

CITY COMMISSION MEETING MINUTES  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
CITY COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> St.  
WEDNESDAY, JANUARY 8, 2020

**A. CALL TO ORDER:**

The meeting was called to order by Mayor Sandra Whitehead at 9:00 a.m., who presided and Angela A. Torres, Interim City Clerk, 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  
Angela A. Torres, Interim 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 for the loss of Albuquerque Council Member Ken Sanchez.

**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 submitted.**

Commissioner Szigeti asked about the catastrophic utility failure issue that was sent to them by the Public Utility Advisory Board. He thought that item was supposed to be on this agenda.

City Manager Madrid responded by saying the issue is being handled administratively and we are currently working on the language for the Ordinance.

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

**C. COMMENTS FROM THE PUBLIC:**

Ron Fenn addressed the Commission related to:

- 1) He was dismayed that the Moratorium issue that was supposed to have been decided on today was not on the agenda. He understands that it was due to somebody missing a publication deadline. Given that this is a State of a New Mexico State Statute, a violation has already been done on at least one portion of it. He believes the deadline for action to be taken by the Commission on the Moratorium is January 12<sup>th</sup>.

Diane Lombardo addressed the Commission related to:

- 1) She strongly suggests that the Commission ban the single use of plastics in the City of Truth or Consequences. She volunteered to do research for the ban if needed.

Andy Underwood addressed the Commission related to:

- 1) He addressed the Commission regarding his concerns with parking along Main Street and the speed limit in the downtown area. He suggested that the speed limit be lowered to 15 mph. He would also like a stop light added to the corner of Foch and Main.

Susan Buhler addressed the Commission related to:

- 1) She spoke about a friend's car being side swiped, and she wants the speed limit to be lowered in the downtown area. She suggested a red flashing light be installed on Foch and Main to slow people down.

Ron Pacourek addressed the Commission related to:

- 1) He addressed the Commission regarding the double roundabouts by the Moose Lodge. He also feels that the median on Date Street next to Sonic should be fixed because it is now illegal to make a U-turn into Sonic.

Ariel Dougherty addressed the Commission related to:

- 1) She thanked Commissioner Clark and Commissioner Szigeti for responding to her email. She also commented on Solar and the Solar Farm costing the city tons of money.

Hans Townsend addressed the Commission related to:

- 1) He commented on the pool cover and many other things he feels the city has wasted money on. He hopes there will be changes made this year.
- 2) He suggested that we make Foch a one-way street for traffic to travel south bound only.
- 3) He commented on the parks. He thinks that our parks are for the public and they are not for any kind of display.

**D. RESPONSE TO PUBLIC COMMENTS:**

City Manager Madrid responded to the following:

- He agreed with Diane Lombardo's comment, and invited her to meet with him to discuss her concerns.

Mayor Pro-Tem Clark responded to the following:

- She responded to Diane Lombardo's comment about the ban of single use plastics.
- She agrees with the comment about the speed limit being lowered to 15 mph.
- She addressed Ariel Dougherty's comment about Ordinance 664. She feels that the Ordinance could be remodeled, and if we put it on the agenda before she is off this Commission, she would love to have that discussion because she feels it is a simple fix.
- She also agreed with Hans Townsend's comments about the pool cover being a waste of money.

Commissioner Szigeti responded to the following:

- He informed the public that the city's home page has information regarding solar panels.

Commissioner Hechler responded to the following:

- The downtown area has changed significantly within the years. He agrees that they should look into reducing the speed limit in the downtown area. He asked that the Police Department stop people who violate the speed limit, or at least give them a warning so they will start paying attention to the law.

Mayor Whitehead commented to the following:

- She also commented on the downtown speed limit, and she also feels that it would be a good idea reduce the speed limit in the downtown area.

City Manager Madrid stated that he will contact the NMDOT's Traffic Safety Bureau and ask them to do a re-assessment of the entire downtown pattern, speed, direction, and safety.

**E. CONSENT CALENDAR:**

- 1. City Commission Special Meeting Minutes, December 11, 2019**
- 2. Accounts Payable, December 2019:**

**Commissioner Hechler moved to approve the consent calendar as noted. Commissioner Szigeti seconded the motion. Motion carried unanimously.**

**F. NEW BUSINESS:**

**1. Discussion/Action: Approve CDBG Project and Joint CDBG Application with the Village of Williamsburg. City Manager Madrid:**

City Manager Madrid called on Grant/Projects Coordinator & Designated Zoning Official Burnette to report on this item.

Grant/Projects Coordinator & Designated Zoning Official Burnette reported the CDBG application cycle is upon us and the city would like to apply. We are required to hold public hearings. The Village of Williamsburg is also looking at applying. Per CDBG regulations, public hearings are held separately. We have held our public hearings as required, and the Village of Williamsburg has also held theirs. We did not get much of a turn out on the city's side. We tried to accommodate morning meetings, evening meetings, and different locations. When the village reached out to us, we decided to look at their needs and see if we could collaborate with them. The CDBG application is \$750,000 max. However, if we do a joint application, we can apply for a \$1.5 million dollar project. The things that need to be addressed replacing our infrastructure of water and sewer, and with us collaborating with the village, that will allow us to do the roads at the same time. This also gives us the opportunity to work with the village and meet some of their needs in an all in one project.

Village of Williamsburg Mayor Stubblefield and Village of Williamsburg Clerk Cardona stated that they are happy to partner with the city and do a joint CDBG application. The water lines are in dire need, and they would not be able to do this without the city's assistance. They held three public hearings and they did not get very much input either. The main focus here is for the residents, and they would like to make sure they can replace the water and sewer lines as well as the roads. It is very important that they try and work together in this project.

Grant/Projects Coordinator & Designated Zoning Official Burnette also reported the Village of Williamsburg wants to address Mona Street and Doris Street. They need to address their sewer and streets, and by taking care of the sewer and streets on the village side, that opens up the roads. The city owns the water lines that are operated in the village so that would give the city the opportunity to go in and address our water lines at the same time.

Mayor Pro-Tem Clark thanked Village of Williamsburg Mayor Stubblefield and Village of Williamsburg Clerk Cardona for being here today. She said this is a brilliant idea, and she is on board with this joint project.

**Mayor Pro-Tem Clark moved to approve CDBG Project and Joint CDBG Application with the Village of Williamsburg. Commissioner Baca seconded the motion. Motion carried unanimously.**

**G. ORDINANCES/RESOLUTIONS/ZONING:**

- 1. Discussion/Action: Resolution No. 25 19/20 authorizing and approving submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority (NMFA) for the Colonias Infrastructure Fund. City Manager Madrid:**

City Manager Madrid stated that we went through this project last year and received some funding.

Grant/Projects Coordinator & Designated Zoning Official Burnette reported the city has been awarded a \$9.4 million dollar grant/loan by USDA for the replacement of our downtown waterlines, but that unfortunately does not include our roadways. USDA only does water and wastewater infrastructure. This is a good way to look at getting some Colonias funding which would address the streets that pertain to the water lines in the downtown area that are being address at USDA. We are looking into putting in a \$1 million dollar application to NMFA Colonias. The Colonias is a 10/10 grant/loan match combination. The NMFA Colonias does an 80% grant with a 10% loan component, and a 10% match.

Jay Armijo SCCOG explained that the under the application process for the Colonias Infrastructure Fund, you have to take 10% of the grant in the form of a loan through NMFA.

City Manager Madrid explained that we do have reserves in place for any matching requirements. We just have to do a budget adjustment to appropriate them if we receive the funding.

**Mayor Pro-Tem Clark moved to approve Resolution No. 25 19/20 authorizing and approving submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority (NMFA) for the Colonias Infrastructure Fund. Commissioner Szigeti seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

- 2. Discussion/Action: Resolution No. 26 19/20 authorizing the submission of a New Mexico Community Development Block Grant (CDBG) program application to the Department of Finance and Administration/Local Government Division; and authorizing the Mayor to act as the Municipality's Chief Executive Officer and Authorized Representative in all matters pertaining to the Municipality's participation in the CDBG Program. City Manager Madrid:**

City Manager Madrid reported that these next two items are requirements for eligibility by DFA. As Mayor Stubblefield said, they could not do this without us and that saying goes for us as well. While it is our system, we will be working within their boundaries. By collaborating, we double the capacity for funding. That is something that carries a lot of additional points with the community of government council. It doesn't guarantee that

we will be funded, but it is a good example of things that we can do, and although we will be using some of their funding capacity, we will be the primary grantee. When you submit an application for CDBG funding, they require that you submit two amounts. One is for a fully funded project and the other amount is for a phased project. If they think that your project is worthwhile, and you can do it in two pieces, they require that you give cost estimates for those two pieces, and they may choose to do funding for the first phase only. It doesn't guarantee the second phase, but it makes the likelihood higher. The full application amount is \$1.5 million and the phased application amount is \$1.2 million. If we get the phased funding we would build the greater area which is Mona.

**Commissioner Hechler moved to approve Resolution No. 26 19/20 authorizing the submission of a New Mexico Community Development Block Grant (CDBG) program application to the Department of Finance and Administration/Local Government Division; and authorizing the Mayor to act as the Municipality's Chief Executive Officer and Authorized Representative in all matters pertaining to the Municipality's participation in the CDBG Program. In the amount of \$1.5 Million and phased amount of \$1.2 Million. Commissioner Szigeti seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**3. Discussion/Action: Resolution No. 27 19/20 and Resolution No. 27-A approving the required Community Development Block Grant (CDBG) Annual Certifications and Commitments. City Manager Madrid:**

City Manager Madrid reported that this is a requirement for all applicants to receive CDBG funding. The requirement is to show that the governing body and our entity has policies, ordinances, resolutions, and procedures in place to address the following five things;

- Citizen participation.
- Compliance with informing the public.
- Compliance with the Open Meetings Act.
- Conduct public hearings in compliance with the federal regulations required by CDBG.
- Compliance with the Fair Housing Act. We have a Fair Housing Plan, The Residential Anti Displacement and re-location assistance. Although we don't have our own housing authority, we are required to have those compliance documents in place.
- Compliance with Section 3 of the Housing and Urban Development Act of 1968.
- State and reflect our compliance with both state and federal procurement so that the funding entity has assurances that these are already in place before they even consider funding. This is a declaration that they are in place.

**Mayor Whitehead moved to approve Resolution No. 27 19/20 and Resolution No. 27-A approving the required Community Development Block Grant (CDBG) Annual Certifications and Commitments.**

**Commissioner Szigeti and Commission Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

## H. REPORTS:

### **City Manager Madrid reported the following:**

- The City if Truth or Consequences, along with other entities were invited to a meeting with the Governor Chief of Staff. They wanted to get a better idea of what our needs are. We went over several different things such as the approval of the permit of the Copper Flat Mine, and the hospital's creation of the Governing Board. Although the 30 day session calls for primary budget items, the Chief of Staff indicated that he would approach the Governor about putting that on the Governor's call as a priority. I indicated that it was a community priority. We have our own issues that we can get assistance for administratively and primarily such as economic and tourism, infrastructure and other types of support.
- He then had Interim City Clerk Torres announce the Candidates who filed on January 7<sup>th</sup>.

Interim City Clerk Torres announced the following Candidates who filed on January 7th:

- **Position II:** Ingo Hoepfner; Carol Borsello; William K. Jacka; Julie Racow; Randall Aragon.
- **Position IV:** Kathleen Clark; Gina Kelley; William Fink Jr.; Brendan C. Tolley.
- **Position V:** Tony Archuleta; George Szigeti; Ron Fenn; Roy Ryden; Amanda Forrister; Martin E. Mijal.

### **City Attorney Rubin reported the following:**

- He gave an update on the property of 1308 Tin which was determined to be an unsafe structure. The property was demolished by the city and a lien was placed on the property for the cost of removing the structure. We then followed with a foreclosure lawsuit in which we asked the court to allow us to foreclose our lien on the property and put a lien on the property for the amount of the judgement and then we would proceed to a foreclosure sale. After we filed the complaint, he reached out to the land owner and the lien holder and made an agreement that they were willing to allow the property to be deeded to the city and the case has been concluded.

### **City Commission Reports:**

#### **Commissioner Hechler reported the following:**

- He thanked City Manager Madrid and his fellow Commissioners for their hard work with getting some resolution to the road and water line repairs.

#### **Commissioner Szigeti reported the following:**

- He commented on the several local events that took place during the holiday season.

**Mayor Whitehead reported the following:**

- She thanked her fellow Commissioners, City Manager Madrid and City Staff for all of their hard work and patience.

**M. ADJOURNMENT:**


**Commissioner Hechler moved to adjourn at 10:02 a.m.**

**Commissioner Szigeti seconded the motion. Motion carried unanimously.**

**Passed and Approved this 22nd day of January, 2020.**

  
Sandra Whitehead, Mayor



  
Angela A. Torres, CMC, Interim City Clerk