

CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
MONDAY, MAY 4, 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, 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 (via teleconference)
Hon. Brendan Tolley, Mayor Pro-Tem
Hon. Paul Baca, Commissioner
Hon. Randal Aragon, Commissioner
Hon. Amanda Forrister, Commissioner

Also Present: Morris Madrid, City Manager
Angela A. Torres, 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 Mayor Pro-Tem Tolley to lead the Pledge of Allegiance.

4. APPROVAL OF AGENDA:

**Mayor Pro-Tem Tolley moved to approve the agenda as submitted.
Commissioner Forrister seconded the motion. Motion carried unanimously.**

C. COMMENTS FROM THE PUBLIC: (Public comments were made via teleconference due to the COVID-19 Pandemic).

Ariel Dougherty addressed the Commission related to:

- 1) She thinks re-opening businesses is a good idea. She supports that this should happen, but we are in an entirely new health reality. We need a workable plan that accommodates all sectors of our community. This Resolution cannot take place until at least May 16th. She recommends that the city simply take in the recommendations from the public, and not vote on the Resolution. She also urges the Commission to hold a workshop for additional input. She feels that there are health concerns not sufficiently addressed in this Resolution, and there is nothing about the dynamic of businesses and workers who may have joined various Federal and or State programs like the PPP (Paycheck Protection Program), and re-opening businesses impacts those rules and regulations. You need input from workers and businesses before any actions are made.
- 2) Ms. Dougherty recommended that the following changes be made to Resolution 33 19/20:
 - In the second to the last “Whereas” after the word “cases” add “though testing has been equally low.” She urges adding two additional “whereas” that state; **#1, “Whereas, the City of Truth or Consequences has consulted and recommends following established health guidelines, specifically routine cleaning and disinfecting; and #2, “Whereas, the City of Truth or Consequences acknowledges that the best safe practices are a shared responsibility of all its citizens; and”**.
 - There is no plan devised here by the City for testing. Even in all the confusion and contradictory information coming from the White House on their website, they recommend testing as a key element in re-openings.
 - Under the therefore, after the bold type in the first phrase, shall is there, but in the sixth numbered recommendation the word shifts to should. This creates confused intent and actually renders this entire Resolution to be completely useless.
 - “Should” needs to be changed to “shall.”
 - She finds it insulting and a threat to her personal health that business employees might choose to wear a mask, but the public is required to wear one. This makes no sense and is not the recommendation of the CDC. If she wears a mask, she is protecting you, but if you don't wear a mask, it is her you are not protecting. To falsely place all the burden on customers is wrong, and a health hazard. Sadly, because a store person is the one with more public contact he/she is in the one in the vulnerable position of increased contagion by an unknown carrier. Failure of a store employee, or casual passerby on the street within six feet, to wear a mask, is an insult especially because Truth or Consequences has such a high senior population. Everyone should be acting with caution to address the safety of this community that is amongst the most vulnerable for Covid-19.
 - E. and F. are somewhat contradictory. The Civic Center is currently the major hub of Senior Recreation, so she is not sure what is intended, or meant regarding those paragraphs.
- 3) The fact that our community still has a few known cases is remarkable and a blessing, but it by no means makes us immune, especially as the Ppandemic is

expected to be like the Spanish Flu from 1918 and flare up again in the late fall/early winter. We need to be simultaneously resilient and vigilant.

Mayor Pro-Tem Tolley read comment submitted from Audon Trujillo related to:

- 1) He wants to encourage the City Commission to adopt written guidance for the operation of the Municipal Golf Course. The PGA has developed written guidance for the operation of Golf Courses throughout the USA. The Phase1 guidelines can be found at:
<https://www.pga.org/coronavirusresources/Back2Golf/phase-1>.
- 2) Mr. Trujillo recommended that the following changes (*listed in red*) be made to Resolution 33 19/20:

The following safe practices shall be followed **in order to protect the residents of our City and visitors from the COVID-19 Pandemic:**

1. Continue **to practice** social distancing of six feet while working, shopping, **and exercising in all other interactions with those you encounter.**
2. Employees of business establishments **must wear masks at all times while at work.** Businesses have the right to require customers to wear masks.
3. Gatherings of 10 persons or more are prohibited
4. Sanitation supplies shall be available at all businesses **and provided by businesses. (WHAT SPECIFIC SANITATION SUPPLIES ARE TO BE PROVIDED?)**
5. Vulnerable individuals should continue to stay at home.
6. **Travel should be restricted to the greatest deal possible and restricted to buying food, imbibing liquor, purchasing goods, auto repair and obtaining medical services.**
7. **Prolonged contact with a COVID-19 infected person can cause individuals to become infected with COVID-19. Therefore, individuals are encouraged to not spend more than a few minutes in any place of business.**

Susana Santillan, Community Advocacy Specialist for the New Mexico Commission for Deaf and Hard of Hearing addressed the Commission related to:

- 1) Her company is contacting the cities and counties of New Mexico to offer information that will assist with providing reasonable accommodations to the hearing loss community at their City Council Meetings, Town Meetings, etc.

Linda DeMarino addressed the Commission related to:

- 1) She asked if the Commission will have to come back and rescind this Resolution if the Governor extends the Stay at Home Order beyond May 15, 2020, and if that is the case, why not wait until the next scheduled City Commission Meeting to see how this plays out.

Diana Tittle addressed the Commission related to:

- 1) She is in support of Ariel Dougherty's comments related to the Commission taking more time to receive additional input from the community before this Resolution is adopted. We do want to safely get back to work, but we also need to protect the community.

Commissioner Forrister responded by saying that they have around 70 signatures on a petition that is in favor of opening businesses, churches, etc. throughout Sierra County.

D. ORDINANCES/RESOLUTIONS/ZONING:

1. Discussion/Action: Consideration of Resolution 33 19/20 pertaining to a back to work plan for the City of Truth or Consequences:

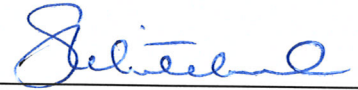
City Manager Madrid explained that this Resolution was formulated based upon the New Mexico Business Coalition (NMBC) plan to get New Mexicans back to work and the other document being the Federal Guidelines for Opening up America Again. We also solicited ideas from the business community and private citizens. This document is not intended to be final, and it is not intended to be inflexible. It is the intent of the Governing Body to address this as a working document at every regular meeting from here forward and because this is not an Ordinance, the wording can be changed and amended at any meeting. The Governing Body is also available for any Special Meetings that may come up. The modeling of this Resolution incorporates the intentions of the Governor of the State of New Mexico under which the Executive Order will operate. This is not intended to conflict that in any way. In conversations with the Municipal League and Governor's Office, there may come a point where we are released from the State Executive Order, and are allowed to make our own local rules, but we don't know if, and when, that day will come. This Resolution is so that we will be prepared on our own. We are different, and the Governor, the Municipal League and all of the Mayors around the state realize that. The Mayor has formed a Public Task Force of Mayors from all around the state and one from Medical Personnel of different fields. During this period between now and May 15th, they are tasked with the order of coming up with a Phase 1 of the Governor's intended order. That may apply to the entire state, or it may address individual areas. That's why we are here, so that in the event that we are allowed to make our local rules, we'll have them in place. We don't want to do anything that will conflict with the General Rules, because there have been a couple of examples of that already, and we know what those consequences are. Another reason why we are here is because the Governor has requested that different communities like ours submit our own individual plans. It's also a form of input not from the City Manager, but from the Governing Body, and if we want to achieve being treated a little bit differently, which is probably appropriate, than we should have a document to send to the Governor's Office. If this is approved, he will send it immediately upon signature.

Commissioner Forrister moved to approve Resolution 33 19/20 as a working document that can be changed if needed, and with the changes of should to shall. Commissioner Aragon seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

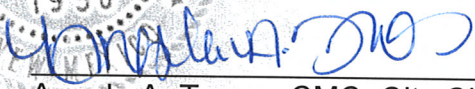
E. ADJOURNMENT:

Mayor Pro-tem Tolley moved to adjourn at 9:43 a.m. Commissioner Forrister seconded the motion. Motion carried unanimously.

Passed and Approved this 13th day of May, 2020.



Sandra Whitehead, Mayor



Angela A. Torres, CMC, City Clerk