series 2019B Bonds:

A. Public Utility. The municipal joint water and wastewater facilities of the City shall continue to constitute a public utility designated as the System and shall hereafter be operated and maintained as a public utility.

B. Use of Series 2019B Bonds Proceeds. The City, with the proceeds derived from the sale of the Series 2019B Bonds, shall proceed with and complete acquisition and construction of the Project without delay.

C. Payment of the Series 2019B Bonds. The City shall promptly pay the principal of and interest on the Series 2019B Bonds at the place, on the dates, and in the manner specified herein. Principal and interest on the Series 2019B Bonds are payable solely from Net Revenues, and the special funds herein authorized for such purpose.

D. City's Existence. The City shall maintain its corporate identity and existence so long as the Series 2019B Bonds remain outstanding, unless another political subdivision or authority by operation of law succeeds to the liabilities and rights of the City, without adversely affecting to any substantial degree the privileges and rights of the holder of the Series 2019B Bonds.

E. Impairment of Contract. Except with the approval of the holder of the Outstanding Series 2019B Bonds, the City agrees that this Ordinance shall not be repealed or otherwise directly or indirectly modified, in such a manner as to adversely affect the Outstanding Series 2019B Bonds.

F. Use Charges. Rates for services rendered by the System shall be reasonable and just, taking into account the cost and value of the System, Operation and Maintenance Expenses, proper allowances for depreciation and the amounts necessary to retire all bonds payable from Net Revenues, and any reserves therefor. There shall be charged against all users, including the City, rates and amounts, which shall be increased from time to time if necessary, sufficient to produce revenues to pay the annual Operation and Maintenance Expenses, the monthly Required Reserve Fund Deposit, and 120% of the combined average annual principal and interest requirements on all outstanding Parity Bonds and other obligations payable from Net Revenues. No free services of the System shall be furnished by the City. Any use of the System by the City shall be paid for from the City's general fund at the reasonable value of the use so made. Income so derived from the City shall be treated in the same manner as any other System income. The City is granted a statutory lien upon realty for unpaid rates and charges pursuant to Section 3-23-6 NMSA 1978. The City covenants and agrees that it will cause any lien on each property to be perfected and enforced in accordance with the provisions of Sections 3-23-6 and 3-36-1 through 3-36-7 NMSA 1978.

G. Levy and Reduction of Charges. Prior to the delivery of the Series 2019B Bonds, the City has established and levied the required rates and charges for use of the System. No reduction in any initial rate schedule may be made unless:

(1) The City has complied with Section 17 hereof for at least one Fiscal Year immediately preceding such reduction;

(2) The audit for the one full Fiscal Year immediately preceding such reduction discloses that the estimated revenues resulting from the proposed rate schedule will be sufficient to meet the requirements of paragraph F of this Section; and

(3) The City has obtained the written consent of the Rural Utilities Service if the United States of America is the holder of the Series 2019B Bonds.

H. Efficient Operation. The City shall operate the System as long as the Series 2019B Bonds are outstanding and shall make such improvements and repairs to the System as may be necessary to insure its economical and efficient operation and its ability to meet demands for service and its continual operation and maintenance in good condition.

I. Records of System. Separate records will be kept showing complete and correct entries of all transactions relating to the System. Such records shall include monthly entries showing the number of customers, the revenues received, a detailed statement of expenses, and such other items specified by the Rural Utilities Service.

J. Right to Inspect. The United States of America, any other owner of the Series 2019B Bonds or their duly authorized agents shall have the right at all reasonable times to inspect the System and all records, accounts and data relating thereto.

K. Audits and Budgets. So long as the Series 2019B Bonds shall be Outstanding, the City shall furnish to the Purchaser, and to any owner or owners or insurers of the Series 2019B Bonds who has requested the same, not later than thirty (30) days after the close of each three-month fiscal period, complete operating and income statements of the System in reasonable detail covering such three-month period, and, not later than sixty (60) days after the close of each fiscal year, complete financial statements of the System to the owner of the Series 2019B Bonds covering such fiscal year. For a fiscal year in which an audit report is required under OMB Circular A-128 or the Purchaser's regulations as set forth in the Letter of Conditions issued to the City by the Purchaser, such report will take the place of the year-end financial statements and be submitted to the Purchaser within the timeframe required for the type of report submitted. In addition, the City will prepare and adopt prior to the beginning of each fiscal year, a budget for the ensuing fiscal year for the System, such budget to include an estimate of revenues and expenses during such fiscal year. The City will furnish a copy of each annual report and budget to Rural Utilities Service when available and without request, and to any other owner of the Series 2019B Bonds upon request.

L. Billing Procedure and Discontinuance of Service. All System bills shall be sent out on a regularly established day of each month in advance or after service is rendered. If bills are not paid within a reasonable time after such date, they shall be collected in any lawful manner. Upon nonpayment of charges, water or wastewater service will be discontinued if permitted by law and will be restored only upon payment of the delinquent amounts plus the cost of restoration.

M. Use of Bond Fund and Reserve Fund. The Bond Fund and Debt Service Reserve Fund shall be used solely and only, and said funds are hereby pledged, for the purposes set forth in this Ordinance.

N. Charges and Liens upon System. The City, from Revenues, will pay all taxes and governmental charges lawfully levied in respect of the System when due. The City will comply with all valid requirements of any governmental authority relative to the System and will not create or permit to be created any lien or charge on the System or the Revenues except as permitted herein. The City will satisfy within sixty days after the same shall accrue all lawful claims and demands which might by law become a lien on the System or upon the Revenues unless the validity thereof is being contested in good faith by appropriate legal proceedings.

O. Insurance. The City, in its operation of the System, will carry fire and extended coverage insurance, public liability insurance and other types of insurance in such

amounts and to such extent as is normally carried by private corporations operating facilities of the same type. The City will also maintain, as provided by law, a self-insurance fund to cover workmen's compensation insurance or will carry equivalent insurance. The cost of insurance shall be considered one of the Operation and Maintenance Expenses of the System. In the event of property loss or damage, insurance proceeds shall be used first for the purpose of restoring or replacing the property lost or damaged, any remainder shall be treated as Net Revenues, and shall be subject to distribution in the manner provided hereinabove in Section 17, for Net Revenues derived from the operation of the System. Nothing herein shall prevent the City from establishing a funded self-insurance program. In addition to the insurance required by this subsection, the City will acquire and maintain such additional insurance as may be required by the Rural Utilities Service.

P. Competing System. The City shall not grant any franchise or license to a competing system, or permit any person or organization to sell water or wastewater service and facilities within the City (unless required to do so by law). To the extent permitted by law, the City will require all residents to connect to the System facilities.

Q. Alienating System. While the Series 2019B Bonds are outstanding, the City will not sell, lease, mortgage, pledge or otherwise alienate the System, or any part thereof, without the prior written consent of the Rural Utilities Service. In the event of any sale as aforesaid, the proceeds of such sale shall be distributed as Net Revenues in the manner provided hereinabove in Section 17 hereof.

R. Extension of Interest Payments. The City will not extend or be a party to the extension of the time for paying any claim for interest on the Series 2019B Bonds. Any installment of interest so extended shall not be entitled in case of default hereunder to the benefit or security of this Ordinance except subject to the prior payment in full of the principal of all Series 2019B Bonds and interest which has not been extended.

S. Management of the System. The City shall employ competent and experienced management personnel for the System. If an "event of default" shall occur and continue for a period of sixty (60) days or if the Net Revenues in any Fiscal Year fail to equal principal, interest and reserve requirements for all Outstanding Parity Obligations and other obligations payable from the Net Revenues, the City shall retain an independent consultant who is qualified in the management of facilities similar to the System, to assist in the management of the System so long as such event of default continues or the Net Revenues are less than the amount designated.

T. Fidelity Bonds. Each municipal official responsible for receiving income and maintaining the accounts of the System shall be bonded at all times, which bond shall be conditioned upon the proper allocation of such income. The cost of each bond shall be considered one of the Operation and Maintenance Expenses of the System.

U. Performing Duties. To the extent permitted by applicable law, the City will faithfully and punctually perform all duties with respect to the System required by the Constitution and laws of the State of New Mexico and the ordinances and resolutions of the City,

including but not limited to, the making and collecting of reasonable and sufficient rates and charges for services rendered or furnished by the System as hereinbefore provided.

V. Other Liens. Except as set forth in this Ordinance, there are no liens or encumbrances of any nature whatsoever, on or against the System or the revenues derived or to be derived from the operation of the same.

W. Service Connections. The City shall provide adequate service to all persons within the service area of the System who can feasibly and legally be served and shall obtain the concurrence of the Rural Utilities Service prior to refusing new or adequate services to such persons.

X. Debts or Liabilities of System. The City shall not borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the System (exclusive of normal maintenance) without the prior written consent of the Rural Utilities Service if such undertaking would involve the Gross Revenues of the System.

Y. Tax Covenants. The Mayor and/or City Clerk-Treasurer or any other officer of the City having responsibility for the issuance of the Series 2019B Bonds shall give an appropriate certificate of the City, for inclusion in the transcript of proceedings for the Series 2019B Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Series 2019B Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of interest on the Series 2019B Bonds.

The City covenants that it (a) will take or cause to be taken such actions which may be required of it for the interest on the Series 2019B Bonds to be and remain excluded from gross income for federal income tax purposes, and (b) will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Series 2019B Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely rebate payments to the federal government, if required, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code. The Mayor and/or City Clerk-Treasurer and other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications, if any, as may be required or appropriate to assure such exclusion of that interest.

Z. Arbitrage Rebate Exemption. The City hereby certifies and warrants, for the purpose of qualifying for the exception contained in Section 148(f)(4)(D) of the Code, to the requirement to rebate arbitrage earnings from investments of the proceeds of the Series 2019B Bonds (the "Rebate Exemption"), that (i) the Series 2019B Bonds are issued by the City which has general taxing powers, (ii) neither the Series 2019B Bonds nor any portion thereof is a private activity bond as defined in Section 141 of the Code ("Private Activity Bond"), (iii) all of the net proceeds of the Series 2019B Bonds are to be used for local government activities of the

City (or of a governmental unit, the jurisdiction of which is entirely within the jurisdiction of the City) and (iv) neither the City nor any aggregated issuer has issued or is reasonably expected to issue any tax-exempt bonds other than (A) Private Activity Bonds (as those terms are used in Section 148(f)(4)(D) of the Code) and (B) issued to refund any bond to the extent the amount of the refunding bond does not exceed the outstanding amount of the refunded bond, during the current calendar year, which would in the aggregate amount exceed \$5,000,000. For purposes of this paragraph, "aggregated issuer" means any entity which (a) issues obligations on behalf of the City, (b) derives its issuing authority from the City, or (c) is controlled directly or indirectly by the City within the meaning of Treasury Regulation Section 1.150-1(e). The City hereby represents that it has not created, does not intend to create and does not expect to benefit from any entity formed or availed of to avoid the purposes of Section 148(f)(4)(D) of the Code.

AA. Qualified Tax-Exempt Obligations. The Series 2019B Bonds are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code. In that connection, the City hereby covenants that the City, it having no "subordinate entities" with authority to issue obligations within the meaning of that Section of the Code, in or during the calendar year in which the Series 2019B Bonds are issued, (i) will not designate as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code, tax-exempt obligations, including the Series 2019B Bonds, in an aggregate principal amount in excess of \$10,000,000, and (ii) will not issue tax-exempt obligations within the meaning of Section 265(b)(4) of the Code, including the Series 2019B Bonds and any qualified 501(c)(3) bonds as defined in Section 145 of the Code (but excluding obligations, other than qualified 501(c)(3) bonds, that are private activity bonds as defined in Section 141 of the Code), in an aggregate principal amount exceeding \$10,000,000, unless the City receives an opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not cause the Series 2019B Bonds to cease to be "qualified tax-exempt obligations."

Section 23. Events of Default. It is an "event of default" if:

A. Nonpayment of Principal. Payment of principal of any Series 2019B Bonds is not made when due either at maturity or by proceedings for prior redemption, or otherwise; or

B. Nonpayment of Interest. If payment of any installment of interest shall not be made when the same becomes due and payable; or

C. Incapable to Perform. The City becomes incapable of fulfilling its obligations hereunder; or

D. Default of any Provision. The City defaults in the punctual performance of any other of its covenants hereunder for sixty (60) days after written notice shall have been given to the City by the holders of twenty-five percent (25%) of the principal amount of the Series 2019B Bonds then outstanding.

Section 24. Remedies on Default. Upon the happening and continuance of any event of default, the holder or holders of not less than twenty-five percent (25%) of the principal

amount of the Series 2019B Bonds then outstanding, or a trustee therefor, may protect and enforce the rights of any owner of Series 2019B Bonds by proper legal or equitable remedy deemed most effectual including mandamus, specific performance of any covenant, the appointment of a receiver (the consent to such appointment being hereby granted), injunctive relief or requiring the Commission to act as if it were the trustee of an express trust, or any combination of such remedies. All proceedings shall be maintained for the equal benefit of all owners of Series 2019B Bonds. Any receiver appointed to protect the rights of owners of Series 2019B Bonds may take possession and operate and maintain the System in the same manner as the City itself might do. The failure of the owner of the Series 2019B Bonds to proceed does not relieve the City or any person of any liability for failure to perform any duty hereunder. The foregoing rights are in addition to any other rights and the exercise of any right by any owner of the Series 2019B Bonds shall not be deemed a waiver of any other right.

Section 25. Duties upon Default. Upon the happening of any event of default, the City will perform all proper acts to protect and preserve the security created for the prompt payment of the principal of and interest on the Series 2019B Bonds. The holders of not less than twenty-five percent (25%) in the principal amount of the Series 2019B Bonds, after written demand, may proceed to protect and enforce the rights provided by this Section and by Section 24.

Section 26. Amendment of Ordinance, Waiver of Rural Utilities Service Requirements. This Ordinance may not be amended without the written consent of the owner of the Series 2019B Bonds. Any provision of this Ordinance providing specific remedies or rights to the United States of America may be waived while the United States of America is not the owner upon receipt of written consent of the owner of the then Outstanding Series 2019B Bonds.

Section 27. Delegated Powers. The officers of the City be, and they hereby are, authorized and directed to take all action required by this Ordinance, and all such other action as may be necessary or appropriate to effectuate the provisions of this Ordinance, including, without limiting the generality of the foregoing, any required printing of the Series 2019B Bonds and the execution of such certificates as may be required by the Purchaser or bond counsel.

Section 28. Repeal. This Ordinance shall not be repealed unless the Series 2019B Bonds have been discharged in full or provision has been fully made therefor pursuant to Rural Utilities Service regulations so long as the United States of America is the holder of the Series 2019B Bonds.

Section 29. Limitation of Action. After the passage of 30 days from the publication required by Section 32 hereof, any action attacking the validity of any proceedings had or taken by the City preliminary to and in the authorization and issuance of the Series 2019B Bonds, shall be perpetually barred.

Section 30. Severability Clause. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 31. Effective Date. Upon its adoption, final passage and approval, this Ordinance shall be recorded in the book of ordinances of the City kept for that purpose and authenticated by the signatures of the Mayor and the City Clerk-Treasurer and the seal of the City affixed hereto. The title and general summary of the subject matter contained in this Ordinance (set out in Section 32 hereof) shall be published in a newspaper which is of general circulation in the City in accordance with law, and the Ordinance shall be in full force and effect five days after such publication and posting as provided by law.

Section 32. General Summary for Publication. The title and a general summary of the subject matter contained in this Ordinance shall be published in substantially the following form:

(Form of Summary of Ordinance for Publication)

CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
NOTICE OF ADOPTION OF ORDINANCE

Notice is hereby given of the title and of a general summary of the subject matter contained in an Ordinance (the "Ordinance") duly adopted and approved by the City Commission of the City of Truth or Consequences, New Mexico, on June 26, 2019. Complete copies of the Ordinance are available for public inspection during the normal and regular business hours of the City Clerk-Treasurer, 505 Sims Street, Truth or Consequences, New Mexico. The title of the Ordinance is:

AUTHORIZING THE ISSUANCE OF THE CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO JOINT UTILITY SYSTEM IMPROVEMENT REVENUE BONDS, SERIES 2019B, IN THE PRINCIPAL AMOUNT OF SEVEN HUNDRED FIFTEEN THOUSAND DOLLARS (\$315,000) FOR THE PURPOSE OF ACQUIRING, EXTENDING, ENLARGING, BETTERING, REPAIRING OR OTHERWISE IMPROVING THE WASTEWATER SYSTEM WITHIN THE CITY'S JOINT UTILITY SYSTEM; PROVIDING FOR THE ISSUANCE AND SALE OF THE BONDS; PROVIDING THAT THE BONDS WILL BE PAYABLE AND COLLECTIBLE SOLELY FROM NET REVENUES TO BE DERIVED FROM THE OPERATION OF THE CITY'S JOINT UTILITY SYSTEM; PROVIDING FOR THE TERMS AND CONDITIONS OF THE BONDS, THE MANNER OF THEIR EXECUTION, THE METHOD OF PAYING THE BONDS AND OTHER DETAILS CONCERNING THE BONDS AND SUCH SYSTEM, INCLUDING BUT NOT LIMITED TO COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; RATIFYING ACTION PREVIOUSLY TAKEN IN CONNECTION THEREWITH AND APPERTAINING THERETO.

The title sets forth a general summary of the subject matter contained in the Ordinance. This notice constitutes compliance with Section 6-14-6 NMSA 1978.

(End of Form of Summary of Ordinance for Publication)

PASSED, APPROVED, AND ADOPTED THIS 26th DAY OF JUNE, 2019.

CITY OF TRUTH OR CONSEQUENCES
NEW MEXICO

MAYOR

[SEAL]

ATTEST:

CLERK-TREASURER

Commissioner _____ then moved adoption of the foregoing ordinance, duly seconded by Commissioner _____. The motion to adopt said ordinance, as amended, upon being put to a vote, was passed and adopted on the following recorded vote:

Those Voting Aye:

Those Absent:

_____ () Commissioner having voted in favor of said motion, the motion to suspend the rules was thereupon declared by the Mayor to have passed.

After consideration of the matters not relating to the ordinance, the meeting on motion duly made, seconded and unanimously carried, was adjourned.

Dated this 26th day of June, 2019.

CITY OF TRUTH OR CONSEQUENCES
NEW MEXICO

MAYOR

[SEAL]

ATTEST:

CLERK-TREASURER



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: June 12, 2019

Agenda Item #: **H.4**

SUBJECT: Resolution No. 45 18/19 authorizing participation In Local Government Road Fund (LGRF) Program administered by New Mexico Department Of Transportation (NMDOT)

DEPARTMENT: Community Development

DATE SUBMITTED: June 4, 2019

SUBMITTED BY: Traci Burnette

WHO WILL PRESENT THE ITEM: Morris Madrid

Summary/Background:

Design, construction management, base course, chip seal, sandwich seal, and drainage improvements River Road - Tin to Bottom of Hill; Preliminary Cost Estimate \$45,686.89

Recommendation:

Approve Resolution No. 45 18/19

Attachments:

- Tentative Offer Letter
- Resolution 45 18-19

Fiscal Impact (Finance): Yes

\$45,686.89

Legal Review (City Attorney): Yes

Documents have been reviewed.

Approved For Submittal By: ☐ Department Director

Reviewed by: ☒ City Clerk ☒ Finance ☒ Legal ☐ Other:

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. 45 18/19 Ordinance No. -

Continued To: [Click here to enter a date.](#) Referred To: [Click here to enter text.](#)

☐ Approved ☐ Denied ☐ Other: [Click here to enter text.](#)

File Name: AR Res 45 18-19 LGRF



April 1, 2019

Morris Madrid, City Manager
City of Truth or Consequences
505 Sims Street
Truth or Consequences, NM 87901

Dear Mr. Madrid:

Our office has been in contact regarding the Local Government Road Fund Program funding for the 2019 / 2020 fiscal year. This letter is to confirm what has been discussed.

The preliminary funding, subject to change, being offered for the City of Truth or Consequences is as follows:

| | Entity Share | State Share | Project Total |
|-----------------------|--------------|-------------|---------------|
| Cooperative Agreement | \$10,000.00 | \$30,000.00 | \$40,000.00 |

Please forward a written response no later than 4-11-2019 showing acceptance of the offer. If you decide to fax the information to 575-544-7380, a hard copy also needs to be forwarded through the mail.

The scope of work shows "Design, construction management, base course, chip seal, sandwich seal, sidewalk, curb & gutter and drainage improvements - *Golf Club Drive Parway Dr to Dead end; City Street - Dead end to Radium; Marshal - Platinum to Tin; River Road - Tin to Bottom of Hill; West Riverside - Wyona to Daniels; Kruger - 8th to 7th; Locust - 4th to 7th; Glen - Rodeo Arena Rd to Dead end."*

Please let us know as soon as possible if this scope of work is incorrect.

This information will be presented at the May State Transportation Commission meeting. As soon as we have obtained approval of the funding distribution, you will be notified. Should you have any questions, please contact me at (575) 640-2779 or debraahudson@state.nm.us

Sincerely,


Debbie Hudson
Local Government Road Fund Coordinator

Michelle Lujan
Grisham
Governor

Michael R. Sandoval
Cabinet Secretary

Commissioners

Jennifer Sandoval
Commissioner
District 1

Bruce Ellis
Commissioner
District 2

Keith Mortensen
Commissioner
District 3

Walter Adams
Commissioner
District 4

Butch Mathews
Commissioner
District 5

Charles Lundstrom
Commissioner
District 6

RESOLUTION No. 45 18/19
City of Truth or Consequences

**PARTICIPATION IN LOCAL GOVERNMENT ROAD FUND PROGRAM
ADMINISTERED BY NEW MEXICO DEPARTMENT OF TRANSPORTATION**

WHEREAS, the *City of Truth or Consequences* and the New Mexico Department of Transportation enter into a Cooperative Agreement.

WHEREAS, the total cost of the project will be \$40,000 to be funded in proportional share by the parties hereto as follows:

- a. New Mexico Department of Transportation's share shall be 75% or \$30,000.00; and
- b. *City of Truth or Consequences'* proportional matching share shall be 25% or \$10,000.00.

TOTAL PROJECT COST IS \$40,000.00.

City of Truth or Consequences shall pay all costs, which exceed the total amount of \$40,000.00.

Now therefore, be it resolved in official session that *City of Truth or Consequences* determines, resolves, and orders as follows:

That the project for this Cooperative agreement is adopted and has a priority standing.

The agreement terminates on **December 31, 2020** and the *City of Truth or Consequences* incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement.

NOW therefore, be it resolved by the *City of Truth or Consequences* to enter into Cooperative Agreement Control Number *HW2 L100420* with the New Mexico Department of Transportation for LGRF Project for year **2019 – 2020** for design, construction management, base course, chip seal, sandwich seal, and drainage improvements River Road - Tin to Bottom of Hill within the control of the *City of Truth or Consequences* in *Sierra County*, New Mexico.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2019.

Sandra Whitehead, Mayor

Seal

ATTEST:

Renee L. Cantin, City Clerk



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: June 12, 2019

Agenda Item #: **H.5**

SUBJECT: Resolution No. 46 18/19 supporting an application to the National Parks Service Rivers, Trails, and Conservation Assistance Program for technical assistance.

DEPARTMENT: City Clerk's Office

DATE SUBMITTED: June 7, 2019

SUBMITTED BY: Renee Cantin, City Clerk-Treasurer

WHO WILL PRESENT THE ITEM: City Manager Madrid

Summary/Background:

Merry Jo Fahl and Gina Kelley gave the presentation on this item. This is the Resolution they requested in support of the program.

Recommendation:

Approve Resolution No. 46 18/19.

Attachments:

- Resolution 46 18/19
- -

Fiscal Impact (Finance): N/A

-

Legal Review (City Attorney): N/A

Sent to City Attorney Rubin for review.

Approved For Submittal By: ☐ Department Director

Reviewed by: ☒ City Clerk ☐ Finance ☐ Legal ☐ Other: [Click here to enter text.](#)

Final Approval: ☐ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. 46 18/19 Ordinance No. N/A

Continued To: [Click here to enter a date.](#) Referred To: [Click here to enter text.](#)

☐ Approved ☐ Denied ☒ Other: Presentation Only

File Name: 06-12-2019/H.5 AR Resolution 46 18-19 supporting Rivers Trails program.docx



**CITY OF TRUTH OR CONSEQUENCES
RESOLUTION NO. 46 18/19**

**A RESOLUTION SUPPORTING AN APPLICATION TO THE NATIONAL PARK SERVICE RIVERS,
TRAILS, AND CONSERVATION ASSISTANCE PROGRAM FOR TECHNICAL ASSISTANCE**

WHEREAS, the City of Truth or Consequences supports recreational trails and its potential for economic development and health benefits for its citizens; and

WHEREAS, the City of Truth or Consequences has been participating in work group meetings with interested groups and entities in the development of an additional trail system on the east side of the Rio Grande; and

WHEREAS, both the City of Truth or Consequences and the Village of Williamsburg have a shared interest in the development of footbridges that would connect to the Rio Grande Trail Corridor system; and

WHEREAS, the Rio Grande Trail, when completed, will run parallel to the Rio Grande and extend the length of New Mexico; and

WHEREAS, this trail system will provide excellent potential for economic development and recreation for the state of New Mexico and the communities and small businesses along the trail; and

WHEREAS, the National Park Service has a program that can assist in development of a comprehensive trail plan by providing professional technical assistance through a partnership with the National Park Service and their staff.

NOW THEREFORE, BE IT RESOLVED that the City of Truth or Consequences City Commission hereby supports the submission of an application to the National Park Service Rivers, Trails, and Conservation Assistance Program for technical assistance in the development of a comprehensive, collaborative trail/footbridge plan.

PASSED, ADOPTED AND APPROVED this 12th day of June, 2019.

ATTEST:

Sandra Whitehead, Mayor

Renee L. Cantin, City Clerk-Treasurer



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: June 12, 2019

Agenda Item #: **I.1**

SUBJECT: Agreement Between the County of Sierra and the City Of Truth Or Consequences Regarding The Administration and Enforcement of the City's Floodplain Management Regulations

DEPARTMENT: Community Development

DATE SUBMITTED: June 4, 2019

SUBMITTED BY: Traci Burnette

WHO WILL PRESENT THE ITEM: Morris Madrid

Summary/Background:

The purpose of this Agreement is to set forth those services relating to the administration and implementation of the City of Truth or Consequences' floodplain management regulations by the County. Sierra County Commission approved the agreement on 5-21-2019

Recommendation:

Approve the Agreement

Attachments:

- Agreement
- -

Fiscal Impact (Finance): Yes

\$5,000.00 Annually

Legal Review (City Attorney): Yes

Reviewed and Approved by City and County Attorneys prior to County Commission Approval

Approved For Submittal By: ☐ Department Director

Reviewed by: ☒ City Clerk ☐ Finance ☒ Legal ☐ Other: [Click here to enter text.](#)

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. [Click here to enter text.](#) Ordinance No. [Click here to enter text.](#)

Continued To: [Click here to enter a date.](#) Referred To: [Click here to enter text.](#)

☐ Approved ☐ Denied ☐ Other: [Click here to enter text.](#)

File Name: I.1 Agenda Request Form Floodplain Mgmt Services.docx

**AGREEMENT BETWEEN THE COUNTY OF SIERRA AND THE CITY OF TRUTH
OR CONSEQUENCES REGARDING THE ADMINISTRATION AND ENFORCEMENT
OF THE CITY'S FLOODPLAIN MANAGEMENT REGULATIONS**

THIS AGREEMENT ("Agreement") by and between the City of Truth or Consequences ("Truth or Consequences") and the County of Sierra ("County").

RECITALS:

WHEREAS, the Truth or Consequences was incorporated as a municipality after an election wherein the residents of the area approved incorporation pursuant to NMSA 1978, Section 3-2-1 *et seq*; and,

WHEREAS, Truth or Consequences is located completely within the physical boundaries of the County of Sierra, however, after incorporation the County of Sierra no longer has jurisdiction to provide services in the incorporated area; and,

WHEREAS, Truth or Consequences and the County are both participating communities in the National Flood Insurance Program and the County has adopted floodplain management regulations in accordance with 44 CFR (Code of Federal Regulations – Title 44: Emergency Management and Assistance) and Sections 3-18-7 and 4-37-1 NMSA 1978; and

WHEREAS, Truth or Consequences desires to utilize the services of the Floodplain Administrator for the County to administer and enforce floodplain management regulations for the City.

NOW, THEREFORE, IT IS AGREED BETWEEN THE PARTIES:

1. **PURPOSE:** The purpose of this Agreement is to set forth those services relating to the administration and implementation of the City of Truth or Consequences' floodplain management regulations by the County.

2. **COMMON POWER:** The common powers to be exercised is the power pursuant to NMSA 1978, Section 3-18-1 (1972) for municipalities, and also counties pursuant to NMSA 1978, Section 4-37-1 (1995), to "protect generally the property of its municipality and its inhabitants" and to "preserve peace and order".

3. **SCOPE OF SERVICES & GENERAL PARTY OBLIGATIONS:**

The County will make available to the City the services of its Floodplain Manager as provided herein. The parties agree that the City shall continue to apply its policies and procedures, reviewing all proposed projects for compliance with its zoning ordinance and other applicable land use regulations. The City shall continue to provide its own zoning code enforcement. All enforcement of regulations, drainage requirements and zoning ordinances remain with the City of Truth or Consequences and not with Sierra County. The Sierra County Flood Director shall act as the City's floodplain administration agent by reviewing and recommending cases within the limits

of the City's jurisdiction. The Sierra County Flood Director shall provide the services at the County Flood Offices, located at 1285 Hyde Street, Truth or Consequences, NM 87901. The City of Truth or Consequences shall provide services at the Planning and Zoning Office, located at 401 McAdoo, Truth or Consequences, NM 87901.

4. OBLIGATIONS OF TRUTH OR CONSEQUENCES

- A. The designated Floodplain Administrator of the County shall be designated by the governing body of the City to administer and implement the provisions of the floodplain management regulations that were adopted in accordance with 44 CFR (Code of Federal Regulations – Title 44: Emergency Management and Assistance) and Sections 3-18-7 and 4-37-1 NMSA 1978; and
- B. The City shall hear and render judgment on requests for variances from the requirements of the floodplain management regulations of the County. The City shall hear and render judgment on an appeal only when there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of the floodplain management regulations of the County.
- C. Truth or Consequences agrees and understands that, in regard to the serviced described in this Agreement, the County has a statutory responsibility to first provide services to the unincorporated area of the County and can only provide the described services to Truth or Consequences if there is available manpower and resources.

5. PAYMENT FOR SERVICES:

Truth or Consequences shall submit an annual payment in the amount of five thousand dollars (\$5,000.00) to the County Flood Commission for the provision of such services as described herein.

6. LIABILITY:

- A. No Party shall be responsible for liability, beyond the obligation to provide insurance coverage, incurred as a result of any other Party's acts or omissions in connection with this Agreement. Any liability incurred in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act.
- A. All employees or contractors engaged in any of the work or services performed pursuant to this Agreement shall at all times and in all places be subject to the County's supervision and control and said County shall be solely responsible for the conduct and performance of these individuals.

7. **THIRD PARTY BENEFICIARY:** This Agreement shall not create or confer on any other person or entity any right or benefit, substantive or procedural, enforceable at law or otherwise, against any party or their officers, directors, officials, employees, agents, representatives, contractors, subcontractors, consultants or advisors.

8. **PROPERTY:** No property shall be acquired as a result of this Agreement, which does not involve the disposition, division, or distribution of any property. The disposition of records generated by performance of this Agreement shall be decided by the parties upon termination.

9. **SURPLUS FUNDS:** After completion of the Agreement's purpose, any surplus money on hand shall be returned in proportion to the contributions made.

10. **STRICT ACCOUNTABILITY OF ALL RECEIPTS AND DISBURSEMENTS:** Each party shall be strictly accountable for all receipts and disbursements under this Agreement.

11. **AMENDMENT:** This Agreement shall not be altered, changed, or amended except by instrument in writing executed by the parties and approved by the Department of Finance Administration.

12. **APPROPRIATIONS:** Performance under this Agreement is contingent upon sufficient authority and appropriations.

13. **GOVERNING LAW:** This Agreement shall be governed by the laws of the State of New Mexico.

14. **EFFECTIVE DATE, TERM AND TERMINATION OF AGREEMENT.**

A. This Agreement shall become effective July 1, 2019.

B. This Agreement shall terminate on June 30, 2023, unless extended by mutual agreement of both parties hereto.

C. This Agreement may be terminated by any Party upon not less than (30) days written notice. Upon termination all obligations incurred under this Agreement shall terminate, except for any payment obligations under section 4.

15. **HEADINGS.** The headings of the sections of this Agreement are inserted only for convenience or reference and are not intended or to be construed to modify, define, limit or expand the intent of the Parties.

16. **SEVERABILITY.** If any provision of this Agreement shall be found by a court of competent jurisdiction to be illegal, in conflict with any law of the State of New Mexico or otherwise unenforceable, the validity and enforceability of the remaining provisions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if this Agreement did not contain the particular provision found to be illegal, invalid or otherwise unenforceable.

17. FURTHER ASSURANCES. Each party hereto agrees to do all acts and things and to make, execute and deliver such written instruments as shall from time to time be reasonably required to carry out the terms and provisions of this Agreement.

18. NOTICES. Notice required pursuant to this Agreement may be effectuated by submitting a certified letter to the following:

County:

Sierra County Flood Director
855 Van Patten
Truth or Consequences, NM 87901

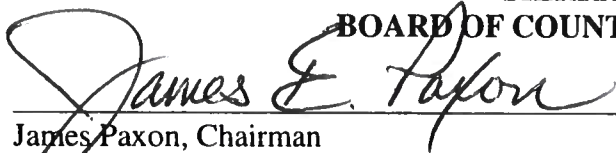
City:

City of Truth or Consequences Manager
505 Sims
Truth or Consequences, NM 87901

IN WITNESS WHEREOF, each Party has executed this Agreement effective upon the approval of both parties.

Approved, adopted and passed this 21st day of May 2019.

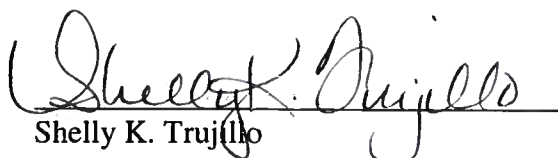
**SIERRA COUNTY
BOARD OF COUNTY COMMISSIONERS**


James Paxon, Chairman


Travis Day, Vice-Chair


Frances Luna, Commissioner

Attest:


Shelly K. Trujillo

Sierra County Clerk

CITY OF TRUTH OR CONSEQUENCES

Approved, adopted and passed this 12th day of June, 2019.

Sandra Whitehead, Mayor

Date

Attest:

Renee L. Cantin, City Clerk-Treasurer