

*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 x301 ♦ F: 575-894-7767*  
*www.torcnm.org*

## REGULAR MEETING

THE REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO, IS TO BE HELD IN THE COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> ST., ON WEDNESDAY, SEPTEMBER 25, 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

1. Presentation of the Annual Film Report. Cary "Jagger" Gustin, T or C Film Liaison

### D. CONSENT CALENDAR

1. City Commission Regular Minutes, September 10, 2019
2. Acknowledge the Public Utility Advisory Board Minutes, August 19, 2019
3. Accepting into the minutes the final adoption of the FY 2019-2020 Budget as approved by the Department of Finance & Administration (DFA).

### E. PUBLIC HEARINGS

1. Public Hearing/Discussion/Action: Final Adoption of Ordinance No. 706 amending Section 11-16 of the Code of Ordinances pertaining to disposal fees for Residential/Commercial Haulers. City Manager Madrid

F. ORDINANCES/RESOLUTIONS/ZONING

1. Discussion/Action: Ordinance No. 709 for publication authorizing the Sale of Real Property pursuant to §NMSA 1978 3-54-1. City Manager Madrid

G. UNFINISHED BUSINESS

1. Discussion/Action: Live/Work in Downtown Buildings. City Manager Madrid and Kathy Clark, Mayor Pro-Tem

H. NEW BUSINESS

1. Discussion/Action: Consider the recommendation of the Library Advisory Board to appoint Angie Torres as a new member. City Manager Madrid

I. REPORTS

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

J. EXECUTIVE SESSION

1. Real Property (various properties) *Pursuant to 10-15-1(H.8)*
2. Limited Personnel Matters (various positions) *Pursuant to 10-15-1(H.2)*

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

L. ADJOURNMENT

**NOTICE:** Town Hall meeting with City Manager for Public Comment will be held at 6:00 pm on September 25<sup>th</sup>, 2019 at the Commission Chambers, 405 W. 3<sup>rd</sup> St.

**NEXT CITY COMMISSION MEETING OCTOBER 9<sup>th</sup>, 2019**



# CITY OF TRUTH OR CONSEQUENCES

## AGENDA REQUEST FORM

MEETING DATE: September 25, 2019

Agenda Item #: **C.1**

**SUBJECT:** Presentation of the Annual Film Report  
**DEPARTMENT:** N/A  
**DATE SUBMITTED:** September 18, 2019  
**SUBMITTED BY:** Cary "Jagger" Gustin  
**WHO WILL PRESENT THE ITEM:** Cary "Jagger" Gustin, Film Liaison

**Summary/Background:**

Jagger Gustin has requested to present his Annual Film Report to the City Commission. He has served as the Film Liaison for the City for a number of years and his current term does not expire until 2020.

**Recommendation:**

None. Presentation Only.

**Attachments:**

- Agenda request form.
- Film Report

**Fiscal Impact (Finance):** N/A

**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. - Ordinance No. -

Continued To: - Referred To: -

Approved  Denied  Other: -

File Name: CC Agendas 2019/09-25-2019/Word Docs/ C.1 AR Presentation of Annual Film Report



CITY OF TRUTH OR CONSEQUENCES  
 CITY CLERK'S OFFICE  
 505 SIMS STREET  
 TRUTH OR CONSEQUENCES, NEW MEXICO 87901  
 PHONE: (575) 894-6673 EXT#1301 FAX: (575) 894-7767

**CITY COMMISSION MEETING  
 PUBLIC AGENDA REQUEST**

**REQUEST MUST BE SUBMITTED TO CITY MANAGER AND CITY CLERK AND ALL DOCUMENTATION MUST BE SUBMITTED BY NOON ON WEDNESDAY (7 DAYS PRIOR TO REGULAR MEETING)**

**ADD WORDING FOR PROCESS AND PROCEDURES.**

DATE: Sept 18, 2019

DATE OF MEETING YOU ARE REQUESTING TO BE LISTED UNDER: Sept 25th, 2019

NAME OF APPLICANT/ORGANIZATION: CARY "JAAGER" GUSTIN

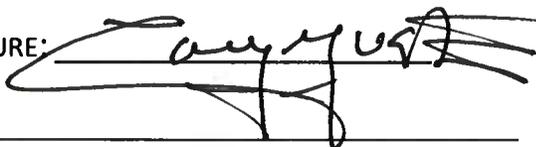
ADDRESS: 203 MAIN STREET TRUTH OR CONSEQUENCES, NM 87901

PHONE: 575-312-2050 E-MAIL: TAILORMANUS@YAHOO.COM

REQUEST: (ATTACH DOCUMENTS/PRESENTATION – **ELECTRONIC FORMAT IS PREFERRED**)

Film Report to Tore city commission from  
CARY "JAAGER" GUSTIN Film Liaison to NM Film office  
for city of Tore, NM

WHAT RESOURCES DO YOU REQUIRE: none

ESTIMATED TIME REQUESTED (15 MIN. MAXIMUM): 3.6 min SIGNATURE: 

**CITY MANAGER ACTION**

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

DENY – REASON FOR DENIAL: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Date:

Film Report To:

From: Cary "Jagger" Gustin

Film Liaison to NM Film Office

For City of Truth or Consequences, NM

And Sierra County New Mexico

Good Commissioners it is an honor to be here I have a brief update on film activity for you I apologize for not reporting sooner. There has been no activity in our area.

September last year saw Disney Studios "Firelight" here for a 2 day shoot. The details are in your packet. We estimate 120 people worked here and spent approximately \$240,335.60

On the state level: There is lots of activity Netflix 'Army of the Dead' is filming in Albq. 500 NM crew 20 NM actors and 2000 background talent Netflix projects 1000 production jobs yearly in NM

NBC Universal has entered a 10 partnership with the city of Albq. For an empty warehouse----the build out will be a state of the art Film/television studio and will create some 330 jobs

May 30<sup>th</sup> of this year----Todd Christianson was made head of NM Film Office He has scouted and managed locations for all the major studios. He has worked on 10 movies here in NM.

July 1<sup>st</sup> the state has new revised incentives for film makers Doubles the amount of money that can be paid and allows reimbursements up to 35% of certain expenses If a movie company signs a 10 year deal with the state to make movies here the Cap disappears.

The film Office will host Liaisons to the yearly conference  
September 27 and 28, 2019 in Las Vegas NM I plan to attend

Next year during your budget talks I will request a small line item  
To travel with and also ask for the area entities to help with the  
website hosting and maintenance. The website is cutting edge and  
greatly benefits the area. It showcases our various locations in a  
good light.

I will now stand for any questions you have.

Date:

Film Report To:

From: Cary "Jagger" Gustin  
Film Liaison to NM Film Office  
For The City of Truth or Consequences, NM  
And Sierra County New Mexico

Disney Studios: "Firelight" September 17---27, 2018

2 day shoot: Sept. 25---26, 2018  
120 Crew-Members in hotels 11 days

Info from: Cristal Jones Assist. Locations Manager  
Mud Frog Productions Albq Office

Hotel Rooms rented:

1 down town property: 26 room nights-\$4,385.60

12 crew stayed at E B Inn

12 x \$70 = \$840 x 11 days-----\$9,240.00

52 crew stayed at Comfort Inn

52 x \$79 = \$4,108.00 x 11 days--\$45,188.00

Crew Spending:

120 x \$62.00 per day = \$7,440.00

x 11 days-----\$81,840.00

Fuel for trucks:

12 trucks 100 gallon tanks

12 x 100 = 1200 x \$2.38 per gallon

3 fill ups-----\$8,568.00

Location rental:

14 @ \$100 = \$1400.00 x 2 = \$2800.00

Building owners:14 @ \$1000.00 = \$14, 000.00

\$14,000.00 x 2 = \$28,000.00

Sierra County Fair Board----parking and building

Use----- \$1500.00

Estimate of total spending: \$240,335.60



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: September 25, 2019

Agenda Item #: **D.1**

**SUBJECT:** City Commission Regular Meeting Minutes for September 10, 2019

**DEPARTMENT:** City Clerk's Office

**DATE SUBMITTED:** September 17, 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. - Ordinance No. -

Continued To: - Referred To: -

Approved  Denied  Other: -

File Name: CC Agendas 2019/09-25-2019/Word Docs/ D.1-AR 09-10-2019 CC Minutes

**CITY COMMISSION MEETING MINUTES  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
CITY COMMISSION CHAMBERS 405 W. 3<sup>RD</sup> St.  
TUESDAY, SEPTEMBER 10, 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 to include the anniversary of tomorrow for 9/11.

**3. PLEDGE OF ALLEGIANCE:**

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

**4. APPROVAL OF AGENDA:**

**Commissioner Hechler moved to approve the agenda as amended.  
Commissioner Szigeti seconded the motion. Motion carried unanimously.**

**C. CONSENT CALENDAR:**

- 1. City Commission Regular Minutes, August 27, 2019**
- 2. Accounts Payable, August 2019**

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

**D. COMMENTS FROM THE PUBLIC:**

Susan Brandt addressed the Commission related to:

- 1) She expressed her thoughts regarding the barricades that were recently placed at the Intersection of Foch and Main Street and spoke in support of Chief Aragon being our Chief of Police.
- 2) She expressed her thoughts about Erica Baker being in charge of the City of the T or C Police Department.

Steve Buckley addressed the Commission related to:

- 1) He Spoke on the behalf of two people he considers close friends who are the City Manager Madrid and Police Chief Aragon, and he spoke in support of Chief Aragon being our Chief of Police.

Stan Morton addressed the Commission related to:

- 1) He is a Student at Colorado State and mistakenly signed up for Comments from the Public.

Randall Lawson addressed the Commission related to:

- 1) He spoke in support of Chief Aragon being our Chief of Police.

Ron Pacourek addressed the Commission related to:

- 1) He thanked City Manager Madrid for last week's Town Hall Meeting.
- 2) He commented on the recent flooding at the T or C Golf Course.
- 3) He commented on the proposed Round-a-bouts on Date Street.

Susan Haefer, on behalf of the Sierra County SPARS, and the Animal Shelter volunteers addressed the Commission related to:

- 1) She spoke about Chief Aragon's support to have volunteers at the Animal Shelter and she also spoke in support of Chief Aragon being our Chief of Police.

Andy Underwood addressed the Commission related to:

- 1) He expressed his thoughts regarding the barricades that were recently placed at the Intersection of Foch and Main Street.

Diane Lombardo addressed the Commission related to:

- 1) She spoke in support of Chief Aragon being our Chief of Police.

Denise Addie addressed the Commission related to:

- 1) She spoke in support of Chief Aragon being our Chief of Police.

Hans Townsend addressed the Commission related to:

- 1) He spoke in support of Chief Aragon being our Chief of Police.

Carole Wheeler, Corbett St. Dog Park Coordinator and member of the Animal Shelter group addressed the Commission related to:

- 1) She spoke in support of Chief Aragon being our Chief of Police.

Tom Smith addressed the Commission related to:

- 1) He had questions on why 6<sup>th</sup> Street was never paved when they paved Kruger Street.

**RESPONSE TO PUBLIC COMMENTS:**

Mayor Whitehead responded to the following comments:

- She announced her appreciation for those who gave public comment today. She also reiterated that City Manager Madrid is the one who oversees Personnel issues and he is in charge of all of the city employees. She feels with his background and experience, he understands the process and will do whatever is in the best interest of the community, citizens and employees of the City of Truth or Consequences.

City Manager Madrid responded to the following comments:

- He addressed Ron Pacourek’s comment regarding the Town Hall Meeting by saying one of the things discussed was our utility rate structure and he assured Mr. Pacourek that we will continue on that topic and he will make sure that the Public Utility Board is involved.
- The Kruger & 6<sup>th</sup> Street issue was brought up by Grant/Projects Coordinator & Designated Zoning Official Burnette and Streets Department Director Fuentes. Our budget has been approved by DFA so we can now start processing budget adjustments and hopefully get that resolved.

Commissioner Szigeti responded to the following:

- There are rumors going around about Chief Aragon so he would like to clarify that the Chief is on Administrative Leave at this time, but he has not been fired or anything else.

**E. ORDINANCES/RESOLUTIONS/ZONING:**

**1. Discussion/Action: Resolution No. 15 19/20 Adopting the ICIP for the Sierra Joint Office on Aging (SJOA):**

City Manager Madrid explained that the Sierra Joint Office on Aging is required to submit their own ICIP and since their funding is through the city, we are required to sanction it. This is to show that we are in agreement and we sanctioned the plan that they have.

Grant/Projects Coordinator & Designated Zoning Official Burnette added the Department of Finance wants Municipalities to support the SJOA on their projects. When we did a tour of their building we realized there are several issues with that

building and we wanted to collaborate with them on the city's ICIP. We are not required to rank their items. We just have to show we are in support of it.

SJOA Interim Director Crystal Walton gave an overview of the process they have been through so far in relation to this item. The ICIP approval is an important part for them to be eligible for funding. She proposed the following projects for their ICIP:

- Phase 1: Remodel their existing building.
- Phase 2a: Building addition (included as Exhibit A in agenda packet).
- Phase 2b: Construct a new building (included as Exhibit B in agenda packet).
- Replacement of a Home Delivered Meals truck.
- Replacement of a wheelchair van that has a heavy duty lift, to accommodate for electric wheelchairs.
- Replacement of the H-VAC systems in the event that SJOA does not receive the funding for the first phase of our large building project.

**Commissioner Baca moved to approve Resolution No. 15 19/20 supporting the ICIP for the Sierra Joint Office on Aging (SJOA). Mayor Pro-Tem Clark seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**2. Discussion/Action: Resolution No. 16 19/20 Authorizing and approving submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority Water Trust Board for Water Booster Station improvements and designating signatory authority for related documentation:**

Grant/Projects Coordinator & Designated Zoning Official Burnette explained that the Water Trust Board cycle has opened up and we've submitted a notice of intent for an application. We are requesting \$540,000 for the design and construction of the Booster Pump Station on Morgan Street and Cielo Vista. The Cook Street Pump Station is mentioned within our PER for USDA funding, but we still need to take care of our Booster Stations to ensure we have consistent operation, and eliminate any failure of our distribution lines due to the current conditions. NMFA requires approval by the City Commission before any applications are submitted. The award will be in May of 2020 and then it would come back before the Commission for review and approval.

**Commissioner Szigeti moved to approve Resolution No. 16 19/20 authorizing and approving submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority Water Trust Board for Water Booster Station improvements with the amended the funding year, and designating signatory authority to City Manager Madrid for related documentation. Mayor Pro-Tem Clark seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**3. Discussion/Action: Ordinance 707 for publication amending the Uniform Traffic Ordinance (UTO):**

City Manager Madrid explained that this Ordinance is updated each year according to changes in the law made by the New Mexico State Legislature. We are required to incorporate those changes into our code and the redline version proved includes those changes.

City Attorney Rubin reviewed the specific changes in the redlined version included in the agenda packet.

**Commissioner Hechler moved to approve Ordinance 707 for publication amending the Uniform Traffic Ordinance (UTO) with the changes recommended. Commissioner Szigeti seconded the motion. Roll call was taken by the Clerk-Treasurer.**

**Motion carried unanimously.**

**F. REPORTS:**

**City Manager Madrid reported the following:**

- He attended the Municipal League Annual Conference and he was in quite a few of the City Manager and Finance related sessions. In one of those sessions he learned we may not have used the full amount of Gross Receipts Tax that we have available. He will be reviewing that in the next few months.
- We are having an Engineer come in and give an assessment on how we can address the flooding issue at the Golf Course (long term) without spending millions of dollars. Once the assessment has been completed, he will report it to the Golf Course Advisory Board and to this Commission.

**City Attorney Rubin reported the following:**

- None.

**Commissioner Szigeti reported the following:**

- AmeriGreen Organics, a company headquartered in Santa Fe, wants to open their first Hemp Growing Facility in all of the available space in the Shopping Center from where Bealls used to be all the way to the US Forest Service. They will be working on the negotiations for that space and if that happens, it could be a major boost for our economy.

**Mayor Pro-Tem Clark reported the following:**

- None.

**Commissioner Hechler reported the following:**

- None.

**Commissioner Baca reported the following:**

- He asked if we could look into hiring a contractor to assist with the Water and Wastewater Department improvements.

City Manager Madrid responded we are in the process of getting quotes for a contractor on an emergency basis. We are also in the process of hiring at least three more temporary workers so they can get us caught up and get ready for the winter.

**Mayor Whitehead reported the following:**

- The National Christmas Tree will be coming through our community on November 13<sup>th</sup> & 14<sup>th</sup> and she is hoping we can get everybody involved to make it a big event.
- She reminded everyone that the next meeting will be held Wednesday, September 25<sup>th</sup> at 9:00 a.m. and there will not be any public comment at that meeting, but Mr. Madrid will have his Town Hall Meeting at 6:00 p.m. here in the City Commission Chambers.

**G. EXECUTIVE SESSION:**

1. Real Property (various properties) *Pursuant to 10-15-1(H.8)*
2. Limited Personnel Matters Pursuant to 10-15-1(H.2):

Commissioner Baca moved to approve going into executive session at 10:10 a.m. to discuss Real Property (various properties) *Pursuant to 10-15-1.H (8) and Limited Personnel Matters, pursuant to 10-15-1(H.2)*. Commissioner Szigeti seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

Mayor Whitehead reconvened the meeting in open session at 11:18 a.m.

Commissioner Szigeti stipulated that only matters pertaining to Real Property (various properties), *pursuant to 10-15-1.H(8) and Limited Personnel Matters, pursuant to 10-15-1(H.2)* was discussed in Executive Session and no action was taken.

Mayor Pro-Tem Clark left the meeting at 11:19 a.m.

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

Commissioner Szigeti moved to approve to proceed as discussed.  
Commissioner Baca seconded the motion. Motion carried by a vote 4-0.

**M. ADJOURNMENT:**

Mayor Whitehead adjourned the meeting at 11:20 a.m.

CITY COMMISSION SEPTEMBER 10, 2019 REGULAR MEETING MINUTES

**Passed and Approved this 25th day of September, 2019.**

\_\_\_\_\_  
Sandra Whitehead, Mayor

ATTEST:

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



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: September 25, 2019

Agenda Item #: **D.2**

**SUBJECT:** Acknowledge PUAB Minutes for August 19, 2019  
**DEPARTMENT:** City Clerk's Office  
**DATE SUBMITTED:** September 18, 2019  
**SUBMITTED BY:** Renee Cantin, City Clerk-Treasurer  
**WHO WILL PRESENT THE ITEM:** City Manager Madrid

**Summary/Background:**

Acknowledge Minutes.

**Recommendation:**

Acknowledge minutes.

**Attachments:**

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. - Ordinance No. -

Continued To: - Referred To: -

Approved  Denied  Other: -

File Name: CC Agendas 2019/09-25-2019/Word Docs/ D.23 AR 08-19-2019 PUAB Minutes.docx

**CITY OF TRUTH OR CONSEQUENCES  
PUBLIC UTILITY ADVISORY BOARD  
MINUTES  
MONDAY, AUGUST 19, 2019**

**REGULAR MEETING**

Regular meeting of the Public Utility Advisory Board of the City of Truth or Consequences, New Mexico held in the City Commission Chambers, 405 W. 3<sup>rd</sup> Street, at 5:45 p.m. on Monday, August 19, 2019.

**INTRODUCTION:**

**ROLL CALL:**

Jeff Dornbusch, Chairman  
Ed Williams, Vice-Chairman  
Ron Pacourek, Member - Absent  
Don Armijo, Member  
Gil Avelar, Member

**ALSO PRESENT:**

Morris Madrid, City Manager  
Bo Easley, Electric Division Director  
Andy Alvarez, Sanitation Director  
Ruby Otero-Vallejos, Water/Wastewater Administrative Assistant  
Priscilla Fuentes, Electric Administrative Assistant  
Traci Burnette, Grant Projects/P & Z Coordinator  
Angela A. Torres, Deputy City Clerk

**APPROVAL OF AGENDA:**

Chairman Dornbusch called for approval of the agenda.

Member Armijo moved to approve the agenda. Member Avelar seconded the motion. Motion carried unanimously.

**APPROVAL OF MINUTES:**

Chairman Dornbusch called for approval of the minutes of Monday, July 15, 2019.

Vice-Chairman Williams moved to approve the minutes of the Regular meeting of Monday, July 15, 2019. Member Avelar seconded the motion. Motion carried unanimously.

**COMMENTS FROM THE PUBLIC:**

None.

**RESPONSE TO COMMENTS FROM THE PUBLIC:**

None.

**Discussion/Update: Electric Department - Bo Easley, Electric Division Director:**

Bo Easley, Electric Division Director reported the following:

- We are ready to award the contract for the AMI Project to the vendor. That will hopefully be completed by the end of this week.
- The Housing Authority Solar Project has been completed.
- He reported an issue they had last Wednesday with the Primary Underground at the Hacienda Apartments.

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

Andy Alvarez, Sanitation Director reported the following:

- The recycling market is still not doing very well. We are not receiving revenue for plastics and mixed paper, and the price for aluminum cans is down to \$.25 per pound, and scrap metal is down n to \$.02 per pound. Hopefully things will pick up in January 2020, but until then, he will continue to search for new vendors.
- He hired a Sanitation Foreman who will be scheduled on weekends.
- He wants to start educating the public on the Municipal Code regarding Polycarts, because he is having issues with the public overloading their Polycarts and not putting them in an accessible location to be picked up.

**Discussion/Update: Water/Wastewater Department – Jesse Cole, Water/Wastewater Director:**

City Manager Madrid announced that Water/Wastewater Director Cole was absent due to a major water leak that had to be fixed. He also announced that the leak was broadcasted on KCHS, and it was added to the the City's website and Facebook page.

**Discussion/Action: CUFF Program – Jeff Dornbusch, Chairman:**

The Board and City Staff reviewed the draft(s) provided by Chairman Dornbusch and Vice Chairman Williams. Discussion ensued with no action taken.

The board asked that this item be brought back to the next meeting for final review.

**COMMENTS FROM THE BOARD:**

There were no additional comments from the Board.

**COMMENTS FROM STAFF:**

City Manager Madrid informed the Board that the Department Heads will no longer attend the Public Utility Meetings unless there is a specific item that needs to be added to the agenda. He will report any concerns that need to be addressed from this point on.

**ADJOURNMENT:**

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

PASSED AND APPROVED this 16<sup>th</sup> day of September, 2019.



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Jeff Dornbusch, Chairman  
Public Utility Advisory Board



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: September 25, 2019

Agenda Item #: **D.3**

**SUBJECT:** Accepting into the minutes the final adoption of the FY 2019-2020 Budget as approved by the Department of Finance & Administration (DFA)  
**DEPARTMENT:** City Manager/Finance  
**DATE SUBMITTED:** September 16, 2019  
**SUBMITTED BY:** Renee Cantin, Clerk-Treasurer  
**WHO WILL PRESENT THE ITEM:** City Manager Madrid

**Summary/Background:**

Budgets approved by the LGD are required to be made a part of the minutes of the governing body according to Section 6-6-5 NMSA 1978.

**6-6-5. Record of approved budget.**

Upon receipt of any budget approved by the local government division, the local public body shall cause such budget to be made a part of the minutes of such body.

This action fulfills the requirement to make it part of the minutes.

**Recommendation:**

Accept the approved budget into the minutes.

**Attachments:**

- DFA Budget Approval Letter
- -

**Fiscal Impact (Finance): N/A**

-

**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. - Ordinance No. -

Continued To: - Referred To: -

Approved  Denied  Other: -

File Name: CC Agendas 2019/09-25-2019/Word Docs/ D.3 - AR Accepting Budget – DFA.docx

**MICHELLE LUJAN GRISHAM**  
GOVERNOR



**OLIVIA PADILLA-JACKSON**  
CABINET SECRETARY

**DONNIE J. QUINTANA**  
DIRECTOR

**STATE OF NEW MEXICO**  
**DEPARTMENT OF FINANCE AND ADMINISTRATION**  
**LOCAL GOVERNMENT DIVISION**  
Bataan Memorial Building ♦ 407 Galisteo St. ♦ Suite 202 ♦ Santa Fe, NM 87501  
PHONE (505) 827-4950 ♦ FAX (505) 827-4948

August 14, 2019

The Honorable Sandra K Whitehead  
City of Truth or Consequences  
505 Sims St.  
Truth or Consequences, NM 87901

Dear Mayor Whitehead:

The final budget for your local government entity for Fiscal Year 2019-2020, as approved by your governing body, has been examined and reviewed. The Department of Finance and Administration, Local Government Division (LGD) finds it has been developed in accordance with applicable statutes and budgeting guidelines, and sufficient resources appear to be available to cover budgeted expenditures. In addition, the *Budget Certification of Local Public Bodies* rule, 2.2.3 NMAC, requires that your entity's audit or "Agreed Upon Procedures" (per the *Tier System Reporting* rule, 2.2.2.16 NMAC) for Fiscal Year 2018 should have been submitted to the Office of the State Auditor as of this time. The LGD's information indicates that you are in compliance with this requirement. Therefore, in accordance with Section 6-6-2E NMSA 1978, the LGD certifies your entity's final Fiscal Year 2019-2020 budget.

Please take note that state statute requires all revenue sources be expended only for public purposes, and if applicable, in accordance with the Procurement Code, Chapter 13, Article 1, NMSA 1978. Use of public revenue is governed by Article 9, Section 14 of the Constitution of the State of New Mexico, commonly referred to as the anti-donation clause.

Budgets approved by the LGD are required to be made a part of the minutes of your governing body according to Section 6-6-5 NMSA 1978. In addition, Section 6-6-6 NMSA 1978 provides that the approved budget is binding on local officials and governing authorities; and any official or governing authority approving claims or paying warrants in excess of the approved budget or available funds will be liable for the excess amounts.

**Due to estimated expenditures and transfers exceeding estimated revenue, your entity's General Fund cash balance is being depleted by -9.86%. Careful control of expenditures and attention to revenue collection efforts is recommended to avoid further depletion of reserves.**

**Finally, as required by Section 6-6-2H NMSA 1978, LGD is required to approve all budget increases and transfers between funds not included in the final approved budget via submission on the Local Government Budget Management System (LGBMS).**

If you have questions regarding this matter, please call Anita Medina of my staff at 505-827-4964.

Sincerely,

A handwritten signature in black ink, appearing to read "Donnie J. Quintana".

Donnie J. Quintana, Director  
Local Government Division

xc: file

**State of New Mexico  
Local Government Budget Management System (LGBMS)**

**Budget Recap - Fiscal Year 2019-2020  
Truth or Consequences (City) - Final - Approved**

Printed from LGBMS on 2019-08-21 14:28:59

Fund	Cash	Investments	Revenues	Transfers	Expenditures	Balance	Reserves	Adjusted Balance
<b>11000 General Operating Fund</b>	1,001,499.00	104,170.00	4,033,770.00	1,062,320.00	5,653,234.00	548,525.00	471,102.83	77,422.17
20100 Corrections	14,968.00	0.00	14,115.00	15,000.00	42,200.00	1,883.00	0.00	1,883.00
20500 Hold Harmless GRT	178,473.00	0.00	800.00	269,918.00	102,877.00	346,314.00	0.00	346,314.00
20900 Fire Protection	770,472.00	0.00	312,500.00	0.00	1,082,971.00	1.00	0.00	1.00
21100 Law Enforcement Protection	4,626.00	0.00	27,800.00	0.00	27,800.00	4,626.00	0.00	4,626.00
21400 Lodgers' Tax	335,987.00	0.00	380,955.00	-90,000.00	281,305.00	345,637.00	0.00	345,637.00
21600 Municipal Street	476,529.00	0.00	279,360.00	48,500.00	604,787.00	199,602.00	0.00	199,602.00
21700 Recreation	64,732.00	0.00	13,800.00	187,790.00	238,574.00	27,748.00	0.00	27,748.00
21900 Senior Citizens	68,170.00	0.00	0.00	-68,170.00	0.00	0.00	0.00	0.00
29900 Other Special Revenue	31,826.00	0.00	49,810.00	-13,692.00	49,810.00	18,134.00	0.00	18,134.00
30200 CDBG (HUD) Project	326,342.00	0.00	0.00	-326,341.00	0.00	1.00	0.00	1.00
30300 State Legislative Appropriation Project	45,428.00	0.00	0.00	13,625.00	0.00	59,053.00	0.00	59,053.00
30600 NMFA Project	328,713.00	157,081.00	0.00	517,956.00	262,697.00	741,053.00	0.00	741,053.00
30800 Other State Funded Projects	587,288.00	645,075.00	0.00	104,357.00	0.00	1,336,720.00	0.00	1,336,720.00
30900 Other Federal Funded Projects	789,493.00	1,036,547.00	6,277,146.00	-26,938.00	6,324,565.00	1,751,683.00	0.00	1,751,683.00
39900 Other Capital Projects	25,934.00	182,989.00	870.00	118,913.00	136,283.00	192,423.00	0.00	192,423.00
40400 NMFA Loan Debt Service	93,064.00	1,107,409.00	394,724.00	137,930.00	503,788.00	1,229,339.00	0.00	1,229,339.00
50100 Water Enterprise	191,413.00	0.00	1,057,195.00	-122,170.00	743,638.00	382,800.00	0.00	382,800.00

<b>50200 Solid Waste Enterprise</b>	814,590.00	416,678.00	2,147,200.00	-400,901.00	1,931,310.00	1,046,257.00	0.00	1,046,257.00
<b>50300 Wastewater/Sewer Enterprise</b>	469,184.00	0.00	1,153,300.00	-238,902.00	902,681.00	480,901.00	0.00	480,901.00
<b>50400 Airport Enterprise</b>	17,919.00	0.00	179,500.00	112,708.00	297,197.00	12,930.00	0.00	12,930.00
<b>50600 Cemetery Enterprise</b>	40,471.00	0.00	11,014.00	0.00	11,000.00	40,485.00	0.00	40,485.00
<b>51400 Electric Utility</b>	1,069,530.00	1,340,810.00	6,987,173.00	-1,795,864.00	6,233,450.00	1,368,199.00	0.00	1,368,199.00
<b>51800 Golf Course Enterprise</b>	42,657.00	0.00	185,000.00	55,000.00	227,069.00	55,588.00	0.00	55,588.00
<b>52100 Joint Utility</b>	53,270.00	0.00	58,500.00	438,961.00	509,626.00	41,105.00	0.00	41,105.00
<b>53100 Transfer Station</b>	355,849.00	0.00	0.00	0.00	0.00	355,849.00	0.00	355,849.00
<b>60200 Maintenance Services</b>	75,564.00	0.00	14,000.00	0.00	29,500.00	60,064.00	0.00	60,064.00
<b>79900 Other Trust &amp; Agency</b>	1,000.00	0.00	0.00	0.00	0.00	1,000.00	0.00	1,000.00
<b>Totals</b>	<b>8,274,991.00</b>	<b>4,990,759.00</b>	<b>23,578,532.00</b>	<b>0.00</b>	<b>26,196,362.00</b>	<b>10,647,920.00</b>	<b>471,102.83</b>	<b>10,176,817.17</b>



# City of Truth or Consequences

## AGENDA REQUEST FORM

MEETING DATE: September 25, 2019

Agenda Item #: E.1

**SUBJECT:** Public Hearing & Final Adoption of Ordinance No. 706 amending Section 11-16 of the Code of Ordinances pertaining to disposal Fees for Residential/Commercial Haulers.

**DEPARTMENT:** Sanitation

**DATE SUBMITTED:** August 21, 2019

**SUBMITTED BY:** Andy Alvarez

**WHO WILL PRESENT THE ITEM:** City Manager Madrid

**Summary/Background:**

Section 11-16 needs to be Amended to delete some old subsections and to make additional minor changes.

**Recommendation:**

Hold Public Hearing & Approve the Final Adoption of Ordinance No 706 amending Section 11-16 of the Code of Ordinances pertaining to disposal fees for Residential/Commercial Haulers.

**Attachments:**

- Redline Version of proposed Ordinance No. 706
- -

**Fiscal Impact (Finance):** TBD

Revenue increase for Enterprise Fund

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

Ordinance has been 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. - Ordinance No. 706

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 – Ord. 706 PH – FINAL for Seconded the motion. 11-16 Disposal Fees for Haulers

## CITY OF TRUTH OR CONSEQUENCES

### ORDINANCE NO. 706

#### AN ORDINANCE AMENDING SECTION 11-16 OF THE CITY OF TRUTH OR CONSEQUENCES MUNICIPAL CODE PERTAINING TO DISPOSAL FEES FOR RESIDENTIAL/COMMERCIAL HAULERS

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

*Section one.* That section 11-16 of the Code of Ordinances of the City of Truth or Consequences be amended so that such section shall read as follows:

**Sec. 11-16. - DISPOSAL FEES FOR RESIDENTIAL/COMMERCIAL HAULERS** ~~and for the roll-off from the Sierra County Convenience Center.~~

(a) Definitions.

*Construction and demolition (C&D) debris* means materials generally considered to be not water soluble and nonhazardous in nature, including, but not limited to, steel, glass, brick, concrete, asphalt roofing materials, pipe, gypsum wallboard and lumber from the construction or destruction of a structure or project, and includes rocks, soil, tree remains, trees and other vegetative matter that normally result from land clearing. If construction and demolition debris is mixed with any other types of solid waste, it loses its classification as construction and demolition debris. Construction and demolition debris does not include asbestos or liquids, including, but not limited to, waste paints, solvents, sealers, adhesives or potentially hazardous materials.

*Ferrous metal* means any iron or steel scrap that has an iron content sufficient for magnetic separation.

*Municipal solid waste (MSWV)* refers to all solid waste generated by residential, commercial and institutional sources, and all solid waste generated at treatment works for water and waste water, which are collected and transported under the authorization of a jurisdiction, or are self-hauled. Municipal solid waste does not include construction and demolition (C&D) waste, agricultural crop residues, animal manures, mining waste and fuel extraction waste, forestry waste, and ash from industrial boilers, furnaces and incinerators.

*Nonferrous metals* means any scrap metals that have value and are derived from metals other than iron and its alloys in steel. Nonferrous metals include aluminum, copper, brass, bronze, lead, zinc, and other metals. A magnet will not adhere to nonferrous metals.

*Operational costs* means those costs incurred while maintaining the ongoing operation of a program or facility, and do not include capital costs.

*Waste diversion* means to divert solid waste, in accordance with all applicable federal, state and local requirements, from disposal at solid waste landfills for recycling, reuse, composting, or beneficial use.

*White goods* means discarded, enamel-coated major appliances, such as washing machines, clothes dryers, hot water heaters, stoves and refrigerators.

*Yard waste* means any wastes generated from the maintenance or alteration of public, commercial or residential landscapes including, but not limited to, grass and yard clippings, leaves, tree trimmings, pruning, brush, and weeds.

(b) ~~On or about April 13, 2010, the City Commission of the City of Truth or Consequences approved and adopted Resolution No. 25-09/10 which imposed disposal fees for residential/commercial haulers and for the roll off from the Sierra County Convenience Center. The City Commission has determined that Resolution No. 25-09/10 has been effective. The City Commission hereby codified the provisions of the said Resolution into this section as described below.~~

(b) All haulers will be billed on a monthly basis. All collection fees shall be payable to the City of Truth or Consequences Utility Office. Any delinquent payments after 30 days will result in late fee charges and may result in that particular hauler being prohibited from using the landfill State Collection Center.

(c) ~~A disposal fee of \$3.00 per cubic yard plus gross receipts tax will be charged. Any unloading on off days will require approval prior to unloading and an additional \$25.00 plus tax shall be added to each load.~~

(c) Tire disposal fees will be as follows:

ATV, motorcycle, bicycles, wheel barrels, est. .... \$1.00 each

Regular car tires and regular truck tire .... \$2.00 each

Large irregular truck tires .... \$3.00 each

Semi-truck, dump truck, trash truck or bus tires .... \$10.00 each

Farm equipment tires or small tractor tires .... \$10.00 each

Construction earth moving equipment (consists of) .... \$25.00 each

- Backhoe consists of two-wheel drive or four-wheel drive
- Grader
- Scrapers
- Bobcat or skid steer loaders
- Large construction forklifts

Sanitation Director may refuse or permit any company, business or residents from delivering tires.

~~(d) All haulers will be billed on a monthly basis. All collection fees shall be payable to the City of Truth or Consequences Utility Office. Any delinquent payments after 30 days will result in late fee charges and may result in that particular hauler being prohibited from using the landfill.~~

~~(e) Unloading of commercial trucks will not be allowed until the loads are inspected by the landfill Operator or assistant, and all load slips must be signed and completely filled. The City's landfill Operator reserves the right to refuse any load that does not comply with state or federal regulations. All rates may be adjusted for fuel or operational cost.~~

~~Commercial rate fees of \$57.63 plus gross tax receipt will be added to any commercial or contractor if loads are mixed. Residents shall pay the \$2.00 per percent of mixed waste per cubic yard.~~

~~(f) Commercial/residential haulers must submit a request to the City of Truth or Consequences Utility Office before using the City landfill. No hauler will be allowed to dispose of waste without written consent from the utility office.~~

~~(g) Tire disposal fees will be as follows:~~

~~ATV, motorcycle, bicycles, wheel barrels, est. .... \$1.00 each~~

~~Regular car tires and regular truck tire ..... 2.00 each~~

~~Large irregular truck tires ..... 3.00 each~~

~~Semi-truck, dump truck, trash truck or bus tires ..... 10.00 each~~

~~Farm equipment tires or small tractor tires ..... 10.00 each~~

~~Construction earth moving equipment (consists of) ..... 25.00 each~~

~~• Backhoe consists of two-wheel drive or four-wheel drive~~

~~• Grader~~

~~• Scrapers~~

~~• Bobcat or skid-steer loaders~~

~~• Large construction forklifts~~

~~Sanitation Director may refuse or permit any company, business or residents from delivering tire.~~

(Ord. No. 631, § 1, 11-27-12)

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

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

**PASSED, APPROVED, and ADOPTED by the GOVERNING BODY of the CITY OF TRUTH OR CONSEQUENCES this \_\_\_\_ day of \_\_\_\_\_, 2019.**

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**SANDRA WHITEHEAD - Mayor**

**ATTEST:**

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**RENEE CANTIN – City Clerk**



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: September 25, 2019

Agenda Item #: **F.1**

**SUBJECT:** Ordinance No. 709 for publication authorizing the Sale of Real Property pursuant to §NMSA 1978 3-54-1.

**DEPARTMENT:** Community Development

**DATE SUBMITTED:** September 16, 2019

**SUBMITTED BY:** Traci Burnette

**WHO WILL PRESENT THE ITEM:** Morris Madrid, City Manager

**Summary/Background:**

The City received an offer from Claudea and Keven Depalma to purchase real property owned by the City. The proposed purchase price is \$26,000.00, 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. 709 for publication authorizing the Sale of Real Property pursuant to §NMSA 1978 3-54-1.

**Attachments:**

- Ordinance No. 709
- Purchase agreement

**Fiscal Impact (Finance): Yes**

Revenue of \$26,000

**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. 709

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: 09-25-2019/F.1 AR Ordinance No. 709 Sale of Property

**ORDINANCE No. 709**

**AN ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY, PURSUANT TO SECTION 3-54-1 NMSA 1978.**

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:

Lots seventeen (17) through twenty-two (22) in Block twenty-seven (27), Palomas, Hot Springs Townsite, in the City of Truth or Consequences, New Mexico, Sierra County. Northwest corner of the intersection of Wyona venue and Clancy Street.

C. WHEREAS, the City has negotiated a Purchase Agreement with CLAUDEA C. DEPALMA and KEVIN M. DEPALMA, husband and wife, whereby the City shall convey its interest in and to the above-described property to CLAUDEA C. DEPALMA and KEVIN M. DEPALMA; 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 August 15, 2019; and

F. WHEREAS, the City obtained an appraisal dated August 15, 2019 from Eric Van Pelt, a certified New Mexico general appraiser. The appraised value of the property is \$26,000.00. The agreed upon purchase price is \$26,000.00, and is therefore 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 CLAUDEA C. DEPALMA and KEVIN M. DEPALMA, husband and wife for the

consideration of **TWENTY SIX THOUSAND DOLLARS (\$26,000.00)** to be paid at closing. Attached hereto as **EXHIBIT 1**, is the Purchase Agreement.

B. The closing costs shall be paid by the purchaser.

C. The Purchaser acknowledged that it is buying the property in an “as is” condition, and the City has made no warranties or representations regarding the Real Property, the status of its title, or its feasibility for development.

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 OCTOBER, 2019.

CITY OF TRUTH OR CONSEQUENCES

By \_\_\_\_\_  
SANDRA WHITEHEAD, Mayor

ATTEST:

By \_\_\_\_\_  
RENEE CANTIN, City Clerk

## PURCHASE AGREEMENT

This Agreement is entered into on the \_\_\_ day of October 2019, by and between **THE CITY OF TRUTH OR CONSEQUENCES, a Municipal corporation (City), and CLAUDEA C. DEPALMA and KEVIN M. DEPALMA, husband and wife (Buyer).**

### RECITALS

A. The parties desire to enter into an Agreement whereby the City will sell, transfer and convey all of its interest in and to the following described realty to the Buyer:

**Lots seventeen (17) through twenty-two (22) in Block twenty-seven (27), Palomas, Hot Springs Townsite, in the City of Truth or Consequences, New Mexico, Sierra County. Northwest corner of the intersection of Wyona venue and Clancy Street.**

B. For the sale of real property, the City is required to follow the provisions of §3-54-1, N.M.S.A. (1978).

C. The City obtained an appraisal on August 19, 2019 from Eric Van Pelt., certified appraiser. The appraised value of the property was \$26,000.00.

D. The contemplated purchase price is \$26,000.00, which is the same as the appraised value. The City Commission has determined that it is in the best interest of the City to complete this sale due to the following reasons:

- (1) The City acquired the subject real property by virtue of a condemnation.
- (2) The City would be receiving a lump sum as consideration.
- (3) The City has determined that the real property is not needed for any other purpose.

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

1. The City hereby sells, conveys and transfers all of its interest in the above-referenced realty to the Buyer.

2. Upon the execution of this Purchase Agreement, the Buyer shall pay to the City the sum of **TWENTY SIX THOUSAND DOLLARS (\$26,000.00)**.

3. Immediately upon receiving the purchase price, the City shall deliver to buyer an executed quitclaim deed which shall convey the aforesaid property to the buyer.







CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: September 25, 2019

Agenda Item #: **G.1**

**SUBJECT:** Live/Work in Downtown Buildings  
**DEPARTMENT:** City Clerk's Office  
**DATE SUBMITTED:** August 22, 2019  
**SUBMITTED BY:** Renee Cantin, City Clerk-Treasurer  
**WHO WILL PRESENT THE ITEM:** City Manager Madrid/Mayor Pro-Tem Clark

**Summary/Background:**

Mayor Pro-Tem Clark requested this item be brought back to the agenda. It was discussed at the October 24, 2018 and March 13, 2019 meeting. At the August 14<sup>th</sup> meeting it was requested to move forward and include the item with the possibility for action.

**Recommendation:**

None.

**Attachments:**

None.

**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. - Ordinance No. -

Continued To: - Referred To: -

Approved  Denied  Other: -

File Name: CC Agendas 2019/09-25-2019/Word Docs/ G.1 AR Live-Work.



# City of Truth or Consequences

## AGENDA REQUEST FORM

MEETING DATE: September 25, 2019

Agenda Item #: **H.1**

**SUBJECT:** Approve the recommendation of the Library Advisory Board to appoint Angie Torres as a new member.

**DEPARTMENT:** Clerk's Office

**DATE SUBMITTED:** July 1, 2019

**SUBMITTED BY:** Renee Cantin, Clerk-Treasurer

**WHO WILL PRESENT THE ITEM:** Morris Madrid, City Manager

**Summary/Background:**

The members of the Truth or Consequences Library Advisory Board unanimously request the approval of the City Commission for the appointment of Angie Torres to the Library Advisory Board for a term of three years, beginning September 2019 and ending June 30, 2022.

**Recommendation:**

Appoint Angie Torres to the Library Advisory Board.

**Attachments:**

- Application
- Board Recommendation letter

**Fiscal Impact (Finance):** No

N/A

**Legal Review (City Attorney):** No

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. - 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: CC Agendas 2019/09-25-2019/H.1 AR Appointment Library Board Member – Angie Torres



City of Truth or Consequences  
City Board Application

Name: Angela D. Torres  
Address: 800 N. Foch  
TORC, NM 87901  
Phone: 575-740-0684

I am interested in serving as a member of Library Board.

My qualifications are:

Worked for the  
Truth or Consequences Public Library  
for 28 years

Reason why you are interested in serving on this Board:

Help the betterment of the Library

Additional Comments:

Signature: Angela D. Torres

## **MEMORANDUM**

September 16, 2019

TO: Renee Cantin, City Clerk  
FROM: Pat O'Hanlon, Library Director  
SUBJECT: Library Advisory Board member application

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The members of the Truth or Consequences Public Library advisory board have directed me to ask the City Commission for approval of the application of Angela D. Torres to the Library Advisory Board to fill the uncompleted term of John Noel, who resigned in June this year. Ms. Torres term would therefore begin October 1, 2019, and end on June 30, 2022.

The vote of the current members is unanimous.

If you need more information, please let me know. Thank you.