

*Sandra Whitehead*  
*Mayor*

*Brendan Tolley*  
*Mayor Pro-Tem*

*Amanda Forrister*  
*Commissioner*



*Paul Baca*  
*Commissioner*

*Randall Aragon*  
*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](http://www.torcnm.org)*

## REGULAR MEETING

THE REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO, TO BE HELD IN THE COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> ST., ON WEDNESDAY, JULY 08, 2020; TO START AT 9:00 A.M.

### A. CALL TO ORDER

### B. INTRODUCTION

#### 1. ROLL CALL

Hon. Sandra Whitehead, Mayor  
Hon. Brendan Tolley, Mayor Pro-Tem  
Hon. Paul Baca, Commissioner  
Hon. Randall Aragon, Commissioner  
Hon. Amanda Forrister, Commissioner

#### 2. SILENT MEDITATION

#### 3. PLEDGE OF ALLEGIANCE

#### 4. APPROVAL OF AGENDA

### C. PUBLIC COMMENT (3 Minute Rule Applies)

### D. RESPONSE TO PUBLIC COMMENT

### E. CONSENT CALENDAR

1. City Commission Regular Minutes, June 24, 2020
2. Acknowledge Special Planning & Zoning Commission Minutes, May 12, 2020
3. Acknowledge Regular Planning & Zoning Commission Minutes, June 10, 2020
4. Accounts Payable, June 2020

### F. PUBLIC HEARINGS

1. Discussion/Action: Final Adoption of Ordinance No. 709 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

G. ORDINANCES/RESOLUTIONS/ZONING

1. Discussion/Action: Resolution No. 01 20/21 Open Meetings Act and reasonable notice of meetings. City Manager Madrid
2. Discussion/Action: Resolution 02 20/21 Authorizing participation in local government road fund program administered by New Mexico Department of Transportation. City Manager Madrid
3. Discussion/Action: Resolution No. 03 20/21 Animal Shelter Fees. City Manager Madrid

H. OLD BUSINESS

1. Discussion/Action: Consideration of amendments to Resolution 33 19/20 pertaining to a back to work plan for the City of Truth or Consequences. City Manager Madrid
2. Discussion/Action: Approval of amendment to Tower Lease Agreement between the City of Truth or Consequences and CommNet Cellular Inc., dba Verizon Wireless. City Manager Madrid

I. NEW BUSINESS

1. Discussion/Action: Final Approval of request for a Special Use Permit to do a live/work Retail Store/Art Gallery at 320 Broadway, Truth or Consequences, NM. City Manager Madrid and Traci Alvarez, Designated Zoning Official
2. Discussion/Action: Final Approval of request for a Summary Plat Amendment and Variance at 408 Main Street, 410 Main Street and 412 Main Street, Truth or Consequences, NM pursuant to Chapter 15, Sec. 15-17., Amendment of plats. City Manager Madrid and Traci Alvarez, Designated Zoning Official
3. Discussion/Action: Final Approval of request for a Summary Plat Amendment and Variance Request at 323 W. Riverside Drive, Truth or Consequences, NM pursuant to Chapter 15, Sec. 15-17., Amendment of plats. City Manager Madrid and Traci Alvarez, Designated Zoning Official
4. Discussion/Action: Authority to negotiate price agreement for the Clean Water State Revolving Loan Fund RFP's. City Manager Madrid
5. Discussion/Action: Police Department Policy & Procedures. City Manager Madrid and Michael S. Apodaca, Police Chief
6. Discussion/Action: Out of State training approval for Deputy Chief Baker. City Manager Madrid and Michael S. Apodaca, Police Chief

J. REPORTS

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

K. ADJOURNMENT



Submission for public input shall be submitted by email to [torcpubliccomment@torcnm.org](mailto:torcpubliccomment@torcnm.org), by fax at (575) 894-6690, or a hard copy can be dropped off at the City Clerk's Office at 505 Sims Street, Truth or Consequences, NM. Please submit any input you may have by Monday, July 6, 2020

There will be a limited amount of in-person attendance allowed in the Chambers based on Covid safe practices.

The meeting will be broadcast live through KCHS on 101.9 FM. You may also access the meeting using the information listed below:

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**NEXT REGULAR CITY COMMISSION MEETING JULY 22, 2020**



# CITY OF TRUTH OR CONSEQUENCES

## AGENDA REQUEST FORM

MEETING DATE: July 8, 2020

Agenda Item #: E.1

**SUBJECT:** City Commission Regular Meeting Minutes for June 24, 2020  
**DEPARTMENT:** City Clerk's Office  
**DATE SUBMITTED:** July 1, 2020  
**SUBMITTED BY:** Angela A. Torres, 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 7-8-2020

CITY COMMISSION MEETING MINUTES  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
CITY COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> St.  
WEDNESDAY, JUNE 24, 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  
Hon. Brendan Tolley, Mayor Pro-Tem  
Hon. Paul Baca, Commissioner  
Hon. Randall 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 led the Pledge of Allegiance.

**4. APPROVAL OF AGENDA:**

City Manager Madrid asked that the City Manager Reports be moved immediately after comments from the public, between items D & E so that Fire Chief Tooley can give us a briefing on the recent Mims fire.

**Commissioner Forrister moved to approve the agenda with changes requested by City Manager Madrid. Mayor Pro-Tem Tolley seconded the motion. Motion carried unanimously.**

## 5. COMMENTS FROM THE PUBLIC:

Ron Pacourek addressed the Commission with comments related to an employee suggestion program.

City Manager Madrid read comments from Isaac Eastvold related to the Riverwalk Project.

(Complete copy attached hereto and made part hereof).

## 6. RESPONSE TO PUBLIC COMMENTS

City Manager Madrid responded to Mr. Eastvold's comments by saying there are a few key points in Mr. Eastvold's comments that are considered to be factual, but are not.

1. **In reference to the \$60,000 cost of the project:** Yes, that was the estimated cost in the application. However, that is not included in the funding document. The \$10,000 match was a part of the application. Applications and funding documents are frequently two different things. You apply for the most you can get, and you accept whatever they give you.
2. **In reference to T or C's financing facing serious trouble:** That statement is not true.
3. **In reference to concerns regarding the environmental impact:** The National Park Service is part of the group that has been discussing this project, and they are going to participate all the way through. Also, all of the environmental aspects will be addressed.

Commissioner Forrister asked that the timer be set when emailed comments are being read.

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

City Manager Madrid called on Fire Chief Aragon Tooley to discuss the fire that took place last week at Mims Lake.

Fire Chief Tooley thanked the community for all of their help with the Mims lake fire. They got called out last Wednesday night for the fire. The wind had moved the fire along seven acres of the edge of the lake the first night. They contained the fire around 3:00 a.m. and on Thursday afternoon, they had major wind storm that came from the southwest area and set the fire off again almost to Stage Coach Road at the Golf Course in Elephant Butte. Dona Ana County sent out strike teams from Las Cruces to assist with the fire and they eventually got the fire contained.

Fire Chief Tooley explained that a large portion of salt cedar around the pond should have been cleaned out years ago, and that could have possibly prevented the fire.

The Commissioners thanked city staff and everyone who helped the Fire Department during the Mims fire. They all agreed that this was a wonderful community effort.

## **Torres, Angela**

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**From:** Isaac Eastvold <eastvolds@aol.com>  
**Sent:** Monday, June 22, 2020 9:54 AM  
**To:** Torres, Angela  
**Cc:** Sharon Eastvold  
**Subject:** Public Comment: the Riverwalk Project

**ATTN: Angela Torres, City Clerk-Treasurer. Please distribute prior to the Commission meeting.**

Honorable Mayor and Members of the T or C City Commission:  
6/22/20

### I. Budget Planning and the Riverwalk Project

The minutes of your last meeting state that City Manager, Morris Madrid, asserted the NMFA grant for the Riverwalk Project was "all grant monies." The Financial Section of the grant contradicts his statement as you can see in the screen shot below.

Section 4.A.1 of the grant application shows the "total estimated cost of the project" as \$60,000, and the source of matching funds as MGRT. The amount of the NMFA grant is \$50,000, leaving \$10,000 or 20% matching from the City's MGRT. That amount could make a meaningful difference in other needy budget areas.

Also attached is a screen shot of the minutes where Mr. Madrid makes his statement.

These matching funds add up. The Commission needs to take note of them. Otherwise, little by little, those "matching" costs could become substantially greater than this initial planning grant.

With T or C's finances facing serious trouble, the Commission's top priority should be to assure that the urgent quality of life needs of residents are cared for. Withdrawals from the Enterprise Fund have left important utilities short of necessary maintenance, repair and other essential expenses. Those deficits should be cured with all possible speed as a top budget priority. It should be remembered that the Commission is elected by and represents the residents of T or C.

Mr. Madrid felt this grant would give the City "some skin in the game." At present, there is no "game," i.e., no budget or vision statement for the Riverwalk project. With a number of different agencies involved, whatever the outcome, it is possible the City's funds may be superfluous in any case.

### II. Conservation of Environmental Quality

Part of the Commission's duties to T or C residents is to wisely maintain environmental quality of their City and surrounding lands and river habitat. The bridges talked about for the Riverwalk project may negatively impact the extraordinarily beautiful migration of the swallows up the Rio Grande through the Williamsburg and T or C stretches. Those migrations are a spectacle, in my opinion, equivalent to the famous Return of the Swallows to San Juan Capistrano in California, an event drawing hundreds of thousands of birdwatchers and nature study groups annually to that City. Residents of T or C and Williamsburg don't even have to travel to enjoy this grand spectacle of nature! If properly protected and carefully promoted, these migrations could become a major tourist draw for Williamsburg and T or C.

The Riverwalk project also has the potential to negatively impact the biologically unsurpassed wetlands and riparian habitats along the Rio Grande River. Those areas need to be carefully nurtured and encouraged to become sustainable sources of enjoyment for the residents, and important draws for tourism.

Just as one sad example, the huge barren area left denuded south of the Rotary Park picnic area was once an abundant wetland ecosystem drawing a multitude of bird and other animal species. Only fragments now remain around the margin of that unsightly parking lot and to the west.

These natural areas are gifts given to T or C and Williamsburg as a kind of birthright. All that is necessary is to care for them intelligently. Bulldozing that Rotary Park wetland showed an appalling ignorance

of nature's gifts. The Commission should take care lest history repeat itself due to inadequate planning for other projects, including Riverwalk.

This Rotary Park wetland, together with the annual migration of the swallows up from Mexico, could have been a major tourist draw second only to T or C's thermal waters. With careful planning, there is a possibility at least part of that wetland might be restored, and the migrations encouraged to continue unimpeded by poorly-considered bridges. Restoration planning should become part of the Riverwalk project vision which, at present, seems to lack conservation goals.

Sincerely,  
Ike and Sharon Eastvold  
1301 N. Silver  
Truth or Consequences, NM 87901  
(505) 255-7679  
cc: Riverwalk Project participants

#### SECTION IV: FINANCIAL INFORMATION

##### A. Project Costs

1. Total Estimated Cost of the Planning Document.

60,000.00

2. Please list below any matching funds secured for the Planning Document, if applicable. Please specify the source of the funds and terms.

Local MGRT

##### B. Applicant Financial Profile

1. Does Applicant submit its budget to the Department of Finance and Administration for approval?

<https://www.gotoenable.com/NIMFAEnable/dynamicformprint.aspx?382030,317791>

4/7

**2. Authorize and Approve acceptance of NMFA Local Government Planning Fund Grant Award No. 5240 Economic Development Feasibility Study for the City's River Walk Project:**

City Manager Madrid explained that this is a 100% Grant for the Economic Development Feasibility Study for the City's River Walk Project. He further explained that this entire concept was developed because of community involvement. There was a group that was formed who went to the National Park Service and then to him and the Mayor to see if they would support this type of project. The answer was yes, and this is a result of that effort. There are no plans or construction. All we currently have is an idea. This will help us develop a plan to find out whether it is feasible to undertake this project, and if so, what would the different items be within that project. This is a good thing from the community, and we ask that you approve it for the community.

Commissioner Forrister explained that the community is concerned that the city will have to contribute more money as this project moves forward.

City Manager Madrid responded by saying he hopes the city does have to commit more funds to this project, because that would mean that it would be a successful project.

Commissioner Forrister made a motion to authorize and approve acceptance of NMFA Local Government Planning Fund Grant Award No. 5240 Economic Development Feasibility Study for the City's River Walk Project. Commissioner Aragon seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

## CITY COMMISSION JUNE 24, 2020 REGULAR MEETING MINUTES

Parks Supervisor Hechler gave a brief summary of the plans on the Ralph Edwards Park Project. He reviewed the history of the project which included:

- The sprinklers that were on one system that negatively affected the water pressure in surrounding neighborhoods.
- Multi-use of the park throughout the year.
- Fiesta and the heavy use of vehicles and people.
- Farmer's Market and weekly damage to the grass.
- Special use permits and regular foot traffic throughout the park.

Parks Supervisor Hechler also reviewed steps to complete Phase 1 which included:

- Step 1: Concrete work
- Step 2: Irrigation system
- Step 3: Soil Amenities
- Step 4: Sod Placement
- Step 5: Establishment

Parks Supervisor Hechler ended his presentation by saying they are working hand in hand on this project with Lynn's Landscaping, and the completion of the park should be sometime in September.

### **D. CONSENT CALENDAR:**

1. **City Commission Regular Minutes, June 10, 2020.**
2. **Acknowledge Regular Public Utility Advisory Board Minutes, March 16, 2020.**

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

### **E. PUBLIC HEARINGS:**

1. **Public Hearing/Discussion/Action: Final Adoption of Ordinance No. 714 authorizing the City of Truth or Consequences to opt in to the Regular Local Election Act, pursuant to NMSA 1978 Section 1-22-3.1(2018), and consideration of an Alternative Ordinance:**

City Attorney Rubin explained that the bases for what we are talking about in this Ordinance is found in Section 1-22-3.1 from the State Statute. Subsection B reads:

**"Except as provided in Subsection C of this section, any municipality may by ordinance opt in to the election of its municipal officers in the regular local election if the municipality passes an ordinance and files the ordinance with the secretary of state no later than June 30 of the year in which the next regular local election is scheduled. The ordinance shall also determine if the terms of office for current office holders will be lengthened or shortened to correspond with the new election date."**



## CITY COMMISSION JUNE 24, 2020 REGULAR MEETING MINUTES

City Attorney Rubin continued by saying City Clerk Torres reminded him that the regular local elections are in odd numbered years. We went for publication under Ordinance No. 714 which would contemplate that the Municipal Officers who would have their term ending in March of 2022 would serve until December 31, 2023, and the new terms shall be elected at the regular election in November 2023 with the new terms commencing on January 1, 2024. This would then extend the term for 1 year and 9 months. Subsection B of the Ordinance covers the Commissioner's whose terms would end in 2024 would serve until December 31, 2025, the new term of the position shall be elected at the regular local election in November 2025, with the new term shall commence January 1, 2026. We do however, have the option of shortening the terms as opposed to lengthening the terms. If you choose to go with shortening the terms, the terms of Municipal Officers elected or appointed to a term ending in 2022 shall serve until December 31, 2021. The new term of the position shall be elected at the regular local election in November 2021, and the new term shall commence January 1, 2022 and the Municipal officers elected or appointed to a term ending in 2024 shall serve until December 31, 2023. The new term of the position shall be elected at the regular local election in November 2023, and the new term shall commence January 1, 2024. With that being said, we have three options. Option #1 is not to adopt any Ordinance, and keep things the way they have been. Option #2 would to approve final adoption of Ordinance No. 714 which extends the terms for 1 year and 9 months, or if you are more inclined to shorten your terms for 3 months then he would suggest that we go back to publication with Ordinance No. 715.

Mayor Whitehead opened the Public Hearing.

**Proponents: None.**

**Opponents: None.**

Mayor Whitehead closed the Public Hearing.

Commissioner Forrister feels that the Ordinance that shortens the terms would be the best way to go.

Mayor Pro-Tem Tolley agreed with Commissioner Forrister. It's kind of a no brainer that we opt-in to the Local Elections Act, and shortening the terms by 3 months has a lower impact than extending the terms by 1 year and 9 months. As public servants he feels that it is their responsibility to take the lesser term rather than the greater term.

Commissioner Aragon also agreed with Commissioner Forrister.

**Commissioner Forrister moved reject Final Adoption of Ordinance No. 714 authorizing the City of Truth or Consequences to opt in to the Regular Local Election Act, pursuant to NMSA 1978 Section 1-22-3.1(2018). Commissioner Baca seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**Mayor Pro-Tem Tolley moved to approve publication of Ordinance No. 715 authorizing the City of Truth or Consequences to opt in to the Regular Local Election Act, pursuant to NMSA 1978 Section 1-22-3.1(2018). Commissioner Baca seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**F. ORDINANCES/RESOLUTIONS/ZONING:**

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

City Manager Madrid explained that this is the item that was agreed to be on every agenda during the pandemic. The State of New Mexico has not made any changes to move into the next phase. The statewide numbers are reflecting that we are on track to enter that phase. However, there is some speculation among the Governor's Office that it may not be until the second or the third week of July.

No action was taken on this item.

**2. Discussion/Action: Resolution No. 39 19/20 Budget Adjustments:**

City Manager Madrid explained that this budget adjustment is required by the Department of Finance and Administration to make sure that our end of year budget balances are in line with the way we are going to finish the fiscal year. You will see that the biggest adjustment is the adjustment to our budgeted revenues. As we discussed in the approval of the preliminary budget, we were very conservative in our estimates. We also have clean up adjustments that needed to be included.

Finance Director Carol Kirkpatrick gave a brief overview of the presented budget adjustments for FY 19/20.

The Commission asked that a Budget Workshop be scheduled so they can become more familiar with the budget, and any questions they might have can be answered.

City Manager Madrid recommended that they hold a Special Meeting for the approval of our final budget for next year.

Finance Director Kirkpatrick stated that the final budget will be presented at the end of July.

**Commissioner Forrister moved to approve Resolution No. 39 19/20 Budget Adjustments. Commissioner Baca & Commissioner Aragon seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**3. Discussion/Action: Resolution No. 40 19/20 Budget Adjustment/Cash Transfers:**

City Manager Madrid explained that this is a similar item except this budget adjustment deals with only with cash transfers.

**Commissioner Forrister made a motion to approve Resolution No. 40 19/20 Budget Adjustments. Mayor Pro-Tem Tolley seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**G. NEW BUSINESS:**

**1. Discussion/Action: Approval of contracts for Steven Sage and Gibson Law Office LLC as the appointed Attorneys for the Municipal Court:**

City Attorney Rubin explained that this is something we do on an annual basis. These are public defender contracts we have for the Municipal Court. There are certain times when you have to have a court appointed attorney, especially if someone is facing a possible jail sentence of over 6 months. It is necessary that we have these contracts, and these are the same contract we have been using for many, many years. The terms have not changed, and the compensation is \$650 per case.

**Commissioner Baca made a motion to approve contracts for Steven Sage and Gibson Law Office LLC as the appointed Attorneys for the Municipal Court. Mayor Pro-Tem Tolley seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**2. Discussion/Action: Approval of amendment to Tower Lease Agreement between the City of Truth or Consequences and CommNet Cellular Inc., dba Verizon Wireless:**

City Manager Madrid explained that this is an amendment to an agreement that has been in place for several years. The lessee has offered to extend the lease for a longer term and increase the lease payments significantly.

Electric Department Director Easley explained that the tower has been on city property for many years, and many other providers will be added to the tower.

City Attorney Rubin explained that there were several things he wanted to change when they first proposed this amendment. He used the lease agreement we have with Gravity Pad as a basis, and there were several things he wanted to make sure were included in this lease agreement. American Tower was willing to go along with almost everything except for the term of the lease. The lease we have in place right now is scheduled to expire on May 31, 2028. They had the option to extend the lease for six additional terms

of 5 years each. We don't really have a say so in saying that we want to terminate this unless they do something contrary to the terms of the lease. They agreed with all of his proposals, but they insisted on extending the lease for another 30 years. He feels that this document is in the best interest of the city, and the rent amount will increase significantly with an increase of 15% every 5 years.

Mayor Pro-Tem Tolley doesn't feel comfortable with us being locked into this contract for 30 years.

Mayor Whitehead suggested that they postpone this item until the next meeting so City Manager Madrid can reach out to CommNet Cellular Inc. in regards to the 30 year commitment.

**Commissioner Baca made a motion to postpone the amendment to Tower Lease Agreement between the City of Truth or Consequences and CommNet Cellular Inc., dba Verizon Wireless until the next meeting. Mayor Pro-Tem Tolley seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**3. Discussion/Action: Approve the following agreements:**

- a. Approve Agreement between Children, Youth, and Families Division (CYFD) and the City of Truth or Consequences for the Juvenile Justice Advisory Council (JJAC)**
- b. Approve the Sub-Contractor Agreement with Truth or Consequences Municipal School District:**

City Manager Madrid explained that this program for the Juvenile Justice Advisory Council (JJAC) has been ran by the schools for the last year and prior to that the agreement was with Apple Tree. The funding comes to the City of Truth or Consequences from the Department of Children, Youth, and Families Division (CYFD). This is generally not our fortay. However, we provide a matching amount for this grant, and the growth of the program has grown a lot this year. The statute that created the program requires that local governments participate in it. This is a community program that is to benefit the youth which benefits our community. The contract between Children, Youth, and Families Division (CYFD) and the City of Truth or Consequences is dictated by the State of New Mexico and we cannot make any amendments to that.

**Commissioner Aragon made a motion to approve Agreement between Children, Youth, and Families Division (CYFD) and the City of Truth or Consequences for the Juvenile Justice Advisory Council (JJAC). Commissioner Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**Commissioner Aragon made a motion to approve the Sub-Contractor Agreement with Truth or Consequences Municipal School District subject to final negotiation. Commissioner Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**4. Discussion/Action: Appointment of two members to serve as City Representatives on the Sierra Vista Hospital Governing Board:**

City Manager Madrid noted that we advertised for this position, and received applications from Rolf Hechler, Kathy Clark and Bruce Swingle.

Mayor Whitehead read a letter received from Kathy Pape, Frances Luna and Travis Day in support of Bruce Swingle being re-appointed to the board. (Complete copy attached hereto and made part hereof).

Discussion ensued regarding the candidates who would best fit the position of city representatives on the Sierra Vista Hospital Governing Board.

**Mayor Whitehead made a motion to appoint Kathy Clark and Rolf Hechler to serve as City Representatives on the Sierra Vista Hospital Governing Board. Mayor Pro-Tem Tolley seconded the motion. Roll call was taken by the Clerk-Treasurer.**

**Hon. Amanda Forrister, Commissioner voted nay.**

**Hon. Paul Baca, Commissioner voted nay.**

**Hon. Brendan Tolley, Mayor Pro-Tem voted aye.**

**Hon. Sandra Whitehead, Mayor voted aye.**

**Hon. Randall Aragon, Commissioner voted nay.**

**Motion died with 3 votes as nay and 2 votes as aye.**

**Commissioner Forrister made a motion to appoint Bruce Swingle and Rolf Hechler to serve as City Representatives on the Sierra Vista Hospital Governing Board. Commissioner Aragon seconded the motion. Roll call was taken by the Clerk-Treasurer.**

**Hon. Sandra Whitehead, Mayor voted aye.**

**Hon. Brendan Tolley, Mayor Pro-Tem voted nay.**

**Hon. Paul Baca, Commissioner voted aye.**

**Hon. Randall Aragon, Commissioner voted aye.**

**Hon. Amanda Forrister, Commissioner voted aye.**

**Motion carried with a 4-1 vote.**

## Torres, Angela

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**From:** Sandra Whitehead  
**Sent:** Thursday, July 02, 2020 3:02 PM  
**To:** Torres, Angela  
**Subject:** FW: Bruce Swingle

-----Original Message-----

**From:** Kathi Pape <[kapape@gmail.com](mailto:kapape@gmail.com)>  
**Sent:** Wednesday, June 24, 2020 5:05 AM  
**To:** Sandra Whitehead <[sandra.whitehead@torcnm.org](mailto:sandra.whitehead@torcnm.org)>; Baca, Paul <[Paul.Baca@torcnm.org](mailto:Paul.Baca@torcnm.org)>; [hungrybrendan@gmail.com](mailto:hungrybrendan@gmail.com); [aforrister13@gmail.com](mailto:aforrister13@gmail.com); [raragon1257@gmail.com](mailto:raragon1257@gmail.com)  
**Subject:** Bruce Swingle

I am writing to ask for your re-appointment of Bruce Swingle to the Sierra Vista Hospital Governing Board. The expertise and knowledge of government, personnel, and community needs that he brings to the Board has been invaluable. At this critical time in healthcare, continuity in leadership is essential.

Thank you for your consideration.

Kathi Pape, FNP-C  
Sierra Vista Hospital Governing Board Member Sent from my iPad

## Torres, Angela

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**From:** Sandra Whitehead  
**Sent:** Thursday, July 02, 2020 3:03 PM  
**To:** Torres, Angela  
**Subject:** FW: Bruce Swingle Recommendation Letter

**From:** Frances Luna <[francesfirecrackerluna@gmail.com](mailto:francesfirecrackerluna@gmail.com)>  
**Sent:** Wednesday, June 24, 2020 6:40 AM  
**To:** Amanda Forrister <[aforrister13@gmail.com](mailto:aforrister13@gmail.com)>; Sandra Whitehead <[sandra.whitehead@torcnm.org](mailto:sandra.whitehead@torcnm.org)>; Paul Baca <[pbaca37@gmail.com](mailto:pbaca37@gmail.com)>; Randall Aragon <[raragon1257@gmail.com](mailto:raragon1257@gmail.com)>; Brendan Tolley <[hungrybrendan@gmail.com](mailto:hungrybrendan@gmail.com)>; Madrid, Morris <[mmadrid@torcnm.org](mailto:mmadrid@torcnm.org)>; Bruce Swingle <[bswingle@sierraco.org](mailto:bswingle@sierraco.org)>  
**Subject:** Bruce Swingle Recommendation Letter

Good morning all,

I wanted to take a moment to recommend the reappointment of Bruce to the Governing Board at today's meeting. Bruce has an irreplaceable amount of expertise when it comes to government that is invaluable on the Governing Board. He has an inherent knowledge of how government (especially in Santa Fe) works and is able to serve as a strong board member.

Having served as the past chair of the hospital ownership board, and the current vice-chair, I've seen countless times when Bruce reminds everyone that cooler heads prevail and is able to offer his experience and mediation skills to resolve issues. He has also traveled to Santa Fe to meet with officials and is well respected among the community and state.

Furthermore, there is such a STEEP learning curve for the Governing Board. From learning all the acronyms to understanding the credentialing process, licensures and HIPPA, it is not easy to "just replace" any Governing Board member.

I understand that the commission has been told there is a conflict because Bruce is also the County Manager. As a County Commissioner, let me assure you that we have discussed the matter with legal council and there is absolutely NO conflict!

I hope that you and the other commissioners will support him, as he has given SO much of his time to the hospital, and the citizens of the city. To lose him on this board would be a loss to the hospital and the entire county.

If you have any questions, please do not hesitate to contact me.

Thank you for your time.

--

**WE'VE MOVED! PLEASE UPDATE OUR MAILING ADDRESS TO 217 EAST THIRD, T-OR-C.**

Frances Luna  
Publisher • Co-Owner  
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dba: Sierra County Sentinel

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## Torres, Angela

---

**From:** Sandra Whitehead  
**Sent:** Thursday, July 02, 2020 3:03 PM  
**To:** Torres, Angela  
**Subject:** FW: Governing Board Appointment

-----Original Message-----

**From:** Travis Day <[tday@sierraco.org](mailto:tday@sierraco.org)>  
**Sent:** Wednesday, June 24, 2020 7:25 AM  
**To:** Tolley, Brendan <[Brendan.Tolley@torcnm.org](mailto:Brendan.Tolley@torcnm.org)>; Sandra Whitehead <[sandra.whitehead@torcnm.org](mailto:sandra.whitehead@torcnm.org)>; Aragon, Randall <[randall.aragon@torcnm.org](mailto:randall.aragon@torcnm.org)>; Baca, Paul <[Paul.Baca@torcnm.org](mailto:Paul.Baca@torcnm.org)>; Forrister, Amanda <[Amanda.Forrister@torcnm.org](mailto:Amanda.Forrister@torcnm.org)>  
**Cc:** Madrid, Morris <[mmadrid@torcnm.org](mailto:mmadrid@torcnm.org)>  
**Subject:** Governing Board Appointment

Good Morning Honorable Commissioners,

I would like to recommend the reappointment of Bruce Swingle to the Hospital Governing Board. Bruce has an immense amount of experience and expertise in handling difficult issues pertaining to hospital finances and operations. He has earned the respect of fellow governing board members and the community and is seen as a vital member of the governing board.

There have been numerous discussions since I have served on the JPC in regards to a potential conflict of interest of Bruce serving on the board however time and time again it has been said by legal counsel that there is absolutely no conflict of interest with Bruce serving as both a governing board member and county manager. In one discussion with Bruce he stated that he makes decisions based on what is best for SVH not what is best for the governmental entities. I think that statement speaks volumes to his dedication and passion to the hospital and the community it serves.

Thank you for your time.

Travis Day

**5. Discussion/Action: Consider the appointment of Jeff Dornbusch and Ron Pacourek to the Public Utility Advisory Board:**

City Manager Madrid explained that this is a recommendation from the Public Utility Advisory Board. These are re-appointments, and he has no reason not to agree with this recommendation.

**Commissioner Aragon made a motion to appoint the appointment of Jeff Dornbusch and Ron Pacourek to the Public Utility Advisory Board. Commissioner Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**6. Discussion/Action: Appointment of Mayor Pro-Tem Brendan Tolley to serve as a Board Member on the Sierra County Recreation & Tourism Advisory Board:**

City Manager Madrid stated that this was an appointment that had previously been discussed and was brought back to clarify Mayor Pro-Tem Brendan Tolley to serve as an active Board Member rather than an alternate.

**Commissioner Baca made a motion to appoint the appointment Mayor Pro-Tem Brendan Tolley to serve as a Board Member on the Sierra County Recreation & Tourism Advisory Board. Commissioner Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer.**

**Hon. Amanda Forrister, Commissioner voted aye.**

**Hon. Paul Baca, Commissioner voted aye.**

**Hon. Brendan Tolley, Mayor Pro-Tem abstained.**

**Hon. Sandra Whitehead, Mayor voted aye.**

**Hon. Randall Aragon, Commissioner voted aye.**

**Motion carried with a 4-1 vote.**

**H. REPORTS:**

**City Manager Madrid reported the following:**

- The refinancing of our loan with the New Mexico Finance Authority was scheduled to be on today's agenda. The reason it is not on the agenda is because it had to go back to the board because interest rates have fallen even more. The item has been delayed for action by NMFA and further action by us for a good reason. He is not sure if we will have to re-start the process because it involves an ordinance, but whatever the process is, we will make sure things are done properly.

**City Commission Reports:**

**Commissioner Aragon reported the following:**

- He asked that procedures for the appointment of board members be adopted.

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

- He commented on the Mims fire and asked if the city could look into areas in the city limits where we have massive overgrowth and get those areas cleaned up.
- Witnessing the community involvement when it came the recent fire was such a wonderful experience. In the coming months he wants to explore some sort of community involvement efforts.

City Manager Madrid explained that the fire was in the city limits, not on city property.

**Commissioner Forrister reported the following:**

- She asked that department heads be present at the budget workshop.
- She asked about airport hangar evictions.
- She also commented on the Mims fire.

City Manager Madrid explained that the airport hangars are intended to store airplanes. They are not intended to be used as storage units.

**Mayor Whitehead reported the following:**

- She extended her appreciation to everyone who assisted with the Mims fire.

**I. EXECUTIVE SESSION:**

1. Threatened & Pending Litigation (current & possible Litigation) pursuant to 10-15-1(H.7) and Real Property (various properties) Pursuant to 10-15-1(H.8):

**Commissioner Forrister moved to approve going into executive session at 10:07 a.m. to discuss Threatened & Pending Litigation (current & possible Litigation) pursuant to 10-15-1(H.7) and Real Property (various properties) Pursuant to 10-15-1(H.8). Mayor Pro-Tem Tolley seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.**

Mayor Whitehead reconvened the meeting in open session at 12:42 p.m.

Mayor Pro-Tem Tolley certified that only matters pertaining to Threatened & Pending Litigation (current & possible Litigation) pursuant to 10-15-1(H.7) and Real Property (various properties) Pursuant to 10-15-1(H.8) was discussed in Executive Session and no action was taken.

**J. ADJOURNMENT**

**Commissioner Baca moved to adjourn at 12:44 p.m. Mayor Pro-Tem Tolley seconded the motion. Motion carried unanimously.**

**Passed and Approved this 8th day of July, 2020.**

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

ATTEST:

\_\_\_\_\_  
Angela A. Torres, CMC, City Clerk



# CITY OF TRUTH OR CONSEQUENCES

## AGENDA REQUEST FORM

MEETING DATE: July 8, 2020

Agenda Item #: E.2

**SUBJECT:** Acknowledge Special Planning & Zoning Minutes for May 12, 2020.

**DEPARTMENT:** City Clerk's Office

**DATE SUBMITTED:** July 1, 2020

**SUBMITTED BY:** Angela A. Torres, 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 7-08-2020

**CITY OF TRUTH OR CONSEQUENCES  
PLANNING & ZONING  
MINUTES  
TUESDAY, MAY 12, 2020**

**SPECIAL MEETING**

Special meeting of the Planning & Zoning Commission of the City of Truth or Consequences, New Mexico held in the City Commission Chambers, 405 W. 3<sup>rd</sup> Street, at 5:30 p.m. on Tuesday, May 12, 2020.

**INTRODUCTION:**

**ROLL CALL:**

Lillis Urban, Member – Via Teleconference  
James Bush, Member – Via Teleconference  
Richard Dumiak, Member – Via Teleconference  
Dennis Dunnum, Member – Via Teleconference  
Merrill Dicks, Member – Via Teleconference

**ALSO PRESENT:**

Morris Madrid, City Manager  
Angela A. Torres, City Clerk  
Traci Alvarez, Grants/P & Z Coordinator – Via Teleconference  
Lisa Gabaldon, Secretary

**APPROVAL OF AGENDA:**

City Manager Madrid called for approval of the agenda.

**Member Dunnum moved to approve the agenda as submitted. Member Dumiak seconded the motion. Motion carried unanimously.**

**INTRODUCTION OF BOARD MEMBERS:**

Each member took a few minutes to introduce themselves and give some background information.

**APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN:**

**Member Dumiak made a motion to nominate Lillis Urban for Chair and Dennis Dunnum for Vice-Chair. Member Bush seconded the nomination. Motion carried unanimously.**

## May 12, 2020 Planning & Zoning Commission Minutes

### **GENERAL DISCUSSION:**

Grant/Projects Coordinator & Designated Zoning Official Traci Alvarez gave some background on herself and her job description.

Wes Hall with Wilson & Company gave a brief job description and background on himself.

Member Dumiak asked if we currently have anything on hold waiting for them to review and Traci Alvarez gave them a breakdown.

Vice-Chair Dunnum asked if site visits were part of the process for them to make decisions and City Manager Madrid answered that city staff was responsible for that aspect and would then bring the information to the board.

Chairman Urban asked for hard copies of 3 of the Community Development Plans; The Truth or Consequences Comprehensive Plan; The Truth or Consequences Downtown Master Plan; and the Affordable Housing Plan. She also requested a City of T or C Zoning Map and the Code of Ordinances.

Traci Alvarez wanted to assure the board that when an item comes before them as part of the agenda packet, they will have everything that pertains to that particular item. Not only will she make a reference to what particular portion of the code it applies to, but she also tries to include an actual print out of that particular code for a quick reference for the board members for each item on their agenda.

Chairman Urban asked about the public being able to be a part of the future meetings. City Manager Madrid stated that the same technology that we are using now is available to the public. All that is needed is the call in information within the publication of the meeting. We include them in the notice, and anyone could call in and participate for public comment that way. We may also have to conduct some of the hearings that way as well. He also suggested that the Chairman and Vice-Chair come to the Chambers for the meetings so that they can learn the system, and be able to control the comments from the public and so forth.

City Manager Madrid brought to their attention that their meetings will need to be a little bit more formal. No one should speak until they are recognized by the Chair, and no one should be interrupted or interrupting. The public is involved for public comment. There is a general rule of 3 minutes for public comment for the City Commission and the City Advisory Boards. In the cases where there's a Batter Shell Procedure, or any other type of Public Hearing, then that's controlled by the Chief Presiding Officer with the advice of the Attorney if needed. City Manager Madrid stated that he had some booklets on The Robert's Rules of Order in his office if any of the members would like them for future reference.

### **SET TIME AND DATE FOR FUTURE MEETINGS:**

The Planning & Zoning Commission agreed to have their next regular scheduled meeting on June 3, 2020 @ 5:30 p.m. for their standing meeting.

The Planning & Zoning Commission also agreed to have a Special Meeting on June 24, 2020 for the purpose of Public Hearings.

## May 12, 2020 Planning & Zoning Commission Minutes

### **ADJOURNMENT:**

There being no further business to come before the Planning & Zoning Commission, Lillis Urban, Chairman, declared the meeting adjourned. Member Dumiak seconded the motion. Motion carried unanimously.

PASSED AND APPROVED this 10<sup>th</sup> day of June, 2020.

A handwritten signature in black ink, appearing to read "Lillis Urban", is written above a horizontal line.

Lillis Urban Chairman  
Planning & Zoning Commission





# CITY OF TRUTH OR CONSEQUENCES

## AGENDA REQUEST FORM

MEETING DATE: July 8, 2020

Agenda Item #: E.3

**SUBJECT:** Acknowledge Regular Planning & Zoning Minutes for June 10, 2020.

**DEPARTMENT:** City Clerk's Office

**DATE SUBMITTED:** July 1, 2020

**SUBMITTED BY:** Angela A. Torres, 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 7-08-2020

**CITY OF TRUTH OR CONSEQUENCES  
PLANNING & ZONING  
MINUTES  
WEDNESDAY, JUNE 10, 2020**

**REGULAR MEETING**

Regular meeting of the Planning & Zoning Commission of the City of Truth or Consequences, New Mexico held in the City Commission Chambers, 405 W. 3<sup>rd</sup> Street, at 5:30 p.m. on Wednesday, June 10, 2020.

**INTRODUCTION:**

**ROLL CALL:**

Lillis Urban, Chairman  
Dennis Dunnum, Vice Chairman  
James Bush, Member - Absent  
Richard Dumiak, Member  
Merrill Dicks, Member

**ALSO PRESENT:**

Morris Madrid, City Manager  
Angela A. Torres, City Clerk  
Traci Alvarez, Grants/P & Z Coordinator  
Lisa Gabaldon, Secretary

**APPROVAL OF AGENDA:**

Vice Chairman Dunnum moved to approve the agenda as submitted. Member Dumiak seconded the motion. Motion carried unanimously.

**APPROVAL OF MINUTES:**

Special meeting of Tuesday, May 12, 2020:

Chairman Urban moved to approve the Minutes from May 12, 2020. Vice Chairman Dunnum seconded the motion. Motion carried unanimously.

**PRESENTATION:**

- a. **Presentation/Discussion: Planning & Zoning Commission Procedure Matters. City Attorney Jay Rubin:**

City Attorney Jay Rubin gave a brief description of the duties, responsibilities and functions pertaining to the P & Z Commission. He encouraged the board not to stray from the agenda that is provided to them before their scheduled meetings.

Per City Clerk Torres, the agenda goes out the Friday prior to the meetings; that's when the agenda is published and everything is final.

City Manager Madrid advised the P & Z Commission that the majority of their agenda will come from Traci Alvarez the Grants/P & Z Coordinator as she and City Attorney Rubin will determine the items that are required for the Commission's consideration.

City Attorney Rubin advised that the members of the P & Z Commission can add stuff to the agenda by bringing it to the Chairman. He advised the members to try not to engage in conversations with the community in regards to issues, refer them to Traci Alvarez. City Attorney Rubin spoke about members of the P & Z Commission recusing themselves from certain matters that they could have a personal interest in. He also went over the Battershell Procedures. Traci Alvarez advised the P & Z Commission that when she will bring in an application for the Commission to rule on for any Variances, Special Use, or Conditional Use, the requirements of that are certified mailings that she will send out. They won't be in the agenda packet, but she will have them there at the meetings in her folder where she can show the members of the Commission what has been done. The person putting in the application has to give a list of all of the houses within a 100 ft. radius. She will also post the property.

City Manager Madrid stated that the P & Z Commission can operate in any way they see fit. However, he advised that in order to be the most effective, most efficient, and make the meetings as orderly as possible, so that you address the items on the agenda quickly and efficiently, it falls on the Chairman. When a member wants to speak they should be recognized by the Chair, and given the floor until the member is done. It is completely inappropriate for members of the audience to raise their hands to speak. They are only able to speak during Public Comment. Every action on the agenda is an individual action.

**a. Presentation/Discussion: Development Overview/Orientation. Wesley Hall, Wilson & Co:**

Mr. Wesley Hall gave a brief description of his job background and duties, and his business as it pertains to the city, as he has been working with the city for almost 2 years. Wilson & Co. are currently under contract with the city to do their review services. He assists Traci whenever she has questions. Some of the sites that get developed in town go through the city. The city has hired them to review the site pertaining to the code. Also within the review process, we send out a letter to Traci for the recommendation and the comments, and they tell them about the water/waste water impact fees. This offsets the city for having to take care of some of the improvements. As they started this process, they found out that the Code of Ordinance needs to be updated. They are currently working with the city to set up a task order so that they can update the document to better help the city. There are some grey areas that need to be well defined and there is some wording in there that needs to be brought up to more recent situations. The Commission will have input with the new code. They are currently working on a new zoning map that will be interactive. The comprehensive plan is an idea, and the code is the law per City Manager Madrid.

**NEW BUSINESS:**

**a. Discussion/Review: Content of Material Packet for P & Z Members**

Member Dumiak mentioned that there were 2 copies of Chapter 16.

City Clerk Torres advised them that the Chapter without the editors notes is the most recent/updated copy; the copy with the page numbers.

Member Dumiak questioned the fact that there is not a building inspector.

Traci Alvarez confirmed this and stated that due to the new state laws from 2018, it would require the city to have a Building Inspector that was certified in HVAC, Plumbing, Electric, and General Contractor services; or they would have to hire 4 separate Building Inspectors. The state now does all of the inspections and all of the permitting. The city does the review and approval. All structural inspections are being done at the state level.

**b. Discussion/Action: Public Comment procedures for future agendas:**

Chairman Urban asked for clarification in regards to public comment time limits from City Attorney Jay Rubin.

City Attorney Rubin stated that they have a 3 minute rule for the City Commission Meetings.

Traci Alvarez cleared up the fact that the P&Z Commission will rarely have Special Meetings as they try to get everything covered during regular meetings.

City Manager Madrid wanted to differentiate between public comment and Public Hearings. Public comment can be for anything and should be limited to 3 minutes. As far time limits for Public Hearings, that's at the discretion of the Commission and those involved. Some things will absolutely take longer than 3 minutes. There is not a set time limit for Public Hearings. Individuals can send an email or write a letter and send it to the Clerk's Office and it will be distributed to the Commission during the meeting. It can be read into public comment or just stay between the Commissioners.

Member Dicks suggested a sign-in sheet for the public comments.

City Manager Madrid stated that public comment is not intended to be an interaction or a discussion. Its purpose is to listen and accept the comment be it positive, negative or indifferent. You can also have on the agenda responses to public comment. You are not obligated to respond in any way.

**Chairman Urban made a motion for public comment to take place at the onset of every meeting and that it is limited to 90 seconds per person. Vice Chairman Dunnum seconded the motion. Motion carried unanimously.**

**REPORTS:**

City Attorney Jay Rubin explained that 'REPORTS' does not mean that the commissioners will receive any type of reports, but just to speak of anything that may be on their minds.

City Clerk Torres advised that she could change the term to: '**COMMENTS FROM P & Z COMMISSION**' if that suits the members better. They all agreed.

Chairman Urban asked for Traci Alvarez to explain the process for reviewing the applications.

Ms. Alvarez explained that she will prepare all of the application information and will have it to City Clerk Torres the Friday prior to the meeting and City Clerk Torres will get them out to the Commission in the agenda packet. The agenda packet will include an application about the agenda item and any other supporting documents. She further explained that she will have her files with her in case there's a question about anything that wasn't included in the packet.

City Manager Madrid stated that he has seen other processes used in other communities. The first step is to present the record, which would be the file that Traci has developed. Make sure that it is complete, and have a vote to accept the record proper. The second part is to reject or accept the request to vote.

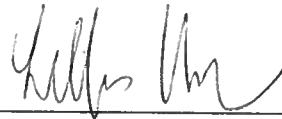
Chairman Urban suggested if they are able to accept the findings of facts as amended by Comments from the Commission.

City Clerk Torres stated that it would be noted during the minutes, and then when it's presented to the City Commission by Traci Alvarez. Amendments will be included as well.

**ADJOURNMENT:**

**There being no further business to come before the Planning & Zoning Commission, Lillis Urban, Chairman, declared the meeting adjourned. Member Dumiak seconded the motion. Motion carried unanimously.**

PASSED AND APPROVED this 24<sup>th</sup> day of June, 2020.

A handwritten signature in black ink, appearing to read 'Lillis Urban', is written over a horizontal line.

Lillis Urban Chairman  
Planning & Zoning Commission



# CITY OF TRUTH OR CONSEQUENCES

## AGENDA REQUEST FORM

MEETING DATE: July 8, 2020

*Agenda Item #: E4*

**SUBJECT:** Accounts Payable – July 2020  
**DEPARTMENT:** Finance  
**DATE SUBMITTED:** July 2, 2020  
**SUBMITTED BY:** Finance Department  
**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 June 2020

### **Attachments:**

- End of Month Accounts Payable Report by Fund
- -

### **Fiscal Impact (Finance): Yes**

All Funds Summary is a total of \$ 1,257,946.83

### **Legal Review (City Attorney): N/A**

N/A

**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: CC Agendas 7-08-2020



Truth or Consequences

# EOM AP Report By Fund

Post Dates 06/01/2020 - 06/30/2020

## 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    |
|-------------------------------|---------------------|------------|--------------------------------|----------------|-----------|
| <b>Fund: 101 - General</b>    |                     |            |                                |                |           |
| WILLIAM I. BUHLER             | 011520-R            | 06/23/2020 | OPEN PO FY 19/20 FISH POND ... | 101-1009-43770 | -450.00   |
| NEW MEXICO GAS COMPANY, I...  | 051520              | 06/05/2020 | GAS BILLS/NM WORKFORCE C...    | 101-1018-43780 | 27.37     |
| NEW MEXICO GAS COMPANY, I...  | 051520              | 06/05/2020 | GAS BILLS/AIMAL SHELTER        | 101-1018-43780 | 43.53     |
| NEW MEXICO GAS COMPANY, I...  | 051520              | 06/05/2020 | GAS BILLS/GENERAL              | 101-1018-43780 | 292.15    |
| TDS                           | 06012020            | 06/05/2020 | INTERNET SERVICE/PD OPEN PO..  | 101-1007-43775 | 161.66    |
| VERIZON WIRELESS              | 060420              | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20   | 101-1001-43775 | 281.65    |
| VERIZON WIRELESS              | 060420              | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20   | 101-1002-43775 | 169.78    |
| VERIZON WIRELESS              | 060420              | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20   | 101-1003-43775 | 317.09    |
| VERIZON WIRELESS              | 060420              | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20   | 101-1004-43775 | 339.92    |
| VERIZON WIRELESS              | 060420              | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20   | 101-1007-43775 | 1,096.26  |
| VERIZON WIRELESS              | 060420              | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20   | 101-1008-43775 | 262.18    |
| VERIZON WIRELESS              | 060420              | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20   | 101-1009-43775 | 109.06    |
| TALON SEPTIC & POTTY SERVICE  | 060420              | 06/05/2020 | CLEAN AND SERVICE PORTABLES..  | 101-1009-48599 | 800.00    |
| VERIZON WIRELESS              | 060420              | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20   | 101-1010-43775 | 96.75     |
| VERIZON WIRELESS              | 060420              | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20   | 101-1011-43775 | 88.30     |
| VERIZON WIRELESS              | 060420              | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20   | 101-1012-43775 | 29.24     |
| VERIZON WIRELESS              | 060420              | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20   | 101-1014-43775 | 196.75    |
| LANFORD INVESTIGATIVE SOLU... | 102                 | 06/05/2020 | OPEN PO DETECTIVE SERVICES...  | 101-1007-48599 | 4,692.63  |
| MANANA                        | 105-20              | 06/05/2020 | OPEN PO-LANDSCAPING SERVI...   | 101-1009-48599 | 900.00    |
| SIERRA COUNTY SENTINEL        | 105865/105932       | 06/05/2020 | HELP WANTED ADS FY19-20 - O... | 101-1004-43740 | 38.75     |
| SIERRA COUNTY SENTINEL        | 105868              | 06/05/2020 | RFP NOTICE/ENGINEERING SERV..  | 101-1004-43740 | 82.39     |
| SIERRA COUNTY SENTINEL        | 105930              | 06/05/2020 | OPEN PO FY 19/20               | 101-1001-43740 | 626.73    |
| THE LINE, LLC                 | 1136                | 06/05/2020 | 5.11 SHORT SLEEVE POLO NAVY    | 101-1008-42620 | 79.98     |
| THE LINE, LLC                 | 1136                | 06/05/2020 | 5.11 LONG SLEEVE NAVY POLO     | 101-1008-42620 | 89.98     |
| THE LINE, LLC                 | 1136                | 06/05/2020 | 5.11 STRYKE PANTS 32X34        | 101-1008-42620 | 299.96    |
| THE LINE, LLC                 | 1136                | 06/05/2020 | CHEST EMBROIDERY               | 101-1008-42620 | 28.00     |
| THE LINE, LLC                 | 1136                | 06/05/2020 | DISCOUNT                       | 101-1008-42620 | -46.99    |
| WEX BANK                      | 113611              | 06/05/2020 | FUEL                           | 101-1003-43316 | 22.07     |
| ALARM CONTROL TECHNOLOGI...   | 189131/189132       | 06/05/2020 | MONTHLY FIRE ALARM MONIT...    | 101-1014-47410 | 53.94     |
| COOPERATIVE EDUCATIONAL S...  | 24-103118/24-103110 | 06/05/2020 | RALPH EDWARDS PARK DESIGN...   | 101-1010-48598 | 23,973.46 |
| THE POWER CENTER, INC         | 324163              | 06/05/2020 | BLADE 25 MED LIFT              | 101-1009-47420 | 136.92    |
| EWING IRRIGATION              | 3461216             | 06/05/2020 | 4 SCH 40 PVCBE PIPE            | 101-1009-44607 | 41.76     |
| EWING IRRIGATION              | 3461216             | 06/05/2020 | QT 711 PVC CEMENT W/BRUSH      | 101-1009-44607 | 37.79     |
| EWING IRRIGATION              | 3461216             | 06/05/2020 | QT P-70 PURPLE PRIMER          | 101-1009-44607 | 33.33     |
| EWING IRRIGATION              | 3461216             | 06/05/2020 | 4 X 3 PVC RED BUSHING SS       | 101-1009-44607 | 8.21      |
| EWING IRRIGATION              | 3461216             | 06/05/2020 | 3 BGV THD BRASS GATE VALVE     | 101-1009-44607 | 93.63     |
| EWING IRRIGATION              | 3461216             | 06/05/2020 | 910 CARSON 10IN GREEN BOX/L... | 101-1009-44607 | 16.59     |
| EWING IRRIGATION              | 3461216             | 06/05/2020 | 3 PVC MALE ADAPTORS TXS        | 101-1009-44607 | 10.66     |
| EWING IRRIGATION              | 3461216             | 06/05/2020 | 3 PVC 45 ELL SS                | 101-1009-44607 | 9.66      |
| EWING IRRIGATION              | 3461216             | 06/05/2020 | 3 SCH 40 PVC BE PIPE           | 101-1009-44607 | 356.05    |
| ARMUJO'S CASA BONITA          | 43979               | 06/05/2020 | GLASS SHIELD INSTALLED PARTS.. | 101-1014-43403 | 935.00    |
| RELIANCE STEEL                | 455722              | 06/05/2020 | STEEL FLOOR PLATE 60X120       | 101-1009-44607 | 950.00    |
| TRANS UNION RISK & ALTERNAT.. | 485949-2020005-1    | 06/05/2020 | MONTHLY CHARGE FOR TLO SO...   | 101-1007-43770 | 110.00    |
| U.S. DISTRIBUTING, INC.       | 486874              | 06/05/2020 | BATTERY                        | 101-1007-47420 | 67.80     |
| OFFICE DEPOT                  | 489358516           | 06/05/2020 | STORAGE CTR W/ FILE CABINET    | 101-1002-60576 | 479.98    |
| COMPANION ANIMAL ACTION ...   | 52920               | 06/05/2020 | OPEN PO FOR SUBRECIPIENT G...  | 101-1000-60725 | 625.00    |

## EOM AP Report

Post Dates: 06/01/2020 - 06/30/2020

| Vendor Name                     | Payable Number    | Post Date  | Description (item)                 | Account Number | Amount    |
|---------------------------------|-------------------|------------|------------------------------------|----------------|-----------|
| JAY RUBIN ATTORNEY AT LAW       | 60120             | 06/05/2020 | OPEN PO FOR LEGAL SERVICES ...     | 101-1003-48598 | 5,923.07  |
| THE CLUB OF SIERRA COUNTY       | 6220              | 06/05/2020 | OPEN PO FOR SUBRECIPIENT G...      | 101-1000-60725 | 2,500.00  |
| DOMESTIC ABUSE INTERVENTI...    | 6320              | 06/05/2020 | OPEN PO FOR SUBRECIPIENT G...      | 101-1000-60725 | 625.00    |
| INTEGRATED TECHNOLOGIES G...    | 6901              | 06/05/2020 | IT SERVICES SEPT 1, 2019 -FEB 2... | 101-1004-48599 | 4,924.22  |
| FOXWORTH-GALBRAITH              | 7443993           | 06/05/2020 | 24 X 48 X .022 ACRYLIC GLAZING     | 101-1014-43403 | 782.16    |
| REED'S TIRE CENTER              | 7850              | 06/05/2020 | 245/55R18 TIRES G-99290            | 101-1007-47420 | 350.00    |
| SANDIA OFFICE SUPPLY            | 854043-0/854186-0 | 06/05/2020 | INFRARED TOUCHLESS THERM...        | 101-1000-60430 | 1,716.12  |
| SANDIA OFFICE SUPPLY            | 854043-0/854186-0 | 06/05/2020 | DISPOSABLE MEDICAL FACE MA...      | 101-1000-60430 | 4,650.00  |
| SIERRA AUTO/CARQUEST            | ID-265162         | 06/05/2020 | CRIMPS                             | 101-1009-47420 | 12.00     |
| SIERRA AUTO/CARQUEST            | ID-265162         | 06/05/2020 | CRIMPS                             | 101-1009-47420 | 12.00     |
| SIERRA AUTO/CARQUEST            | ID-265162         | 06/05/2020 | HYDRAULIC HOSE - BULK              | 101-1009-47420 | 14.88     |
| SIERRA AUTO/CARQUEST            | ID-265162         | 06/05/2020 | 6G-6FIX                            | 101-1009-47420 | 13.56     |
| SIERRA AUTO/CARQUEST            | ID-265162         | 06/05/2020 | 4G-6FIX                            | 101-1009-47420 | 14.22     |
| SIERRA AUTO/CARQUEST            | ID-265162         | 06/05/2020 | HYDRAULIC HOSE -BULK               | 101-1009-47420 | 17.39     |
| SIERRA AUTO/CARQUEST            | ID-265490         | 06/05/2020 | SERPINTINE BELT                    | 101-1007-47420 | 33.74     |
| T OR C SCHOOLS                  | JJAC/APRIL 2020   | 06/05/2020 | JJAC OPEN PO FY 19/20              | 101-1003-60784 | 5,584.80  |
| LASTING PAWS PET MEMORIAL ...   | LC10391-1-0003    | 06/05/2020 | ANIMAL CREMATION FOR \$0.90...     | 101-1008-48599 | 283.92    |
| TDS                             | MAY 2020-TDS      | 06/05/2020 | TDS FIBER INTERNET OPEN PO ...     | 101-1018-43780 | 5,557.85  |
| LYNN'S LANDSCAPE                | 8291              | 06/10/2020 | MOBILIZATION SET UP EQUIPM...      | 101-1003-60781 | 3,000.00  |
| LYNN'S LANDSCAPE                | 8291              | 06/10/2020 | IRRIGATION SUPPLIES AND MA...      | 101-1003-60781 | 35,848.00 |
| LYNN'S LANDSCAPE                | 8291              | 06/10/2020 | LABOR - 5 MAN CREW - 200 H...      | 101-1003-60781 | 9,812.08  |
| MUNICIPAL CODE CORP.            | 00343918          | 06/12/2020 | OPEN PO: CODIFICATION OF CL...     | 101-1001-43740 | 275.00    |
| EVELYN BROOKS                   | 06032020          | 06/12/2020 | REFUND/NON-STERILIZED DEP...       | 101-1099-34343 | 25.00     |
| CITY UTILITIES                  | 060520            | 06/12/2020 | CITY LANDFILL BILLS/OPEN PO F...   | 101-1018-43780 | 149.17    |
| INTERNAL SERVICE FUND           | 060920            | 06/12/2020 | OIL-MAINT-SAFETY 05/20             | 101-1003-47420 | 5.26      |
| INTERNAL SERVICE FUND           | 060920            | 06/12/2020 | OIL-MAINT-SAFETY 05/20             | 101-1007-43316 | 32.50     |
| INTERNAL SERVICE FUND           | 060920            | 06/12/2020 | OIL-MAINT-SAFETY 05/20             | 101-1007-47420 | 24.07     |
| INTERNAL SERVICE FUND           | 060920            | 06/12/2020 | OIL-MAINT-SAFETY 05/20             | 101-1009-43316 | 46.30     |
| INTERNAL SERVICE FUND           | 060920            | 06/12/2020 | OIL-MAINT-SAFETY 05/20             | 101-1009-47420 | 57.48     |
| INTERNAL SERVICE FUND           | 060920            | 06/12/2020 | OIL-MAINT-SAFETY 05/20             | 101-1014-43316 | 35.00     |
| INTERNAL SERVICE FUND           | 060920            | 06/12/2020 | OIL-MAINT-SAFETY 05/20             | 101-1014-47420 | 10.56     |
| CURTIS CHERRY                   | 062120            | 06/12/2020 | ADVANCED/PER DIEM/ALBUQU...        | 101-1008-42310 | 349.60    |
| COPPLER LAW FIRM PC             | 10523/10530/10536 | 06/12/2020 | OPEN PO FOR LEGAL SERVICES ...     | 101-1010-48598 | 2,597.36  |
| SIERRA VISTA HOSPITAL           | 27927C1567        | 06/12/2020 | Collection Fee                     | 101-1004-44615 | 50.00     |
| GEMALTO COGENT, INC             | 431454            | 06/12/2020 | FINGERPRINT BACKGROUND             | 101-1007-48598 | 8.30      |
| B & H OIL CO.                   | 49901             | 06/12/2020 | OPEN PO FOR UNLEADED FUEL ...      | 101-1003-43316 | 30.26     |
| B & H OIL CO.                   | 49902             | 06/12/2020 | Unleaded Fuel- Open PO FY 19/...   | 101-1007-43316 | 2,050.86  |
| B & H OIL CO.                   | 49909             | 06/12/2020 | UNLEADED FUEL/OPEN PO FY 1...      | 101-1014-43316 | 266.61    |
| B & H OIL CO.                   | 49910             | 06/12/2020 | UNLEADED FUEL PURCHASES            | 101-1009-43316 | 438.90    |
| B & H OIL CO.                   | 49910             | 06/12/2020 | DIESEL FUEL PURCHASES              | 101-1009-43317 | 106.79    |
| SIERRA VETERINARY SERVICES,L... | 54545/54724       | 06/12/2020 | VETERINARY SERVICES                | 101-1008-48599 | 130.20    |
| SIERRA JOINT OFFICE ON AGING    | 60520             | 06/12/2020 | OPEN PO FOR SUBRECIPIENT G...      | 101-1000-60725 | 11,703.50 |
| MATTHEW 25 FOOD PANTRY INC      | 60520             | 06/12/2020 | OPEN PO FOR SUBRECIPIENT G...      | 101-1000-60725 | 1,800.00  |
| DAVID S. JOHNSON                | 60820             | 06/12/2020 | REIMBURSEMENT/DOORBELL             | 101-1014-43403 | 21.69     |
| B & H OIL CO.                   | 71056             | 06/12/2020 | Unleaded Fuel - Open PO FY 19...   | 101-1008-43316 | 414.34    |
| SIERRA AUTO/CARQUEST            | ID-265864         | 06/12/2020 | REAR ROTORS                        | 101-1007-47420 | 83.42     |
| SIERRA AUTO/CARQUEST            | ID-265864         | 06/12/2020 | BRAKE PAD FRONT                    | 101-1007-47420 | 45.40     |
| SIERRA AUTO/CARQUEST            | ID-265864         | 06/12/2020 | FRONT ROTORS                       | 101-1007-47420 | 187.36    |
| SIERRA AUTO/CARQUEST            | ID-265864         | 06/12/2020 | BRAKE PAD REAR                     | 101-1007-47420 | 44.26     |
| BARTOO SAND & GRAVEL, INC.      | M47279            | 06/12/2020 | 3000 PSI CONCRETE W/AIR PER...     | 101-1009-44607 | 2,388.63  |
| FERGUSON WATERWORKS             | 0391060/0393509   | 06/19/2020 | 8.4OZ HND SANITIZER REFILL         | 101-1002-44606 | 37.50     |
| FERGUSON WATERWORKS             | 0391060/0393509   | 06/19/2020 | GAL HAND SANITIZER                 | 101-1002-44606 | 232.00    |
| FERGUSON WATERWORKS             | 0391060/0393509   | 06/19/2020 | DISPBL MASK                        | 101-1002-44606 | 157.50    |
| FERGUSON WATERWORKS             | 0391060/0393509   | 06/19/2020 | MASKS 40 PAK                       | 101-1002-44606 | 220.00    |
| NM RETIREE HEALTH CARE          | 061220            | 06/19/2020 | BENEFIT PR ENDING 06-05-20         | 101-1001-41226 | 92.11     |
| NM RETIREE HEALTH CARE          | 061220            | 06/19/2020 | BENEFIT PR ENDING 06-05-20         | 101-1002-41226 | 77.33     |
| NM RETIREE HEALTH CARE          | 061220            | 06/19/2020 | BENEFIT PR ENDING 06-05-20         | 101-1003-41226 | 191.84    |
| NM RETIREE HEALTH CARE          | 061220            | 06/19/2020 | BENEFIT PR ENDING 06-05-20         | 101-1004-41226 | 217.25    |
| NM RETIREE HEALTH CARE          | 061220            | 06/19/2020 | BENEFIT PR ENDING 06-05-20         | 101-1007-41226 | 773.92    |
| NM RETIREE HEALTH CARE          | 061220            | 06/19/2020 | BENEFIT PR ENDING 06-05-20         | 101-1008-41226 | 185.89    |



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Post Dates: 06/01/2020 - 06/30/2020

| Vendor Name                   | Payable Number | Post Date  | Description (Item)               | Account Number | Amount   |
|-------------------------------|----------------|------------|----------------------------------|----------------|----------|
| NM RETIREE HEALTH CARE        | 061220         | 06/19/2020 | BENEFIT PR ENDING 06-05-20       | 101-1009-41226 | 177.12   |
| NM RETIREE HEALTH CARE        | 061220         | 06/19/2020 | BENEFIT PR ENDING 06-05-20       | 101-1010-41226 | 45.60    |
| NM RETIREE HEALTH CARE        | 061220         | 06/19/2020 | BENEFIT PR ENDING 06-05-20       | 101-1011-41226 | 298.30   |
| NM RETIREE HEALTH CARE        | 061220         | 06/19/2020 | BENEFIT PR ENDING 06-05-20       | 101-1012-41226 | 72.00    |
| NM RETIREE HEALTH CARE        | 061220         | 06/19/2020 | BENEFIT PR ENDING 06-05-20       | 101-1014-41226 | 188.62   |
| NM RETIREE HEALTH CARE        | 061220         | 06/19/2020 | BENEFIT PR ENDING 06-05-20       | 101-1016-41226 | 158.89   |
| CITY UTILITIES                | 061620         | 06/19/2020 | CITY UTILITIES CYCLE A&B/OPEN..  | 101-1018-43780 | 2,565.23 |
| TURTLEBACK PEST CONTROL, I... | 061720         | 06/19/2020 | MONTHLY PEST CONTROL SERV...     | 101-1014-47410 | 755.16   |
| COOPERATIVE EDUCATIONAL S...  | 24-103484      | 06/19/2020 | LANDSCAPE TRAILER                | 101-1009-44613 | 4,191.12 |
| COOPERATIVE EDUCATIONAL S...  | 24-104123      | 06/19/2020 | RALPH EDWARDS PARK DESIGN...     | 101-1010-48598 | 1,346.16 |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | LETTER OPENER                    | 101-1002-44606 | 5.10     |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | MESH DRAWER                      | 101-1002-44606 | 14.92    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | DOOR CHIME                       | 101-1002-44606 | 117.99   |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | 18 SHEET CUT SHREDDER            | 101-1002-44606 | 269.99   |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | TAPE REFILL                      | 101-1002-44606 | 17.99    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | DESK TOP CALCULATOR              | 101-1002-44606 | 89.09    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | RETRACTABLE GEL BLUE             | 101-1002-60576 | 57.58    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | STACKABLE WIRE                   | 101-1002-60576 | 45.89    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | WALL CALENDAR                    | 101-1002-60576 | 40.49    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | FILE JACKETS                     | 101-1002-60576 | 42.29    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | FILE ORGANIZER                   | 101-1002-60576 | 41.38    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | LOCKING CABINET                  | 101-1002-60576 | 244.99   |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | CLASP ENVELOPE                   | 101-1002-60576 | 18.44    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | PENCIL HOLDER                    | 101-1002-60576 | 14.39    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | 1/3 CUT ASST. LETTER             | 101-1002-60576 | 10.79    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | METAL FILE                       | 101-1002-60576 | 100.32   |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | SCISSORS                         | 101-1002-60576 | 8.36     |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | GEL FINE                         | 101-1002-60576 | 104.36   |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | MESH FILE CART                   | 101-1002-60576 | 119.99   |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | LETTER ASST COLORS               | 101-1002-60576 | 18.20    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | FINGERTIP MOISTENERS             | 101-1002-60576 | 7.72     |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | FOLDERS GREEN                    | 101-1002-60576 | 133.18   |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | WHITE ENVELOPES PLAIN            | 101-1002-60576 | 35.99    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | TINTED ENVELOPES                 | 101-1002-60576 | 35.99    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | MANILA FOLDERS                   | 101-1002-60576 | 29.37    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | DOC HOLDER                       | 101-1002-60576 | 98.99    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | ORGANIZING SYSTEM                | 101-1002-60576 | 25.19    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | CARD HOLDER                      | 101-1002-60576 | 5.39     |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | STARTER SET                      | 101-1002-60576 | 37.79    |
| QUILL CORPORATION             | 6592800        | 06/19/2020 | LABEL MAKER                      | 101-1002-60576 | 195.29   |
| NM EDGE                       | 7788/7789/7794 | 06/19/2020 | REGISTRATION FOR TAMMY GA...     | 101-1003-42720 | 650.00   |
| NM EDGE                       | 7788/7789/7794 | 06/19/2020 | REGISTRATION FOR JAMIE SWE...    | 101-1003-42720 | 150.00   |
| NM EDGE                       | 7793           | 06/19/2020 | CHIEF PROCUREMENT OFFICER ...    | 101-1004-42720 | 540.00   |
| T OR C SCHOOLS                | JJAC/MAY2020   | 06/19/2020 | JJAC OPEN PO FY 19/20            | 101-1003-60784 | 3,785.60 |
| XEROX CORP.                   | 010476806      | 06/26/2020 | BASE CHARGE/METER USAGE - ...    | 101-1004-43465 | 452.84   |
| XEROX CORP.                   | 010476808      | 06/26/2020 | BASE CHARGE/METER USAGE O...     | 101-1001-43465 | 262.49   |
| XEROX CORP.                   | 010476811      | 06/26/2020 | Base Charge - Meter Usage OPe... | 101-1007-43465 | 240.52   |
| XEROX CORP.                   | 010476812      | 06/26/2020 | METER USAGE                      | 101-1002-60840 | 209.52   |
| XEROX CORP.                   | 010476830      | 06/26/2020 | METER USAGE OPEN PO 19/20        | 101-1003-43465 | 282.05   |
| XEROX CORP.                   | 010476832      | 06/26/2020 | BASE CHARGE & METER USAGE ...    | 101-1009-43465 | 213.12   |
| BANK OF AMERICA               | 059910         | 06/26/2020 | POSTAGE                          | 101-1002-60576 | 110.00   |
| NEW MEXICO GAS COMPANY, I...  | 061620         | 06/26/2020 | GAS BILLS/NM WORKFORCE C...      | 101-1018-43780 | 24.34    |
| NEW MEXICO GAS COMPANY, I...  | 061620         | 06/26/2020 | GAS BILLS/AIMAL SHELTER          | 101-1018-43780 | 34.39    |
| CITY UTILITIES                | 062320         | 06/26/2020 | CITY UTILITIES CYCLE C&D/OPEN... | 101-1018-43780 | 3,284.93 |
| BANK OF AMERICA               | 06232020       | 06/26/2020 | CPR/FIRST AID/AED ADULT CHI...   | 101-1007-48598 | 30.00    |
| WINDSTREAM CORPORATION        | 062520         | 06/26/2020 | PHONE BILLS/OPEN PO FY 19/20     | 101-1003-43775 | 110.09   |
| WINDSTREAM CORPORATION        | 062520         | 06/26/2020 | PHONE BILLS                      | 101-1007-43775 | 361.12   |
| WINDSTREAM CORPORATION        | 062520         | 06/26/2020 | PHONE BILLS                      | 101-1009-43775 | 1,043.10 |
| WINDSTREAM CORPORATION        | 062520         | 06/26/2020 | PHONE BILLS                      | 101-1011-43775 | 145.79   |
| WINDSTREAM CORPORATION        | 062520         | 06/26/2020 | PHONE BILLS                      | 101-1014-43775 | 438.12   |

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Post Dates: 06/01/2020 - 06/30/2020

| Vendor Name                      | Payable Number       | Post Date  | Description (Item)                 | Account Number | Amount            |
|----------------------------------|----------------------|------------|------------------------------------|----------------|-------------------|
| SIERRA VISTA HOSPITAL            | 062520               | 06/26/2020 | GRT DISTRIBUTION FY 19-20 OP...    | 101-1017-48599 | 21,341.55         |
| NM RETIREE HEALTH CARE           | 062620               | 06/26/2020 | BENEFIT PR ENDING 06/19/20         | 101-1001-41226 | 92.11             |
| NM RETIREE HEALTH CARE           | 062620               | 06/26/2020 | BENEFIT PR ENDING 06/19/20         | 101-1002-41226 | 77.33             |
| NM RETIREE HEALTH CARE           | 062620               | 06/26/2020 | BENEFIT PR ENDING 06/19/20         | 101-1003-41226 | 191.84            |
| NM RETIREE HEALTH CARE           | 062620               | 06/26/2020 | BENEFIT PR ENDING 06/19/20         | 101-1004-41226 | 217.25            |
| NM RETIREE HEALTH CARE           | 062620               | 06/26/2020 | BENEFIT PR ENDING 06/19/20         | 101-1007-41226 | 773.92            |
| NM RETIREE HEALTH CARE           | 062620               | 06/26/2020 | BENEFIT PR ENDING 06/19/20         | 101-1008-41226 | 185.89            |
| NM RETIREE HEALTH CARE           | 062620               | 06/26/2020 | BENEFIT PR ENDING 06/19/20         | 101-1009-41226 | 177.12            |
| NM RETIREE HEALTH CARE           | 062620               | 06/26/2020 | BENEFIT PR ENDING 06/19/20         | 101-1010-41226 | 45.60             |
| NM RETIREE HEALTH CARE           | 062620               | 06/26/2020 | BENEFIT PR ENDING 06/19/20         | 101-1011-41226 | 298.30            |
| NM RETIREE HEALTH CARE           | 062620               | 06/26/2020 | BENEFIT PR ENDING 06/19/20         | 101-1012-41226 | 28.80             |
| NM RETIREE HEALTH CARE           | 062620               | 06/26/2020 | BENEFIT PR ENDING 06/19/20         | 101-1014-41226 | 165.60            |
| NM RETIREE HEALTH CARE           | 062620               | 06/26/2020 | BENEFIT PR ENDING 06/19/20         | 101-1016-41226 | 158.89            |
| SIERRA COUNTY SENTINEL           | 105955/106022/106036 | 06/26/2020 | HELP WANTED ADS FY19-20 - O...     | 101-1004-43740 | 118.49            |
| SIERRA COUNTY SENTINEL           | 105966/106027        | 06/26/2020 | OPEN PO FY 19/20                   | 101-1001-43740 | 498.06            |
| ALARM CONTROL TECHNOLOGI...      | 189233/189234        | 06/26/2020 | MONTHLY FIRE ALARM MONIT...        | 101-1014-47410 | 53.94             |
| BANK OF AMERICA                  | 264374               | 06/26/2020 | PLAZA STRAP METAL BENCH W/...      | 101-1008-44613 | 1,298.38          |
| BANK OF AMERICA                  | 325450               | 06/26/2020 | ADD ORGANIZER TO SUBSCRIPT...      | 101-1000-44606 | 214.01            |
| BANK OF AMERICA                  | 628835               | 06/26/2020 | DOMAIN/AMERICASPATOWN....          | 101-1001-43770 | 42.34             |
| BRADY INDUSTRIES, LLC            | 6506836              | 06/26/2020 | HAND SNITIZER CASE                 | 101-1014-44607 | 251.50            |
| BRADY INDUSTRIES, LLC            | 6506836              | 06/26/2020 | CRNTER PULL HAND TOWELS            | 101-1014-44607 | 360.00            |
| BRADY INDUSTRIES, LLC            | 6506836              | 06/26/2020 | FUEL CHARGE                        | 101-1014-44607 | 4.00              |
| BRADY INDUSTRIES, LLC            | 6506836              | 06/26/2020 | LARGE TRASH LINERS                 | 101-1014-44607 | 360.00            |
| INTEGRATED TECHNOLOGIES G...     | 6920                 | 06/26/2020 | DELL COMPUTER                      | 101-1002-60840 | 1,387.97          |
| INTEGRATED TECHNOLOGIES G...     | 6923                 | 06/26/2020 | LOGITECH MEETUP CONFEREN...        | 101-1000-44613 | 1,290.00          |
| INTEGRATED TECHNOLOGIES G...     | 6923                 | 06/26/2020 | INSTALL, CONFIG, & TRAIN + TAX     | 101-1000-44613 | 91.32             |
| INTEGRATED TECHNOLOGIES G...     | 6924                 | 06/26/2020 | MICROSOFT OFFICE HOME & B...       | 101-1002-60840 | 550.00            |
| INTEGRATED TECHNOLOGIES G...     | 6927                 | 06/26/2020 | IT SERVICES SEPT 1, 2019 -FEB 2... | 101-1004-48599 | 4,583.00          |
| INTEGRATED TECHNOLOGIES G...     | 6927                 | 06/26/2020 | TAX                                | 101-1004-48599 | 340.86            |
| REED'S TIRE CENTER               | 7940                 | 06/26/2020 | TIRES FOR JAMIE'S VEHICLE          | 101-1003-47420 | 412.00            |
| BANK OF AMERICA                  | 921295               | 06/26/2020 | EMERGENCY RESPONSE FIRST A...      | 101-1007-44615 | 1,041.47          |
| LAS CRUCES PHYSICIAN SERVIC...   | TC0015               | 06/26/2020 | POLIO                              | 101-1007-48598 | 190.00            |
| LAS CRUCES PHYSICIAN SERVIC...   | TC0015               | 06/26/2020 | AUDIOGRAM                          | 101-1007-48598 | 25.00             |
| LAS CRUCES PHYSICIAN SERVIC...   | TC0015               | 06/26/2020 | PHYSICAL EXAMINATION               | 101-1007-48598 | 170.12            |
| LAS CRUCES PHYSICIAN SERVIC...   | TC0015               | 06/26/2020 | MMR                                | 101-1007-48598 | 92.00             |
| LAS CRUCES PHYSICIAN SERVIC...   | TC0015               | 06/26/2020 | VARICELLA                          | 101-1007-48598 | 38.00             |
| LAS CRUCES PHYSICIAN SERVIC...   | TC0015               | 06/26/2020 | COMPLETE URINALYSIS                | 101-1007-48598 | 12.00             |
| LAS CRUCES PHYSICIAN SERVIC...   | TC0015               | 06/26/2020 | EKG                                | 101-1007-48598 | 30.00             |
| LAS CRUCES PHYSICIAN SERVIC...   | TC0015               | 06/26/2020 | TB                                 | 101-1007-48598 | 12.00             |
| LAS CRUCES PHYSICIAN SERVIC...   | TC0015               | 06/26/2020 | BLOOD CHEMISTRY (CHEM 30)          | 101-1007-48598 | 12.00             |
| LAS CRUCES PHYSICIAN SERVIC...   | TC0015               | 06/26/2020 | CBC                                | 101-1007-48598 | 12.00             |
| LAS CRUCES PHYSICIAN SERVIC...   | TC0015               | 06/26/2020 | HEP A                              | 101-1007-48598 | 25.00             |
| LAS CRUCES PHYSICIAN SERVIC...   | TC0015               | 06/26/2020 | HEP B                              | 101-1007-48598 | 35.00             |
| <b>Fund 101 - General Total:</b> |                      |            |                                    |                | <b>207,311.47</b> |

## Fund: 201 - Corrections

|                                      |          |            |                                  |                |               |
|--------------------------------------|----------|------------|----------------------------------|----------------|---------------|
| SIERRA COUNTY TREASURER              | 06012020 | 06/12/2020 | Prisoner Care Open PO FY19/20    | 201-1903-48710 | 665.00        |
| ADMINISTRATIVE OFFICE OF             | 060520   | 06/12/2020 | PAY DWI AND COURT AUTO FEE...    | 201-1903-44805 | 24.00         |
| NM JUDICIAL EDUCATION CENT...        | 060520   | 06/12/2020 | PAY JUDICIAL FEES FY 19-20 OP... | 201-1903-44805 | 12.00         |
| <b>Fund 201 - Corrections Total:</b> |          |            |                                  |                | <b>701.00</b> |

## Fund: 209 - Fire

|                              |        |            |                                 |                |          |
|------------------------------|--------|------------|---------------------------------|----------------|----------|
| NEW MEXICO GAS COMPANY, I... | 051520 | 06/05/2020 | GAS BILLS/FIRE STATION          | 209-1603-43780 | 33.96    |
| NEW MEXICO GAS COMPANY, I... | 051520 | 06/05/2020 | GAS BILLS/FIRE SOUTH STATION    | 209-1603-43780 | 27.17    |
| VERIZON WIRELESS             | 060420 | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20    | 209-1603-43775 | 29.24    |
| TESTON'S FREEWAY CHEVRON     | 2963   | 06/12/2020 | FUEL ALL TRUCK - OPEN PO FY ... | 209-1603-43316 | 130.82   |
| MEGAHERTZ COMPUTER CONS...   | 30921  | 06/12/2020 | INTERNET SERVICE/NORTH FIRE...  | 209-1603-43770 | 54.25    |
| ARTESIA FIRE EQUIPMENT       | 71235  | 06/12/2020 | ANNUAL NFPA AIR TEST            | 209-1603-47420 | 475.67   |
| ARTESIA FIRE EQUIPMENT       | 71235  | 06/12/2020 | PURIFICATION CARTRIDGE          | 209-1603-47420 | 158.00   |
| ARTESIA FIRE EQUIPMENT       | 71235  | 06/12/2020 | HOSES/FITTINGS                  | 209-1603-47420 | 725.00   |
| ARTESIA FIRE EQUIPMENT       | 71235  | 06/12/2020 | SYNTHETIC OIL                   | 209-1603-47420 | 82.00    |
| ARTESIA FIRE EQUIPMENT       | 71235  | 06/12/2020 | ON-SITE MAINTENANCE BAUER...    | 209-1603-47420 | 1,275.00 |

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| Vendor Name                   | Payable Number | Post Date  | Description (Item)               | Account Number | Amount           |
|-------------------------------|----------------|------------|----------------------------------|----------------|------------------|
| ARTESIA FIRE EQUIPMENT        | 71235          | 06/12/2020 | FILTER ELEMENT                   | 209-1603-47420 | 23.00            |
| ARTESIA FIRE EQUIPMENT        | 71235          | 06/12/2020 | INTAKE FILTER                    | 209-1603-47420 | 27.00            |
| SCRDA                         | 06152020       | 06/19/2020 | DISPATCHING SERVICES FY 19/20    | 209-1603-80845 | 10,000.00        |
| CITY UTILITIES                | 061620         | 06/19/2020 | CITY UTILITIES CYCLE A&B/OPEN... | 209-1603-43780 | 293.61           |
| MEGAHERTZ COMPUTER CONS...    | 28748          | 06/19/2020 | INTERNET SERVICE/NORTH FIRE...   | 209-1603-43770 | 54.25            |
| XEROX CORP.                   | 010476834      | 06/26/2020 | BASE CHARGE/METER USAGE O...     | 209-1603-43770 | 257.31           |
| NEW MEXICO GAS COMPANY, I...  | 061620         | 06/26/2020 | GAS BILLS/FIRE STATION           | 209-1603-43780 | 31.04            |
| NEW MEXICO GAS COMPANY, I...  | 061620         | 06/26/2020 | GAS BILLS/FIRE SOUTH STATION     | 209-1603-43780 | 24.34            |
| CITY UTILITIES                | 062320         | 06/26/2020 | CITY UTILITIES CYCLE C&D/OPEN... | 209-1603-43780 | 4.69             |
| WINDSTREAM CORPORATION        | 062520         | 06/26/2020 | PHONE BILLS                      | 209-1603-43775 | 1,149.21         |
| WATERWAY OF NEW MEXICO, L...  | 2197           | 06/26/2020 | LADDER TESTING PER NFPA 1932     | 209-1603-47405 | 484.74           |
| WATERWAY OF NEW MEXICO, L...  | 2197           | 06/26/2020 | HOSE TESTING PER NFPA 1962       | 209-1603-47405 | 1,872.00         |
| MUNICIPAL EMERGENCY SERVI...  | 2197           | 06/26/2020 | TRAVEL                           | 209-1603-80845 | 75.00            |
| MUNICIPAL EMERGENCY SERVI...  | 2197           | 06/26/2020 | AA BATTERIES                     | 209-1603-80845 | 6.96             |
| MUNICIPAL EMERGENCY SERVI...  | 2197           | 06/26/2020 | TRAINING SCBA FLOW TESTING       | 209-1603-80845 | 880.00           |
| MUNICIPAL EMERGENCY SERVI...  | 2197           | 06/26/2020 | LABOR HOURLY RATE                | 209-1603-80845 | 160.00           |
| MUNICIPAL EMERGENCY SERVI...  | 2197           | 06/26/2020 | PACKING PERFORMED                | 209-1603-80845 | 52.80            |
| MUNICIPAL EMERGENCY SERVI...  | 2197           | 06/26/2020 | ELECTRONICS REPAIR               | 209-1603-80845 | 122.56           |
| TESTON'S FREEWAY CHEVRON      | 2984           | 06/26/2020 | FUEL ALL TRUCK - OPEN PO FY ...  | 209-1603-43316 | 427.34           |
| <b>Fund 209 - Fire Total:</b> |                |            |                                  |                | <b>18,936.96</b> |

## Fund: 211 - Law Enforce Prot

|   |                     |            |                                |                |                 |
|---|---------------------|------------|--------------------------------|----------------|-----------------|
| THE LINE, LLC                             | 1137                | 06/05/2020 | 5.11 FLAG BEARER CAP           | 211-2003-44573 | 203.88          |
| THE LINE, LLC                             | 1137                | 06/05/2020 | DISCOUNT                       | 211-2003-44573 | -130.37         |
| THE LINE, LLC                             | 1137                | 06/05/2020 | 5.11 DUTY RAIN SHELL JACKET... | 211-2003-44573 | 399.96          |
| THE LINE, LLC                             | 1137                | 06/05/2020 | 5.11 DUTY RAIN JACKET-MEDI...  | 211-2003-44573 | 199.98          |
| THE LINE, LLC                             | 1137                | 06/05/2020 | 5.11 DUTY RAIN SHELL JACKET... | 211-2003-44573 | 499.95          |
| GALLS, LLC                                | 015619444/015770552 | 06/19/2020 | STREAMLIGHT 3-VOLT LITHIUM...  | 211-2003-44573 | 53.56           |
| GALLS, LLC                                | 015619444/015770552 | 06/19/2020 | TRU-SPEC BOONIE HAT-MEDIUM     | 211-2003-44573 | 49.24           |
| GALLS, LLC                                | 015619444/015770552 | 06/19/2020 | GALLS DOUBLE LICK LEG IRONS    | 211-2003-44573 | 120.57          |
| GALLS, LLC                                | 015619444/015770552 | 06/19/2020 | SABRE RED MK-IV CROSSFIRE S... | 211-2003-44573 | 179.52          |
| GALLS, LLC                                | 015619444/015770552 | 06/19/2020 | TRU-SPEC BOONIE HAT-LARGE      | 211-2003-44573 | 86.17           |
| GALLS, LLC                                | 015583624           | 06/26/2020 | CROSSFIRE SAFETY SNIPER EYE... | 211-2003-44573 | 227.88          |
| GALLS, LLC                                | 015583624           | 06/26/2020 | GALLS BARRIER TAPE             | 211-2003-44573 | 131.90          |
| GALLS, LLC                                | 015583624           | 06/26/2020 | OAKLEY SI FIVES SQUARED        | 211-2003-44573 | 890.40          |
| GALLS, LLC                                | 015583624           | 06/26/2020 | KENSON INDUSTRIES MESURING...  | 211-2003-44573 | 271.19          |
| GALLS, LLC                                | 015583624           | 06/26/2020 | 3M RANGEGUARD HEARING PR...    | 211-2003-44573 | 831.45          |
| GALLS, LLC                                | 015583624           | 06/26/2020 | EAR PLUG DISPENSER             | 211-2003-44573 | 34.99           |
| BANK OF AMERICA                           | 751747              | 06/26/2020 | EXPO MARKER                    | 211-2003-44573 | 14.76           |
| BANK OF AMERICA                           | 751747              | 06/26/2020 | METAL SHELVES                  | 211-2003-44573 | 74.00           |
| BANK OF AMERICA                           | 751747              | 06/26/2020 | EXPO BOARD CLEANER             | 211-2003-44573 | 6.88            |
| BANK OF AMERICA                           | 751747              | 06/26/2020 | HYPER TOUGH TOOL SET           | 211-2003-44573 | 38.57           |
| BANK OF AMERICA                           | 751747              | 06/26/2020 | HALOGEN WORK LIGHT             | 211-2003-44573 | 33.97           |
| <b>Fund 211 - Law Enforce Prot Total:</b> |                     |            |                                |                | <b>4,218.45</b> |

## Fund: 214 - Lodgers Tax

|                                |             |            |                                |                |           |
|--------------------------------|-------------|------------|--------------------------------|----------------|-----------|
| SIERRA COUNTY ARTS COUNCIL     | 52820       | 06/05/2020 | OPEN PO FOR LODGERS TAX AD...  | 214-2503-47406 | 2,098.76  |
| CHAMBER OF COMMERCE            | 52920       | 06/05/2020 | OPEN PO FOR LODGERS TAX AD...  | 214-2503-47406 | 11,032.30 |
| FRIENDS OF ELEPHANT BUTTE L... | 53020       | 06/05/2020 | OPEN PO FOR LODGERS TAX SE...  | 214-2503-48811 | 250.00    |
| SIERRA COUNTY ARTS COUNCIL     | 6220        | 06/05/2020 | OPEN PO FOR LODGERS TAX AD...  | 214-2503-47406 | 901.30    |
| SKYLINE DEVELOPMENT            | 03022020    | 06/12/2020 | LODGERS TAX REFUND 11/19 &...  | 214-2503-30318 | 3,320.52  |
| SKYLINE DEVELOPMENT            | 03022020    | 06/12/2020 | LODGERS TAX REFUND 11/19 &...  | 214-2503-30319 | 2,251.21  |
| SKYLINE DEVELOPMENT            | 03022020    | 06/12/2020 | LODGERS TAX REFUND 11/19 &...  | 214-2503-37323 | 56.28     |
| GRIFFIN & ASSOCIATES MARKET... | 14942/14993 | 06/12/2020 | GRANT MANAGEMENT               | 214-2503-47597 | 8,090.63  |
| GRIFFIN & ASSOCIATES MARKET... | 14942/14993 | 06/12/2020 | ACCOUNT MANAGEMENT             | 214-2503-48599 | 970.88    |
| VETERANS MEMORIAL TRUST B...   | 53120       | 06/12/2020 | OPEN PO FOR LODGERS TAX AD...  | 214-2503-47406 | 294.29    |
| GERONIMO SPRINGS MUSEUM        | 60420       | 06/12/2020 | OPEN PO FOR LODGERS TAX SE...  | 214-2503-48815 | 1,150.00  |
| MAINSTREET T OR C              | 60520       | 06/12/2020 | OPEN PO FOR LODGERS TAX SE...  | 214-2503-48591 | 8,750.00  |
| MAINSTREET T OR C              | 60920       | 06/12/2020 | OPEN PO FOR LODGERS TAX AD...  | 214-2503-47406 | 3,195.95  |
| THE BOUNTIFUL ALLIANCE         | 6820        | 06/12/2020 | LODGERS TAX AD & PROMO C...    | 214-2503-47406 | 577.27    |
| LINDMARK OUTDOOR MEDIA         | 18762/18765 | 06/19/2020 | CITY ADVERTISING-OPEN PO-FY... | 214-2503-47597 | 844.84    |

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| Vendor Name                            | Payable Number | Post Date  | Description (Item)              | Account Number | Amount           |
|--|----------------|------------|---------------------------------|----------------|------------------|
| JOHN DEERE CREDIT, INC.                | 2346813        | 06/19/2020 | OPEN PO FY19/20 LEASE PMT JD..  | 214-2503-44810 | 950.73           |
| <b>Fund 214 - Lodgers Tax Total:</b>   |                |            |                                 |                | <b>44,734.96</b> |
| <b>Fund: 216 - Muni Street</b>         |                |            |                                 |                |                  |
| FOXWORTH-GALBRAITH                     | 7443785        | 06/05/2020 | CARRIAGE BOLT 3/8x2-1/2"        | 216-4503-44607 | 100.20           |
| FOXWORTH-GALBRAITH                     | 7443785        | 06/05/2020 | BOLT HEX GRADE 2 3/8x2          | 216-4503-44607 | 100.20           |
| FOXWORTH-GALBRAITH                     | 7443785        | 06/05/2020 | STAKE 1x2x12"                   | 216-4503-44607 | 99.92            |
| FOXWORTH-GALBRAITH                     | 7443785        | 06/05/2020 | LINE TRIMMER                    | 216-4503-44607 | 59.98            |
| FOXWORTH-GALBRAITH                     | 7443785        | 06/05/2020 | BALL VALVE 3"                   | 216-4503-44607 | 33.68            |
| FOXWORTH-GALBRAITH                     | 7443785        | 06/05/2020 | HEX BOLT GRADE 2 5/16x3/4"      | 216-4503-44607 | 46.00            |
| FOXWORTH-GALBRAITH                     | 7443785        | 06/05/2020 | FLAT WASHER 3/8"                | 216-4503-44607 | 30.60            |
| FOXWORTH-GALBRAITH                     | 7443785        | 06/05/2020 | LOCK WASHER 3/8"                | 216-4503-44607 | 27.20            |
| FOXWORTH-GALBRAITH                     | 7443785        | 06/05/2020 | NUT HEX 3/8-16                  | 216-4503-44607 | 23.80            |
| FOXWORTH-GALBRAITH                     | 7443785        | 06/05/2020 | HEX NUT 5/16-18                 | 216-4503-44607 | 20.40            |
| FOXWORTH-GALBRAITH                     | 7443785        | 06/05/2020 | NUT STOP 3/8-16                 | 216-4503-44607 | 46.00            |
| FOXWORTH-GALBRAITH                     | 7443944        | 06/05/2020 | BIT DRL HMR MSNRY 3/16x4-1/...  | 216-4503-44607 | 13.98            |
| FOXWORTH-GALBRAITH                     | 7443944        | 06/05/2020 | SCW TAPCON FHP ZC 1/4x2-1/4"    | 216-4503-44607 | 10.32            |
| SIERRA AUTO/CARQUEST                   | ID-265491      | 06/05/2020 | FUSE                            | 216-4503-47420 | 5.01             |
| B & H OIL CO.                          | 49904          | 06/12/2020 | UNLEADED FUEL PURCHASES         | 216-4503-43316 | 199.34           |
| B & H OIL CO.                          | 49904          | 06/12/2020 | DIESEL FUEL PURCHASES           | 216-4503-43317 | 1,639.36         |
| BORDER TIRE, LLC                       | 4024456        | 06/19/2020 | 9.50-16.5 TIRES                 | 216-4503-47420 | 360.00           |
| <b>Fund 216 - Muni Street Total:</b>   |                |            |                                 |                | <b>2,815.99</b>  |
| <b>Fund: 294 - State Library</b>       |                |            |                                 |                |                  |
| VERIZON WIRELESS                       | 060420         | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20    | 294-5003-43775 | 169.78           |
| <b>Fund 294 - State Library Total:</b> |                |            |                                 |                | <b>169.78</b>    |
| <b>Fund: 295 - Muni Pool</b>           |                |            |                                 |                |                  |
| NEW MEXICO GAS COMPANY, I...           | 051520         | 06/05/2020 | GAS BILLS/SWIMMING POOL         | 295-4803-43780 | 23.91            |
| TDS                                    | MAY 2020-TDS   | 06/05/2020 | TDS FIBER INTERNET OPEN PO ...  | 295-4803-43780 | 651.01           |
| NM RETIREE HEALTH CARE                 | 061220         | 06/19/2020 | BENEFIT PR ENDING 06-05-20      | 295-4803-41226 | 36.50            |
| XEROX CORP.                            | 010476818      | 06/26/2020 | METER USAGE OPEN PO 19/20       | 295-4803-43465 | 30.46            |
| NEW MEXICO GAS COMPANY, I...           | 061620         | 06/26/2020 | GAS BILLS/SWIMMING POOL         | 295-4803-43780 | 148.05           |
| NM RETIREE HEALTH CARE                 | 062620         | 06/26/2020 | BENEFIT PR ENDING 06/19/20      | 295-4803-41226 | 36.50            |
| POOL PRO, LLC                          | 200257-P       | 06/26/2020 | SHIPPING                        | 295-4803-44607 | 15.00            |
| POOL PRO, LLC                          | 200257-P       | 06/26/2020 | PALINTEST 3 & 6 TEST TUBES      | 295-4803-44607 | 24.25            |
| POOL PRO, LLC                          | 200257-P       | 06/26/2020 | PALINTEST DPD #1                | 295-4803-44607 | 29.00            |
| <b>Fund 295 - Muni Pool Total:</b>     |                |            |                                 |                | <b>994.68</b>    |
| <b>Fund: 296 - PD GRT</b>              |                |            |                                 |                |                  |
| INTEGRATED TECHNOLOGIES G...           | 6910           | 06/12/2020 | LABOR; INSTALL AND CONFIGU...   | 296-2403-80845 | 1,369.83         |
| INTEGRATED TECHNOLOGIES G...           | 6910           | 06/12/2020 | DELL LATITUDE 5424 RUGGED       | 296-2403-80845 | 16,100.00        |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | 8 PORT MANAGED NETWORK ...      | 296-2403-80845 | 950.00           |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | TRAVEL CHARGES                  | 296-2403-80845 | 600.00           |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | DISCOUNT                        | 296-2403-80845 | -2,904.97        |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | SYSTEM TECHNOLOGIST             | 296-2403-80845 | 5,000.00         |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | SERVICE TECH                    | 296-2403-80845 | 3,400.00         |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | 1/2' CORRUGATED/SMOOTH C...     | 296-2403-80845 | 19.99            |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | DEKA 8A31 12V-105AH AGM B...    | 296-2403-80845 | 2,149.75         |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | ACM-APPLICANCE HARDWARE ...     | 296-2403-80845 | 2,137.50         |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | MIMOSA B5C 5GHZ                 | 296-2403-80845 | 1,663.20         |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | #6 AWG THHN GREEN JACKET S...   | 296-2403-80845 | 32.00            |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | RADIO INTERFACE CABLES          | 296-2403-80845 | 1,500.00         |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | JPS SNV-12 SIGNAL TO NOICE V... | 296-2403-80845 | 7,577.64         |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | 5 GHZ MICROWAVE DUAL PORT...    | 296-2403-80845 | 426.76           |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | KENWOOD NX5000                  | 296-2403-80845 | 735.00           |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | COMMSCOPE                       | 296-2403-80845 | 365.00           |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | SAMLEX 23 POWER SUPPLY/W ...    | 296-2403-80845 | 389.00           |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | 5/8" X 8' COPPER CLAD GROUN...  | 296-2403-80845 | 33.50            |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | TAX                             | 296-2403-80845 | 708.75           |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | PIPE ADAPTER                    | 296-2403-80845 | 171.07           |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | POLYPHSDRT BULKHEAD ARRES...    | 296-2403-80845 | 74.52            |
| CODE 3 SERVICE, LLC                    | 200635         | 06/26/2020 | POSITIVE STOP N-FEMAL FOR 1...  | 296-2403-80845 | 148.08           |

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| Vendor Name                                 | Payable Number | Post Date  | Description (Item)              | Account Number | Amount            |
|---|----------------|------------|---------------------------------|----------------|-------------------|
| CODE 3 SERVICE, LLC                         | 200635         | 06/26/2020 | GENERAL PURPOSE/MOTOROLA...     | 296-2403-80845 | 75.00             |
| CODE 3 SERVICE, LLC                         | 200635         | 06/26/2020 | MTS 48' HEAVY DUTY STRAND...    | 296-2403-80845 | 354.58            |
| CODE 3 SERVICE, LLC                         | 200635         | 06/26/2020 | #2 AWG SOLID TINNED COPPER...   | 296-2403-80845 | 79.00             |
| CODE 3 SERVICE, LLC                         | 200635         | 06/26/2020 | BATTERY CORE CHARGE             | 296-2403-80845 | 125.00            |
| CODE 3 SERVICE, LLC                         | 200635         | 06/26/2020 | MTS 3' X 2-3/8" MAST            | 296-2403-80845 | 139.99            |
| CODE 3 SERVICE, LLC                         | 200635         | 06/26/2020 | OD GALVANIZED STEEL PLAIN E...  | 296-2403-80845 | 147.36            |
| CODE 3 SERVICE, LLC                         | 200635         | 06/26/2020 | SVM-2 SITE VOTER MODULE         | 296-2403-80845 | 1,318.87          |
| CODE 3 SERVICE, LLC                         | 200635         | 06/26/2020 | 1/2" CORRUGATED COPPER FO...    | 296-2403-80845 | 318.00            |
| <b>Fund 296 - PD GRT Total:</b>             |                |            |                                 |                | <b>45,204.42</b>  |
| <b>Fund: 303 - Vet Wall</b>                 |                |            |                                 |                |                   |
| AMERICAN LASER MARK, INC                    | 096045         | 06/05/2020 | CRATE AND SHIPPING              | 303-4703-60840 | 350.00            |
| AMERICAN LASER MARK, INC                    | 096045         | 06/05/2020 | REPLACEMENT PANEL               | 303-4703-60840 | 3,600.00          |
| WINSTREAM CORPORATION                       | 062520         | 06/26/2020 | PHONE BILLS/OPEN PO FY 19/20    | 303-4703-43775 | 138.29            |
| <b>Fund 303 - Vet Wall Total:</b>           |                |            |                                 |                | <b>4,088.29</b>   |
| <b>Fund: 304 - Senior Grants</b>            |                |            |                                 |                |                   |
| COOPERATIVE EDUCATIONAL S...                | 24-101335      | 06/05/2020 | SENIOR CENTER SJOA ROOF RE...   | 304-4903-80845 | 84,687.09         |
| DON CHALMERS FORD INC.                      | 649391         | 06/05/2020 | SJOA SENIOR MEAL DELIVER TR...  | 304-4903-80810 | 39,000.00         |
| COOPERATIVE EDUCATIONAL S...                | 24-103774      | 06/19/2020 | SENIOR CENTER SJOA ROOF RE...   | 304-4903-80845 | 119,557.59        |
| <b>Fund 304 - Senior Grants Total:</b>      |                |            |                                 |                | <b>243,244.68</b> |
| <b>Fund: 306 - CI Jt Uti</b>                |                |            |                                 |                |                   |
| NEW MEXICO FINANCE AUTHOR..                 | 060420         | 06/05/2020 | NMFA LOAN PMTS FY 19/20 TO...   | 306-6103-12902 | 10,023.53         |
| NEW MEXICO FINANCE AUTHOR..                 | 060420         | 06/05/2020 | NMFA LOAN PMTS F/Y 19/20 T...   | 306-6103-12918 | 690.58            |
| NEW MEXICO FINANCE AUTHOR..                 | 060420         | 06/05/2020 | NMFA LOAN PMTS FY 19/20 TO...   | 306-6103-12919 | 7,598.77          |
| NEW MEXICO FINANCE AUTHOR..                 | 060420         | 06/05/2020 | NMFA LOAN PMTS FY 19/20 TO...   | 306-6103-90905 | 3,264.00          |
| NEW MEXICO FINANCE AUTHOR..                 | 060420         | 06/05/2020 | NMFA LOAN PMT FY 19/20 TOR...   | 306-6103-90910 | 116.12            |
| <b>Fund 306 - CI Jt Uti Total:</b>          |                |            |                                 |                | <b>21,693.00</b>  |
| <b>Fund: 403 - Pledge State</b>             |                |            |                                 |                |                   |
| NEW MEXICO FINANCE AUTHOR..                 | 060420         | 06/05/2020 | LOAN PAYMENT/NMFA PPRF-4...     | 403-1203-12967 | 10,545.66         |
| <b>Fund 403 - Pledge State Total:</b>       |                |            |                                 |                | <b>10,545.66</b>  |
| <b>Fund: 501 - Cemetary</b>                 |                |            |                                 |                |                   |
| CITY UTILITIES                              | 061620         | 06/19/2020 | CITY UTILITIES CYCLE A&B/OPEN.. | 501-1803-43780 | 674.41            |
| <b>Fund 501 - Cemetary Total:</b>           |                |            |                                 |                | <b>674.41</b>     |
| <b>Fund: 502 - Util Office - Pool</b>       |                |            |                                 |                |                   |
| POSTMASTER                                  | 060120         | 06/05/2020 | POSTAGE/OPEN PO F/Y 19/20       | 502-3601-43735 | 10,000.00         |
| VERIZON WIRELESS                            | 060420         | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20    | 502-3601-43775 | 163.45            |
| PITNEY BOWES INC.                           | 3311304286     | 06/12/2020 | PITNEY BOWES LEASE AGREEM...    | 502-3601-47410 | 683.04            |
| B & H OIL CO.                               | 49905          | 06/12/2020 | GAS/OIL/ OPEN PO FY 2019/20     | 502-3601-43316 | 155.20            |
| INSTA-COPY IMAGING                          | 542649         | 06/12/2020 | #9 RETURN ENVELOPE 10,000 ...   | 502-3601-43740 | 670.93            |
| INSTA-COPY IMAGING                          | 542677         | 06/12/2020 | 10,000 COUNT WINDOW ENVE...     | 502-3601-43740 | 715.92            |
| NM RETIREE HEALTH CARE                      | 061220         | 06/19/2020 | BENEFIT PR ENDING 06-05-20      | 502-3601-41226 | 240.00            |
| NM EDGE                                     | 7788/7789/7794 | 06/19/2020 | REGISTRATION FOR SONYA WILL...  | 502-3601-42720 | 350.00            |
| XEROX CORP.                                 | 010476814      | 06/26/2020 | BASE CHARGE/METER USAGE/...     | 502-3601-43465 | 504.65            |
| CITY UTILITIES                              | 062320         | 06/26/2020 | CITY UTILITIES CYCLE C&D/OPEN.. | 502-3601-43780 | 349.87            |
| NM RETIREE HEALTH CARE                      | 062620         | 06/26/2020 | BENEFIT PR ENDING 06/19/20      | 502-3601-41226 | 240.00            |
| <b>Fund 502 - Util Office - Pool Total:</b> |                |            |                                 |                | <b>14,073.06</b>  |
| <b>Fund: 503 - Electric</b>                 |                |            |                                 |                |                   |
| TRIPLE H SOLAR, LLC                         | 0218-R         | 06/23/2020 | ENGINEERING SERVICES- OPEN ...  | 503-3702-48599 | -3,769.06         |
| NEW MEXICO GAS COMPANY, I...                | 051520         | 06/05/2020 | GAS BILLS/ELECTRIC              | 503-3702-43780 | 22.28             |
| VERIZON WIRELESS                            | 060420         | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20    | 503-3702-43775 | 285.90            |
| TRIPLE H SOLAR, LLC                         | 223            | 06/05/2020 | ENGINEERING SERVICES- OPEN ...  | 503-3702-48599 | 3,430.00          |
| TDS   | MAY 2020-TDS   | 06/05/2020 | TDS FIBER INTERNET OPEN PO ...  | 503-3702-43780 | 651.01            |
| WESTERN FIX, LLC                            | 01             | 06/12/2020 | STEEL TOE BOOTS/KEN MORAN       | 503-3702-44615 | 209.95            |
| WESTERN FIX, LLC                            | 01             | 06/12/2020 | COMPOSITE TOE BOOTS/PRISCI...   | 503-3702-44615 | 139.95            |
| WESTERN FIX, LLC                            | 02             | 06/12/2020 | JEANS- CHRIS REES               | 503-3702-42620 | 167.70            |
| WESTERN FIX, LLC                            | 02             | 06/12/2020 | JEANS- BO EASLEY                | 503-3702-42620 | 203.70            |
| WESTERN FIX, LLC                            | 02             | 06/12/2020 | JEANS- KEN MORAN                | 503-3702-42620 | 167.70            |
| WESTERN FIX, LLC                            | 02             | 06/12/2020 | JEANS- WILLIE MONTOYA           | 503-3702-42620 | 167.70            |
| BOAZ EASLEY                                 | 06022020       | 06/12/2020 | REIMBURSE/SHIPPING CHARGE       | 503-3702-47415 | 118.76            |

## EOM AP Report

Post Dates: 06/01/2020 - 06/30/2020

| Vendor Name                      | Payable Number | Post Date  | Description (Item)               | Account Number | Amount     |
|----------------------------------|----------------|------------|----------------------------------|----------------|------------|
| CITY UTILITIES                   | 060520         | 06/12/2020 | CITY LANDFILL BILLS/OPEN PO F... | 503-3702-43780 | 277.16     |
| SIERRA ELECTRIC CO-OP, INC.      | 06082020       | 06/12/2020 | MIMS CITY LIGHTS- OPEN PO FY...  | 503-3702-43780 | 555.22     |
| SIERRA ELECTRIC CO-OP, INC.      | 06082020       | 06/12/2020 | POWER SERVICES- OPEN PO FY...    | 503-3702-50795 | 188,415.42 |
| INTERNAL SERVICE FUND            | 060920         | 06/12/2020 | OIL-MAINT-SAFETY 05/20           | 503-3702-43316 | 107.52     |
| INTERNAL SERVICE FUND            | 060920         | 06/12/2020 | OIL-MAINT-SAFETY 05/20           | 503-3702-47420 | 56.62      |
| TRACTOR SUPPLY COMPANY           | 100077975      | 06/12/2020 | COMPOSITE TOE BOOTS/CRISPI...    | 503-3702-44615 | 132.13     |
| ZIA ELECTRICAL PRODUCTS          | 17671/17728    | 06/12/2020 | FORM 2S FAX CO-GEN METER         | 503-3702-47415 | 260.00     |
| ZIA ELECTRICAL PRODUCTS          | 17671/17728    | 06/12/2020 | YELLOW METER SEALS               | 503-3702-47415 | 640.00     |
| SSA SOLAR OF NM 4, LLC           | 400638         | 06/12/2020 | POWER SERVICE OPEN PO FY19...    | 503-3702-50795 | 34,928.90  |
| B & H OIL CO.                    | 49908          | 06/12/2020 | UNLEADED FUEL- OPEN PO FY1...    | 503-3702-43316 | 245.61     |
| B & H OIL CO.                    | 49908          | 06/12/2020 | DIESEL FUEL- OPEN PO FY19/20     | 503-3702-43317 | 494.00     |
| QUILL CORPORATION                | 6624970        | 06/12/2020 | WIRE CONCEALER COVER             | 503-3702-44606 | 32.92      |
| QUILL CORPORATION                | 6624970        | 06/12/2020 | EXPANDING FILE POCKETS           | 503-3702-44606 | 28.79      |
| QUILL CORPORATION                | 6624970        | 06/12/2020 | DOOR HANGARS                     | 503-3702-44606 | 111.56     |
| QUILL CORPORATION                | 6624970        | 06/12/2020 | CYAN INK                         | 503-3702-44606 | 28.78      |
| QUILL CORPORATION                | 6624970        | 06/12/2020 | YELLOW INK                       | 503-3702-44606 | 28.78      |
| QUILL CORPORATION                | 6624970        | 06/12/2020 | MAGENTA INK                      | 503-3702-44606 | 29.32      |
| QUILL CORPORATION                | 6624970        | 06/12/2020 | COPY PAPER                       | 503-3702-44606 | 125.98     |
| QUILL CORPORATION                | 6624970        | 06/12/2020 | BLACK INK                        | 503-3702-44606 | 124.14     |
| QUILL CORPORATION                | 6624970        | 06/12/2020 | POST-IT SIGN & DATE              | 503-3702-44606 | 7.19       |
| QUILL CORPORATION                | 6624970        | 06/12/2020 | STICKY NOTES                     | 503-3702-44606 | 9.89       |
| QUILL CORPORATION                | 6624970        | 06/12/2020 | FILE CABINET                     | 503-3702-44613 | 205.99     |
| QUILL CORPORATION                | 6624970        | 06/12/2020 | U-SHAPED DESK- ELECTRIC SHOP     | 503-3702-44613 | 642.99     |
| QUILL CORPORATION                | 6624970        | 06/12/2020 | LENOVO IDEA PAD 3 LAPTOP         | 503-3702-44613 | 1,079.98   |
| WESTERN AREA POWER ADMIN         | 70978          | 06/12/2020 | POWER SERVICE OPEN PO FY19...    | 503-3702-50795 | 48,264.60  |
| LANDIS+GYR TECHNOLOGY, INC       | 90312502       | 06/12/2020 | FOCUS AXRe GDSM G5 2K            | 503-3702-80845 | 784.00     |
| LANDIS+GYR TECHNOLOGY, INC       | 90312502       | 06/12/2020 | 8.5% TAX                         | 503-3702-80845 | 40.18      |
| IRBY SUPPLY CO.                  | 5011833963     | 06/12/2020 | 25 KVA TRANSFORMER               | 503-3702-47415 | 4,360.00   |
| IRBY SUPPLY CO.                  | 5011833963     | 06/12/2020 | 15 KVA TRANSFORMER               | 503-3702-47415 | 2,424.00   |
| IRBY SUPPLY CO.                  | 5011833963     | 06/12/2020 | 37.5 KVA TRANSFORMER             | 503-3702-47415 | 2,757.00   |
| IRBY SUPPLY CO.                  | 5011833963     | 06/12/2020 | 50 KVA TRANSFORMER               | 503-3702-47415 | 3,270.00   |
| IRBY SUPPLY CO.                  | 5011833963     | 06/12/2020 | 37.5 KVA TRANSFORMER             | 503-3702-47415 | 3,300.00   |
| NM RETIREE HEALTH CARE           | 061220         | 06/19/2020 | BENEFIT PR ENDING 06-05-20       | 503-3702-41226 | 367.85     |
| CITY UTILITIES                   | 061620         | 06/19/2020 | CITY UTILITIES CYCLE A&B/OPEN... | 503-3702-43780 | 229.12     |
| TRI-STATE GENERATION & TRA...    | 302576         | 06/19/2020 | POWER SERVICE- OPEN PO FY1...    | 503-3702-50795 | 33,774.91  |
| XEROX CORP.                      | 010476831      | 06/26/2020 | BASE CHARGE & METER USAGE...     | 503-3702-43465 | 39.80      |
| TRIPLE H SOLAR, LLC              | 0218-1         | 06/26/2020 | REISSUE CHECK 143615/SERVIC...   | 503-3702-48599 | 3,769.06   |
| CITY UTILITIES                   | 062320         | 06/26/2020 | CITY UTILITIES CYCLE C&D/OPEN... | 503-3702-43780 | 300.69     |
| NM RETIREE HEALTH CARE           | 062620         | 06/26/2020 | BENEFIT PR ENDING 06/19/20       | 503-3702-41226 | 379.44     |
| BRANDON & CLARK, INC             | 1426608        | 06/26/2020 | 75KVA PADMOUNT TRANSFOR...       | 503-3702-47415 | 4,800.00   |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | BRACKET MOUNTING                 | 503-3702-47415 | 136.50     |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | CONN. STEM 1/0 PO TO 35KV        | 503-3702-47415 | 116.00     |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | NUT OVALEYE FOR 5/8 BOLT         | 503-3702-47415 | 97.50      |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | ELBOW VC 2 90 DEG. BE STD SC...  | 503-3702-47415 | 5.80       |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | MARKER GUY 8' YELLOW             | 503-3702-47415 | 83.75      |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | STRAP CONDUIT 2 KIT W/HAR...     | 503-3702-47415 | 44.50      |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | CONN. HOT LINE 2/0-8             | 503-3702-47415 | 161.00     |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | FUSE KIT TYPE K 10 AMP           | 503-3702-47415 | 68.40      |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | SQUARE WASHER 2.25" FOR 5/8...   | 503-3702-47415 | 54.00      |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | GRIP GUY DE 3/8                  | 503-3702-47415 | 122.50     |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | STRAP CONDUIT 4 KIT W/HAR...     | 503-3702-47415 | 62.50      |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | ELBOW LOWBREAK 15KV 1/0 PR...    | 503-3702-47415 | 397.50     |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | COMP STIRRUP W/CNTS 2-6 AC...    | 503-3702-47415 | 485.00     |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | GRC 2" 90 ELBOW STD RAD          | 503-3702-47415 | 54.20      |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | TERM 15KV #2-2/O QT-11           | 503-3702-47415 | 295.00     |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | POLE TOP PIN 1" THREAD NYLO...   | 503-3702-47415 | 216.60     |
| WESTERN UNITED ELECTRIC          | 6009010        | 06/26/2020 | CONDUIT IMC 2W/COUPLING 1...     | 503-3702-47415 | 261.00     |
| AMERICAN ELECTRICAL TESTING..    | 66805          | 06/26/2020 | RESAMPLE OIL- N. TRANSFORM...    | 503-3702-47415 | 538.25     |
| LANDIS+GYR TECHNOLOGY, INC       | 90317673       | 06/26/2020 | ONSITE RF DEPLOYMENT TRAIN...    | 503-3702-80845 | 13,140.63  |
| ADVANCED COMMUNICATIONS...LC8270 |                | 06/26/2020 | KRA-26 VHF ANTENNA               | 503-3702-44613 | 35.07      |

## EOM AP Report

Post Dates: 06/01/2020 - 06/30/2020

| Vendor Name                       | Payable Number | Post Date  | Description (Item)             | Account Number | Amount            |
|-----------------------------------|----------------|------------|--------------------------------|----------------|-------------------|
| ADVANCED COMMUNICATIONS...        | LC8270         | 06/26/2020 | KN8-57L LI-ION REPLACEMENT ... | 503-3702-44613 | 763.53            |
| ADVANCED COMMUNICATIONS...        | LC8270         | 06/26/2020 | KENWOOD TK3200LAKVP RADIO...   | 503-3702-44613 | 1,727.67          |
| <b>Fund 503 - Electric Total:</b> |                |            |                                |                | <b>358,092.03</b> |

**Fund: 504 - Water**

|                                |                 |            |                                   |                |                   |
|--------------------------------|-----------------|------------|-----------------------------------|----------------|-------------------|
| NEW MEXICO GAS COMPANY, I...   | 051520          | 06/05/2020 | GAS BILLS/WATER                   | 504-3803-43780 | 31.14             |
| VERIZON WIRELESS               | 060420          | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20      | 504-3803-43775 | 55.92             |
| WESTERN OILFIELDS SUPPLY C...  | 1488654         | 06/05/2020 | RENTAL OF DV-150 W/30' OF 6"      | 504-3803-47430 | 6,779.83          |
| SUN VALLEY, INC.               | 152599/6        | 06/05/2020 | UNSTOCKED FIELD SUPPLIES-W...     | 504-3803-44607 | 286.28            |
| HALL ENVIRONMENTAL ANALYS...   | 2005895         | 06/05/2020 | TESTING-CATION/ANION * PLUS...    | 504-3803-44605 | 194.18            |
| CORTEZ GAS CO.                 | 407166          | 06/05/2020 | PROPANE TANK PICK UP-COOK ...     | 504-3803-43780 | 105.00            |
| AQSEPTENCE GROUP, INC          | 90198029        | 06/05/2020 | 2" VALVE LRG BODY W/ACLO          | 504-3803-47430 | 1,099.00          |
| AQSEPTENCE GROUP, INC          | 90198029        | 06/05/2020 | E'MODEL 3" VLV BOXED NO AC...     | 504-3803-47430 | 6,390.00          |
| AQSEPTENCE GROUP, INC          | 90198029        | 06/05/2020 | AV2 STATION PARTS BAG             | 504-3803-47430 | 489.29            |
| TDS                            | MAY 2020-TDS    | 06/05/2020 | TDS FIBER INTERNET OPEN PO ...    | 504-3803-43780 | 651.01            |
| CITY UTILITIES                 | 060520          | 06/12/2020 | CITY LANDFILL BILLS/OPEN PO F...  | 504-3803-43780 | 3.50              |
| TAXATION AND REVENUE           | 060520          | 06/12/2020 | WATER CONSERVATION FEE FY ...     | 504-3803-43797 | 1,578.51          |
| TRACTOR SUPPLY COMPANY         | 100078494       | 06/12/2020 | 1 YEAR REPLACEMENT PLAN           | 504-3803-47430 | 39.99             |
| TRACTOR SUPPLY COMPANY         | 100078494       | 06/12/2020 | GPI 15GPM 12V FUEL PUMP M-...     | 504-3803-47430 | 299.99            |
| TRACTOR SUPPLY COMPANY         | 100078494       | 06/12/2020 | TSC STEEL 75 GAL COMBO TANK...    | 504-3803-47430 | 699.99            |
| WESTERN OILFIELDS SUPPLY C...  | 1497423         | 06/12/2020 | RENTAL OF DV-150 W/30' OF 6"      | 504-3803-47430 | 4,226.13          |
| B & H OIL CO.                  | 49907           | 06/12/2020 | Unleaded Fuel & Oil               | 504-3803-43316 | 423.06            |
| B & H OIL CO.                  | 49907           | 06/12/2020 | Diesel Fuel                       | 504-3803-43317 | 1,767.28          |
| STEVE BELL CONSTRUCTION        | C17777          | 06/12/2020 | FINES                             | 504-3803-47415 | 456.00            |
| STEVE BELL CONSTRUCTION        | C17777          | 06/12/2020 | BASECOURSE                        | 504-3803-47415 | 576.00            |
| NM RETIREE HEALTH CARE         | 061220          | 06/19/2020 | BENEFIT PR ENDING 06-05-20        | 504-3803-41226 | 165.41            |
| CITY UTILITIES                 | 061620          | 06/19/2020 | CITY UTILITIES CYCLE A&B/OPEN...  | 504-3803-43780 | 596.42            |
| BAKER UTILITY SUPPLY CORP.     | 276734/276143   | 06/19/2020 | BRASS STRAIGHT CPLG 3/4"-UL...    | 504-3803-44607 | 499.00            |
| BAKER UTILITY SUPPLY CORP.     | 276734/276143   | 06/19/2020 | MIXMJ DI REDUCER 6"X4" C-153...   | 504-3803-44607 | 67.25             |
| BAKER UTILITY SUPPLY CORP.     | 276734/276143   | 06/19/2020 | MEGA LUG 4" FOR C-900 PIPE (...)  | 504-3803-44607 | 28.25             |
| BAKER UTILITY SUPPLY CORP.     | 276734/276143   | 06/19/2020 | FULL CIRCLE 04"X07.5" STL 04.4... | 504-3803-44607 | 680.50            |
| BAKER UTILITY SUPPLY CORP.     | 276910          | 06/19/2020 | WRAP CLAMP 1.05X3" (3/4" ST...    | 504-3803-44607 | 645.25            |
| BAKER UTILITY SUPPLY CORP.     | 276910          | 06/19/2020 | BRASS STRAIGHT CPLG 3/4"-UL...    | 504-3803-44607 | 598.80            |
| DPC INDUSTRIES, INC.           | 747001269-20    | 06/19/2020 | 150 lb Chlorine Cylinders         | 504-3803-44605 | 439.88            |
| DPC INDUSTRIES, INC.           | 747001269-20    | 06/19/2020 | Hazemat Fee                       | 504-3803-44605 | 0.75              |
| DPC INDUSTRIES, INC.           | 747001269-20    | 06/19/2020 | Delivery Fee                      | 504-3803-44605 | 21.99             |
| PIPESTONE EQUIPMENT, LLC       | 9461            | 06/19/2020 | 6" CLA-VAL MODEL 660-11 BOO...    | 504-3803-47430 | 13,217.25         |
| DPC INDUSTRIES, INC.           | DE74000332-20   | 06/19/2020 | OPEN PO-DEMURRAGE RENTAL...       | 504-3803-43465 | 60.00             |
| FERGUSON WATERWORKS            | 0392424/0395784 | 06/26/2020 | 3PLY COTT MASK W/ SPDY LOO...     | 504-3803-44615 | 26.25             |
| FERGUSON WATERWORKS            | 0392424/0395784 | 06/26/2020 | HAND SANITIZER, 8.4 OZ W/FL TP    | 504-3803-44615 | 31.25             |
| FERGUSON WATERWORKS            | 0392424/0395784 | 06/26/2020 | HAND SANITIZER GEL 72% ALC- ...   | 504-3803-44615 | 145.00            |
| FERGUSON WATERWORKS            | 0392424/0395784 | 06/26/2020 | KN95 MASK 80/PK                   | 504-3803-44615 | 220.00            |
| BANK OF AMERICA                | 06182020        | 06/26/2020 | HEAVY TRUCK DIAGNOSTIC-G-0...     | 504-3803-47420 | 200.00            |
| CITY UTILITIES                 | 062320          | 06/26/2020 | CITY UTILITIES CYCLE C&D/OPEN...  | 504-3803-43780 | 10,914.76         |
| NM RETIREE HEALTH CARE         | 062620          | 06/26/2020 | BENEFIT PR ENDING 06/19/20        | 504-3803-41226 | 165.41            |
| SUN VALLEY, INC.               | 152856/6        | 06/26/2020 | UNSTOCKED FIELD SUPPLIES- ...     | 504-3803-44607 | 181.28            |
| 4 RIVERS EQUIPMENT             | 901079          | 06/26/2020 | OPTION -X1-FREIGHT TO T OR C...   | 504-3803-80810 | 525.00            |
| 4 RIVERS EQUIPMENT             | 901079          | 06/26/2020 | OPTION-X2- %OF DISCOUNT/AT...     | 504-3803-80810 | 762.03            |
| 4 RIVERS EQUIPMENT             | 901079          | 06/26/2020 | 2020 JOHN DEERE 410L LOADER...    | 504-3803-80810 | 71,320.47         |
| 4 RIVERS EQUIPMENT             | 901079          | 06/26/2020 | OPTION-E RADIO READY KIT, W/...   | 504-3803-80810 | 442.50            |
| <b>Fund 504 - Water Total:</b> |                 |            |                                   |                | <b>128,106.80</b> |

**Fund: 505 - Solid Waste**

|                              |          |            |                              |                |           |
|------------------------------|----------|------------|------------------------------|----------------|-----------|
| NEW MEXICO GAS COMPANY, I... | 051520   | 06/05/2020 | GAS BILLS/RECYCLE CENTER     | 505-3904-43780 | 22.50     |
| VERIZON WIRELESS             | 060420   | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20 | 505-3904-43775 | 173.20    |
| SUN VALLEY, INC.             | 152356/6 | 06/05/2020 | QT PHTHALO BLU COLORANT      | 505-3904-44607 | 10.02     |
| SUN VALLEY, INC.             | 152356/6 | 06/05/2020 | FLAP DISC                    | 505-3904-44607 | 33.96     |
| SUN VALLEY, INC.             | 152356/6 | 06/05/2020 | GRINDING WHEEL               | 505-3904-44607 | 11.96     |
| SUN VALLEY, INC.             | 152356/6 | 06/05/2020 | SGW 5GAL SG DEEP BASE        | 505-3904-44607 | 207.00    |
| SUN VALLEY, INC.             | 152356/6 | 06/05/2020 | SLV WELD ROD                 | 505-3904-44607 | 35.98     |
| SUN VALLEY, INC.             | 152494/6 | 06/05/2020 | 24X28X.100 ACRYLIC           | 505-3904-44607 | 32.28     |
| CITY OF LAS CRUCES           | 718389   | 06/05/2020 | SCSWA Disposal Fees          | 505-3904-45601 | 36,977.93 |

## EOM AP Report

Post Dates: 06/01/2020 - 06/30/2020

| Vendor Name                    | Payable Number | Post Date  | Description (Item)                | Account Number                       | Amount           |
|--------------------------------|----------------|------------|-----------------------------------|--------------------------------------|------------------|
| SIERRA AUTO/CARQUEST           | ID-263995      | 06/05/2020 | ACETYLENE - 147CF                 | 505-3904-44607                       | 90.00            |
| SIERRA AUTO/CARQUEST           | ID-264142      | 06/05/2020 | AIR COMPRESSOR LINE G-74142       | 505-3904-47420                       | 159.99           |
| TDS                            | MAY 2020-TDS   | 06/05/2020 | TDS FIBER INTERNET OPEN PO ...    | 505-3904-43780                       | 651.01           |
| BORDER INTERNATIONAL, LLP      | R00013318:01   | 06/05/2020 | SHOP FEE                          | 505-3904-47420                       | 47.52            |
| BORDER INTERNATIONAL, LLP      | R00013318:01   | 06/05/2020 | TAX ON LABOR                      | 505-3904-47420                       | 32.91            |
| BORDER INTERNATIONAL, LLP      | R00013318:01   | 06/05/2020 | HAZ WASTE                         | 505-3904-47420                       | 5.00             |
| BORDER INTERNATIONAL, LLP      | R00013318:01   | 06/05/2020 | DIAGNOSTIC ON G-90258 (2018)      | 505-3904-47420                       | 396.00           |
| GORDON ENVIRONMENTAL/PSC       | 01005620.00-3  | 06/12/2020 | ENVIRONMENTAL MONITORI...         | 505-3904-48599                       | 1,918.99         |
| CLARK TRUCK EQUIP CO., INC.    | 0121085        | 06/12/2020 | GRIPPER END KNOB                  | 505-3904-47420                       | 87.75            |
| CLARK TRUCK EQUIP CO., INC.    | 0121085        | 06/12/2020 | SPRING AUTOMATED ARM              | 505-3904-47420                       | 105.98           |
| CLARK TRUCK EQUIP CO., INC.    | 0121085        | 06/12/2020 | FREIGHT                           | 505-3904-47420                       | 53.05            |
| CLARK TRUCK EQUIP CO., INC.    | 0121085        | 06/12/2020 | SPRING AUTOMATED BACKING          | 505-3904-47420                       | 195.00           |
| CITY UTILITIES                 | 060520         | 06/12/2020 | CITY LANDFILL BILLS/OPEN PO F...  | 505-3904-45601                       | 23,798.10        |
| INTERNAL SERVICE FUND          | 060920         | 06/12/2020 | OIL-MAINT-SAFETY 05/20            | 505-3904-43316                       | 57.60            |
| INTERNAL SERVICE FUND          | 060920         | 06/12/2020 | OIL-MAINT-SAFETY 05/20            | 505-3904-47420                       | 45.86            |
| RUSTY'S WEIGH SCALES & SERV... | 200605-1026    | 06/12/2020 | QUARTLY SCALE CALIBRATIONS        | 505-3904-47410                       | 609.49           |
| B & H OIL CO.                  | 49903          | 06/12/2020 | B & H Gasoline & Oil FY 2019-2... | 505-3904-43316                       | 257.54           |
| B & H OIL CO.                  | 49903          | 06/12/2020 | B & H Diesel, FY 2019-2020        | 505-3904-43317                       | 2,119.70         |
| TALON SEPTIC & POTTY SERVICE   | 5-1/6-1        | 06/12/2020 | HAND WASHING STATION REN...       | 505-3904-43465                       | 300.00           |
| NM RETIREE HEALTH CARE         | 061220         | 06/19/2020 | BENEFIT PR ENDING 06-05-20        | 505-3904-41226                       | 465.94           |
| XEROX CORP.                    | 010476816      | 06/26/2020 | LA6-283718 Meter Usage,E1B-0...   | 505-3904-43465                       | 137.89           |
| NEW MEXICO GAS COMPANY, I...   | 061620         | 06/26/2020 | GAS BILLS/RECYCLE CENTER          | 505-3904-43780                       | 22.50            |
| NM RETIREE HEALTH CARE         | 062620         | 06/26/2020 | BENEFIT PR ENDING 06/19/20        | 505-3904-41226                       | 464.69           |
| ROCK BOTTOM SERVICE, LLC       | 139071         | 06/26/2020 | TAX ON LABOR                      | 505-3904-47420                       | 38.85            |
| ROCK BOTTOM SERVICE, LLC       | 139071         | 06/26/2020 | SUPPLIES                          | 505-3904-47420                       | 105.00           |
| ROCK BOTTOM SERVICE, LLC       | 139071         | 06/26/2020 | LABOR                             | 505-3904-47420                       | 560.00           |
| ROCK BOTTOM SERVICE, LLC       | 139071         | 06/26/2020 | PARTS 2 A/C HOSES G- 74142        | 505-3904-47420                       | 641.32           |
| ROCK BOTTOM SERVICE, LLC       | 139071         | 06/26/2020 | FREIGHT                           | 505-3904-47420                       | 50.00            |
| ROCK BOTTOM SERVICE, LLC       | 14057          | 06/26/2020 | REPLACE CONDENSER FAN             | 505-3904-47420                       | 161.98           |
| ROCK BOTTOM SERVICE, LLC       | 14057          | 06/26/2020 | LABOR 1 HOUR                      | 505-3904-47420                       | 100.00           |
| ROCK BOTTOM SERVICE, LLC       | 14057          | 06/26/2020 | TAX ON LABOR                      | 505-3904-47420                       | 6.94             |
| ROCK BOTTOM SERVICE, LLC       | 14057          | 06/26/2020 | SUPPLIES                          | 505-3904-47420                       | 52.00            |
| ROCK BOTTOM SERVICE, LLC       | 14057          | 06/26/2020 | FREIGHT- TRIP CHARGE              | 505-3904-47420                       | 16.00            |
| ROCK BOTTOM SERVICE, LLC       | 14057          | 06/26/2020 | TRIP CHARGE                       | 505-3904-47420                       | 16.00            |
| ROCK BOTTOM SERVICE, LLC       | 14058          | 06/26/2020 | TAX ON LABOR                      | 505-3904-47420                       | 20.81            |
| ROCK BOTTOM SERVICE, LLC       | 14058          | 06/26/2020 | PANEL DIAGNOSTIC G-66541 (...)    | 505-3904-47420                       | 300.00           |
| NORTHERN TOOL & EQUIPMEN...    | 6693054490     | 06/26/2020 | ELECTRIC WET STEAM & HOT ...      | 505-3904-44613                       | 2,374.99         |
| INTEGRATED TECHNOLOGIES G...   | 6921           | 06/26/2020 | APC BACKUPS                       | 505-3904-44613                       | 160.00           |
| SIERRA AUTO/CARQUEST           | ID-266565      | 06/26/2020 | HUB OILER WINDOW                  | 505-3904-47420                       | 8.49             |
| SIERRA AUTO/CARQUEST           | ID-266565      | 06/26/2020 | HUB CAP OILER                     | 505-3904-47420                       | 13.10            |
| SIERRA AUTO/CARQUEST           | ID-266663      | 06/26/2020 | PARKING BREAK KNOB                | 505-3904-47420                       | 15.99            |
| BORDER INTERNATIONAL, LLP      | R400013542-01  | 06/26/2020 | DIAGNOSTIC/TROUBLESHOOTI...       | 505-3904-47420                       | 476.44           |
|                                |                |            |                                   | <b>Fund 505 - Solid Waste Total:</b> | <b>74,645.25</b> |

## Fund: 506 - WWTP

|                              |              |            |                                  |                |           |
|------------------------------|--------------|------------|----------------------------------|----------------|-----------|
| NEW MEXICO GAS COMPANY, I... | 051520       | 06/05/2020 | GAS BILLS/VACUUM STATION         | 506-4005-43780 | 24.17     |
| VERIZON WIRELESS             | 060420       | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20     | 506-4005-43775 | 231.61    |
| COVE ENVIRONMENTAL, LLC      | 111-2-20     | 06/05/2020 | Chronic 3-Brood C.dubia Test     | 506-4005-44605 | 600.00    |
| COVE ENVIRONMENTAL, LLC      | 111-2-20     | 06/05/2020 | Shipping-3 Chests                | 506-4005-44605 | 600.00    |
| COVE ENVIRONMENTAL, LLC      | 111-2-20     | 06/05/2020 | Chronic 7-day P. promelas Test   | 506-4005-44605 | 600.00    |
| SUN VALLEY, INC.             | 152701/6     | 06/05/2020 | UNSTOCKED FIELD SUPPLIES-W...    | 506-4005-44607 | 133.73    |
| JAMES, COOKE & HOBSON, INC.  | 230314       | 06/05/2020 | HYDROMATIC S4N750M4-4            | 506-4005-47430 | 14,970.00 |
| PINNACLE PROPANE             | 53230003     | 06/05/2020 | PROPANE-F/1 CYLINDER             | 506-4005-43780 | 148.62    |
| SIERRA AUTO/CARQUEST         | ID-264869    | 06/05/2020 | HYDRAULIC HOSE-BULK              | 506-4005-43416 | 111.00    |
| SIERRA AUTO/CARQUEST         | ID-264869    | 06/05/2020 | HHC-G25100-0606                  | 506-4005-43416 | 11.50     |
| SIERRA AUTO/CARQUEST         | ID-264869    | 06/05/2020 | XBO CRIMPS                       | 506-4005-43416 | 12.00     |
| TDS                          | MAY 2020-TDS | 06/05/2020 | TDS FIBER INTERNET OPEN PO ...   | 506-4005-43780 | 651.01    |
| FORT BEND SERVICES, INC.     | 0228480      | 06/12/2020 | CATIONIC POLYMER-60 PAILS        | 506-4005-44605 | 2,238.15  |
| CITY UTILITIES               | 060520       | 06/12/2020 | CITY LANDFILL BILLS/OPEN PO F... | 506-4005-43780 | 20.00     |
| VILLAGE OF WILLIAMSBURG      | 060520       | 06/12/2020 | SEWER RECEIPTS FY 19-20 OPEN...  | 506-4005-48798 | 3,544.80  |
| INTERNAL SERVICE FUND        | 060920       | 06/12/2020 | OIL-MAINT-SAFETY 05/20           | 506-4005-43316 | 15.00     |



## EOM AP Report

Post Dates: 06/01/2020 - 06/30/2020

| Vendor Name                           | Payable Number  | Post Date  | Description (Item)              | Account Number | Amount              |
|---------------------------------------|-----------------|------------|---------------------------------|----------------|---------------------|
| INTERNAL SERVICE FUND                 | 060920          | 06/12/2020 | OIL-MAINT-SAFETY 05/20          | 506-4005-47420 | 107.13              |
| TDS                                   | 06092020        | 06/12/2020 | OPEN PO MONTHLY SERVICE-IN...   | 506-4005-43780 | 59.63               |
| INTERLAB                              | 23307           | 06/12/2020 | Cadmium x3                      | 506-4005-44605 | 300.00              |
| INTERLAB                              | 23307           | 06/12/2020 | Bod-Effluent                    | 506-4005-44605 | 140.00              |
| INTERLAB                              | 23307           | 06/12/2020 | Bod-Influent                    | 506-4005-44605 | 258.04              |
| INTERLAB                              | 23307           | 06/12/2020 | Acrylonitrile x3                | 506-4005-44605 | 840.00              |
| B & H OIL CO.                         | 49906           | 06/12/2020 | Unleaded Fuel & Oil             | 506-4005-43316 | 501.90              |
| B & H OIL CO.                         | 49906           | 06/12/2020 | Diesel Fuel                     | 506-4005-43317 | 27.95               |
| NM RETIREE HEALTH CARE                | 061220          | 06/19/2020 | BENEFIT PR ENDING 06-05-20      | 506-4005-41226 | 270.03              |
| CITY UTILITIES                        | 061620          | 06/19/2020 | CITY UTILITIES CYCLE A&B/OPEN.. | 506-4005-43780 | 322.18              |
| XEROX CORP.                           | 010476821       | 06/26/2020 | Meter Usage- Open PO FY 19-20   | 506-4005-43465 | 157.28              |
| FERGUSON WATERWORKS                   | 0392424/0395784 | 06/26/2020 | KN95 MASK 80/PK                 | 506-4005-44615 | 220.00              |
| FERGUSON WATERWORKS                   | 0392424/0395784 | 06/26/2020 | HAND SANITIZER GEL 72% ALC- ... | 506-4005-44615 | 145.00              |
| FERGUSON WATERWORKS                   | 0392424/0395784 | 06/26/2020 | HAND SANITIZER,8.4 OZ W/FL TP   | 506-4005-44615 | 31.25               |
| FERGUSON WATERWORKS                   | 0392424/0395784 | 06/26/2020 | 3PLY COTT MASK W/ SPDX LOO...   | 506-4005-44615 | 26.25               |
| NEW MEXICO GAS COMPANY, I...          | 061620          | 06/26/2020 | GAS BILLS/VACUUM STATION        | 506-4005-43780 | 24.17               |
| NM RETIREE HEALTH CARE                | 062620          | 06/26/2020 | BENEFIT PR ENDING 06/19/20      | 506-4005-41226 | 270.03              |
| SUN VALLEY, INC.                      | 152972/6        | 06/26/2020 | UNSTOCKED FIELD SUPPLIES-...    | 506-4005-44607 | 149.24              |
| 4 RIVERS EQUIPMENT                    | 901079          | 06/26/2020 | OPTION-X2- %OF DISCOUNT/AT...   | 506-4005-80810 | 254.01              |
| 4 RIVERS EQUIPMENT                    | 901079          | 06/26/2020 | OPTION-E RADIO READY KIT,W/...  | 506-4005-80810 | 147.50              |
| 4 RIVERS EQUIPMENT                    | 901079          | 06/26/2020 | OPTION -X1-FREIGHT TO T OR C... | 506-4005-80810 | 175.00              |
| 4 RIVERS EQUIPMENT                    | 901079          | 06/26/2020 | 2020 JOHN DEERE 410L LOADER..   | 506-4005-80810 | 23,773.49           |
| <b>Fund 506 - WWTP Total:</b>         |                 |            |                                 |                | <b>52,111.67</b>    |
| <b>Fund: 508 - Golf Course</b>        |                 |            |                                 |                |                     |
| VERIZON WIRELESS                      | 060420          | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20    | 508-4303-43775 | 85.99               |
| TRACTOR SUPPLY COMPANY                | 200236603       | 06/12/2020 | 3/4X100' FARM & RANCH HOSE      | 508-4303-44607 | 349.95              |
| NM RETIREE HEALTH CARE                | 061220          | 06/19/2020 | BENEFIT PR ENDING 06-05-20      | 508-4303-41226 | 57.68               |
| CITY UTILITIES                        | 061620          | 06/19/2020 | CITY UTILITIES CYCLE A&B/OPEN.. | 508-4303-43780 | 2,380.71            |
| NM RETIREE HEALTH CARE                | 062620          | 06/26/2020 | BENEFIT PR ENDING 06/19/20      | 508-4303-41226 | 57.68               |
| YAMAHA MOTOR FINANCE COR...           | 707766          | 06/26/2020 | OPEN PO FOR FY 19/20 YAMAH...   | 508-4303-43465 | 903.51              |
| XEROX CORP.                           | 70996           | 06/26/2020 | BASE CHARGE & METER USAGE...    | 508-4303-43465 | 142.95              |
| <b>Fund 508 - Golf Course Total:</b>  |                 |            |                                 |                | <b>3,978.47</b>     |
| <b>Fund: 509 - Muni Airport</b>       |                 |            |                                 |                |                     |
| VERIZON WIRELESS                      | 060420          | 06/05/2020 | PHONE BILLS/OPEN PO FY 19/20    | 509-4403-43775 | 140.67              |
| CODE 3 SERVICE, LLC                   | 200531          | 06/05/2020 | MISC SHOP MATERIAL              | 509-4403-44613 | 50.00               |
| CODE 3 SERVICE, LLC                   | 200531          | 06/05/2020 | SM26 ICOM DESKTOP MICROP...     | 509-4403-44613 | 58.50               |
| CODE 3 SERVICE, LLC                   | 200531          | 06/05/2020 | INSTALL AND SETUP OF NEW B...   | 509-4403-44613 | 760.00              |
| CODE 3 SERVICE, LLC                   | 200531          | 06/05/2020 | A120B ICOM A120 VHF RADIO ...   | 509-4403-44613 | 1,186.25            |
| CODE 3 SERVICE, LLC                   | 200531          | 06/05/2020 | TAX                             | 509-4403-44613 | 59.85               |
| CODE 3 SERVICE, LLC                   | 200531          | 06/05/2020 | AH15A BOGEN 15W AMP PAGI...     | 509-4403-44613 | 113.05              |
| VALLEY FENCE COMPANY, INC             | 25280           | 06/05/2020 | NMGRT                           | 509-4403-47420 | 509.14              |
| VALLEY FENCE COMPANY, INC             | 25280           | 06/05/2020 | GATE OPERATOR SYSTEM MAT...     | 509-4403-47420 | 7,339.00            |
| NMED PETROLEUM STORAGE T...           | 306640          | 06/12/2020 | STORAGE TANK FEE/AIRPORT        | 509-4403-43770 | 200.00              |
| B & H OIL CO.                         | 49912           | 06/12/2020 | AIRPORT GROUND VEHICLE FUE...   | 509-4403-43316 | 62.30               |
| INTEGRATED TECHNOLOGIES G...          | 6911            | 06/12/2020 | DELL DUAL MONITOR STAND ...     | 509-4403-44613 | 296.00              |
| INTEGRATED TECHNOLOGIES G...          | 6911            | 06/12/2020 | INSTALLATION & CONFIGURATI...   | 509-4403-44613 | 510.00              |
| INTEGRATED TECHNOLOGIES G...          | 6911            | 06/12/2020 | DELL 23 MONITOR-E2318H          | 509-4403-44613 | 512.00              |
| INTEGRATED TECHNOLOGIES G...          | 6911            | 06/12/2020 | OPTIPLEX 7071 MT XCTO (8COR...  | 509-4403-44613 | 4,100.00            |
| INTEGRATED TECHNOLOGIES G...          | 6911            | 06/12/2020 | TAX                             | 509-4403-44613 | 37.93               |
| NM RETIREE HEALTH CARE                | 061220          | 06/19/2020 | BENEFIT PR ENDING 06-05-20      | 509-4403-41226 | 115.20              |
| XEROX CORP.                           | 010476835       | 06/26/2020 | BASE CHARGE/METER USAGE-...     | 509-4403-43465 | 32.93               |
| SIERRA ELECTRIC CO-OP, INC.           | 062220          | 06/26/2020 | AIRPORT FUELING STATION         | 509-4403-43780 | 769.14              |
| SIERRA ELECTRIC CO-OP, INC.           | 062220          | 06/26/2020 | AIRPORT FIRE STATION            | 509-4403-43780 | 41.66               |
| SIERRA ELECTRIC CO-OP, INC.           | 062220          | 06/26/2020 | PIPPEN BUILDING                 | 509-4403-43780 | 32.08               |
| WINDSTREAM CORPORATION                | 062520          | 06/26/2020 | PHONE BILLS/OPEN PO FY 19/20    | 509-4403-43775 | 345.84              |
| NM RETIREE HEALTH CARE                | 062620          | 06/26/2020 | BENEFIT PR ENDING 06/19/20      | 509-4403-41226 | 115.20              |
| <b>Fund 509 - Muni Airport Total:</b> |                 |            |                                 |                | <b>17,386.74</b>    |
| <b>Grand Total:</b>                   |                 |            |                                 |                | <b>1,253,727.77</b> |

## Report Summary

## Fund Summary

| Fund                     | Payment Amount      |
|--------------------------|---------------------|
| 101 - General            | 207,761.47          |
| 201 - Corrections        | 701.00              |
| 209 - Fire               | 18,936.96           |
| 211 - Law Enforce Prot   | 4,218.45            |
| 214 - Lodgers Tax        | 44,734.96           |
| 216 - Muni Street        | 2,815.99            |
| 294 - State Library      | 169.78              |
| 295 - Muni Pool          | 994.68              |
| 296 - PD GRT             | 45,204.42           |
| 303 - Vet Wall           | 4,088.29            |
| 304 - Senior Grants      | 243,244.68          |
| 306 - Cl Jt Uti          | 21,693.00           |
| 403 - Pledge State       | 10,545.66           |
| 501 - Cemetary           | 674.41              |
| 502 - Util Office - Pool | 14,073.06           |
| 503 - Electric           | 361,861.09          |
| 504 - Water              | 128,106.80          |
| 505 - Solid Waste        | 74,645.25           |
| 506 - WWTP               | 52,111.67           |
| 508 - Golf Course        | 3,978.47            |
| 509 - Muni Airport       | 17,386.74           |
| <b>Grand Total:</b>      | <b>1,257,946.83</b> |

## Account Summary

| Account Number | Account Name              | Payment Amount |
|----------------|---------------------------|----------------|
| 101-1000-44606 | OFFICE SUPPLIES-GOVERN..  | 214.01         |
| 101-1000-44613 | NON-CAPITAL ITEMS         | 1,381.32       |
| 101-1000-60430 | EMERGENCY FUNDS           | 6,366.12       |
| 101-1000-60725 | GRANTS TO SUB-RECIPIE...  | 17,253.50      |
| 101-1001-41226 | RETIREE INSURANCE-OFF ... | 184.22         |
| 101-1001-43465 | RENT OF EQUIPMENT         | 262.49         |
| 101-1001-43740 | PRINTING/PUBLISHING       | 1,399.79       |
| 101-1001-43770 | SUBSCRIPTION & DUES       | 42.34          |
| 101-1001-43775 | TELEPHONE                 | 281.65         |
| 101-1002-41226 | RETIREE INSURANCE-MUN..   | 154.66         |
| 101-1002-43775 | TELEPHONE                 | 169.78         |
| 101-1002-44606 | OFFICE SUPPLIES           | 1,162.08       |
| 101-1002-60576 | Grant Expenses/JAF GRA... | 2,062.35       |
| 101-1002-60840 | OTHER CAP PUR/AOC/JID ... | 2,147.49       |
| 101-1003-41226 | RETIREE INSURANCE-OFF ... | 383.68         |
| 101-1003-42720 | EMPLOYEE TRAINING-OFF...  | 800.00         |
| 101-1003-43316 | GAS & OIL                 | 52.33          |
| 101-1003-43465 | RENT OF EQUIPMENT         | 282.05         |
| 101-1003-43775 | TELEPHONE                 | 427.18         |
| 101-1003-47420 | MAINTENANCE VEHICLE/...   | 417.26         |
| 101-1003-48598 | PROFESSIONAL SERVICES     | 5,923.07       |
| 101-1003-60781 | NM CLEAN & BEAUTIFUL ...  | 48,660.08      |
| 101-1003-60784 | Grant Expenses            | 9,370.40       |
| 101-1004-41226 | RETIREE INSURANCE-ADM...  | 434.50         |
| 101-1004-42720 | EMPLOYEE TRAINING-AD...   | 540.00         |
| 101-1004-43465 | RENT OF EQUIPMENT         | 452.84         |
| 101-1004-43740 | PRINTING/PUBLISHING       | 239.63         |
| 101-1004-43775 | TELEPHONE                 | 339.92         |
| 101-1004-44615 | SAFETY EQUIPMENT          | 50.00          |
| 101-1004-48599 | OTHER CONTRACTUAL SE...   | 9,848.08       |
| 101-1007-41226 | RETIREE INSURANCE-POLI... | 1,547.84       |
| 101-1007-43316 | GAS & OIL                 | 2,083.36       |

## Account Summary

| Account Number | Account Name                | Payment Amount |
|----------------|-----------------------------|----------------|
| 101-1007-43465 | RENT OF EQUIPMENT           | 240.52         |
| 101-1007-43770 | SUBSCRIPTION & DUES         | 110.00         |
| 101-1007-43775 | TELEPHONE                   | 1,619.04       |
| 101-1007-44615 | SAFETY EQUIPMENT            | 1,041.47       |
| 101-1007-47420 | MAINTENANCE VEHICLE/...     | 836.05         |
| 101-1007-48598 | PROFESSIONAL SERVICES       | 691.42         |
| 101-1007-48599 | OTHER CONTRACTUAL SE...     | 4,692.63       |
| 101-1008-41226 | RETIREE INSURANCE-COD...    | 371.78         |
| 101-1008-42310 | PER DIEM-CODE ENF/AN...     | 349.60         |
| 101-1008-42620 | UNIFORMS LINEN-CODE ...     | 450.93         |
| 101-1008-43316 | GAS & OIL                   | 414.34         |
| 101-1008-43775 | TELEPHONE                   | 262.18         |
| 101-1008-44613 | NON-CAPITAL ITEMS           | 1,298.38       |
| 101-1008-48599 | OTHER CONTRACTUAL SE...     | 414.12         |
| 101-1009-41226 | RETIREE INSURANCE-MUN..     | 354.24         |
| 101-1009-43316 | GAS & OIL                   | 485.20         |
| 101-1009-43317 | DIESEL-RECREATION           | 106.79         |
| 101-1009-43465 | RENT OF EQUIPMENT           | 213.12         |
| 101-1009-43770 | SUBSCRIPTION & DUES         | 0.00           |
| 101-1009-43775 | TELEPHONE                   | 1,152.16       |
| 101-1009-44607 | FIELD SUPPLIES-MUNI RE...   | 3,946.31       |
| 101-1009-44613 | NON-CAPITAL ITEMS           | 4,191.12       |
| 101-1009-47420 | MAINTENANCE VEHICLE/...     | 278.45         |
| 101-1009-48599 | OTHER CONTRACTUAL SE...     | 1,700.00       |
| 101-1010-41226 | RETIREE INSURANCE-BUIL...   | 91.20          |
| 101-1010-43775 | TELEPHONE                   | 96.75          |
| 101-1010-48598 | PROFESSIONAL SERVICES       | 27,916.98      |
| 101-1011-41226 | RETIREE INSURANCE-STRE...   | 596.60         |
| 101-1011-43775 | TELEPHONE                   | 234.09         |
| 101-1012-41226 | RETIREE INSURANCE-FLEE...   | 100.80         |
| 101-1012-43775 | TELEPHONE                   | 29.24          |
| 101-1014-41226 | RETIREE INSURANCE-FACI...   | 354.22         |
| 101-1014-43316 | GAS & OIL                   | 301.61         |
| 101-1014-43403 | REGULAR BUILDING MAI...     | 1,738.85       |
| 101-1014-43775 | TELEPHONE                   | 634.87         |
| 101-1014-44607 | FIELD SUPPLIES-FACILITY ... | 975.50         |
| 101-1014-47410 | MAINTENANCE CONTRAC...      | 863.04         |
| 101-1014-47420 | MAINTENANCE-VEHICLE/...     | 10.56          |
| 101-1016-41226 | RETIREE INSURANCE-LIBR...   | 317.78         |
| 101-1017-48599 | OTHER CONTRACTUAL SE...     | 21,341.55      |
| 101-1018-43780 | UTILITIES                   | 11,978.96      |
| 101-1099-34343 | ANIMAL POUND FEES           | 25.00          |
| 201-1903-44805 | AUTO/LAB/DWI/JUD ED         | 36.00          |
| 201-1903-48710 | CARE OF PRISONERS-COR...    | 665.00         |
| 209-1603-43316 | GAS & OIL                   | 558.16         |
| 209-1603-43770 | SUBSCRIPTION & DUES         | 365.81         |
| 209-1603-43775 | TELEPHONE                   | 1,178.45       |
| 209-1603-43780 | UTILITIES                   | 414.81         |
| 209-1603-47405 | MAINTENANCE-BUILDING...     | 2,356.74       |
| 209-1603-47420 | MAINTENANCE VEHICLE/...     | 2,765.67       |
| 209-1603-80845 | OTHER CAPITAL PURCHAS...    | 11,297.32      |
| 211-2003-44573 | UNIFORM & EQUIPMENT         | 4,218.45       |
| 214-2503-30318 | PROMOTION/ADVERTISG ...     | 3,320.52       |
| 214-2503-30319 | NON-PROMOTION FUND ...      | 2,251.21       |
| 214-2503-37323 | 1% CONVENTION CENTER...     | 56.28          |
| 214-2503-44810 | EQUIPMENT & MACHINE...      | 950.73         |
| 214-2503-47406 | PROMOTIONAL/ADVERTIS...     | 18,099.87      |
| 214-2503-47597 | 9% ADVERTISING/MARKET..     | 8,935.47       |

## Account Summary

| Account Number | Account Name                | Payment Amount |
|----------------|-----------------------------|----------------|
| 214-2503-48591 | MAIN STREET CONTRACT        | 8,750.00       |
| 214-2503-48599 | OTHER CONTRACTUAL SE...     | 970.88         |
| 214-2503-48811 | SERV CONTRACT(FRIENDS...    | 250.00         |
| 214-2503-48815 | SERVICE CONTRACTS-LO...     | 1,150.00       |
| 216-4503-43316 | GAS & OIL                   | 199.34         |
| 216-4503-43317 | DIESEL FUEL-STREET MAI...   | 1,639.36       |
| 216-4503-44607 | FIELD SUPPLIES-STREETS      | 612.28         |
| 216-4503-47420 | MAINT.VEHICLE/FURN/E...     | 365.01         |
| 294-5003-43775 | TELEPHONE                   | 169.78         |
| 295-4803-41226 | RETIREE INSURANCE-MUN..     | 73.00          |
| 295-4803-43465 | RENT OF EQUIPMENT           | 30.46          |
| 295-4803-43780 | UTILITIES-MUNI POOL         | 822.97         |
| 295-4803-44607 | FIELD SUPPLIES-MUNI PO...   | 68.25          |
| 296-2403-80845 | OTHER CAPITAL PURCHAS...    | 45,204.42      |
| 303-4703-43775 | TELEPHONE                   | 138.29         |
| 303-4703-60840 | CONSTRUCTION COSTS          | 3,950.00       |
| 304-4903-80810 | EQUIPMENT VEHICLE SJO...    | 39,000.00      |
| 304-4903-80845 | BUILDING RENOVATIONS ...    | 204,244.68     |
| 306-6103-12902 | CWPA TORC 2 OPERATING       | 10,023.53      |
| 306-6103-12918 | CWPA TORC 18 OPERATI...     | 690.58         |
| 306-6103-12919 | CWPA TORC 19 OPERATI...     | 7,598.77       |
| 306-6103-90905 | DEBT SERVICE PRINCIPAL...   | 3,264.00       |
| 306-6103-90910 | DEBT SERVICE INTEREST       | 116.12         |
| 403-1203-12967 | PPRF-4967 OPERATING         | 10,545.66      |
| 501-1803-43780 | UTILITIES                   | 674.41         |
| 502-3601-41226 | RETIREE INSURANCE-UTIL...   | 480.00         |
| 502-3601-42720 | Employee Training & Trav... | 350.00         |
| 502-3601-43316 | GAS & OIL                   | 155.20         |
| 502-3601-43465 | RENT OF EQUIPMENT           | 504.65         |
| 502-3601-43735 | POSTAGE & MAIL SERVICE...   | 10,000.00      |
| 502-3601-43740 | PRINTING/PUBLISHING         | 1,386.85       |
| 502-3601-43775 | TELEPHONE                   | 163.45         |
| 502-3601-43780 | UTILITIES                   | 349.87         |
| 502-3601-47410 | MAINTENANCE CONTRAC...      | 683.04         |
| 503-3702-41226 | RETIREE INSURANCE-ELEC...   | 747.29         |
| 503-3702-42620 | UNIFORM/LINEN-ELECTRI...    | 706.80         |
| 503-3702-43316 | GAS & OIL                   | 353.13         |
| 503-3702-43317 | DIESEL FUEL-ELECTRIC DIV..  | 494.00         |
| 503-3702-43465 | RENT OF EQUIPMENT           | 39.80          |
| 503-3702-43775 | TELEPHONE                   | 285.90         |
| 503-3702-43780 | UTILITIES                   | 2,035.48       |
| 503-3702-44606 | OFFICE SUPPLIES             | 527.35         |
| 503-3702-44613 | NON-CAPITAL ITEMS           | 4,455.23       |
| 503-3702-44615 | SAFETY EQUIPMENT            | 482.03         |
| 503-3702-47415 | MAINTENANCE/GROUNDS..       | 25,129.76      |
| 503-3702-47420 | MAINTENANCE-VEHICLE/...     | 56.62          |
| 503-3702-48599 | OTHER CONTRACTUAL SE...     | 7,199.06       |
| 503-3702-50795 | WHOLESALE POWER COS...      | 305,383.83     |
| 503-3702-80845 | OTHER CAPITAL PURCHAS...    | 13,964.81      |
| 504-3803-41226 | RETIREE INSURANCE-WAT...    | 330.82         |
| 504-3803-43316 | GAS & OIL                   | 423.06         |
| 504-3803-43317 | DIESEL-WATER DIVISION       | 1,767.28       |
| 504-3803-43465 | RENT OF EQUIPMENT           | 60.00          |
| 504-3803-43775 | TELEPHONE                   | 55.92          |
| 504-3803-43780 | UTILITIES                   | 12,301.83      |
| 504-3803-43797 | WATER CONSERVATION-...      | 1,578.51       |
| 504-3803-44605 | CHEMICALS/LABORATORY...     | 656.80         |
| 504-3803-44607 | FIELD SUPPLIES-WATER D...   | 2,986.61       |

**Account Summary**

| Account Number      | Account Name               | Payment Amount      |
|---------------------|----------------------------|---------------------|
| 504-3803-44615      | SAFETY EQUIPMENT           | 422.50              |
| 504-3803-47415      | MAINTENANCE-GROUNDS..      | 1,032.00            |
| 504-3803-47420      | MAINTENANCE-VEHICLE/...    | 200.00              |
| 504-3803-47430      | EMERGENCY REPAIRS          | 33,241.47           |
| 504-3803-80810      | CAPITAL EQUIPMENT/MA...    | 73,050.00           |
| 505-3904-41226      | RETIREE INSURANCE-SOLI...  | 930.63              |
| 505-3904-43316      | GAS & OIL                  | 315.14              |
| 505-3904-43317      | DIESEL FUEL-SOLID WASTE..  | 2,119.70            |
| 505-3904-43465      | RENT OF EQUIPMENT          | 437.89              |
| 505-3904-43775      | TELEPHONE                  | 173.20              |
| 505-3904-43780      | UTILITIES                  | 696.01              |
| 505-3904-44607      | FIELD SUPPLIES-SOLID WA... | 421.20              |
| 505-3904-44613      | NON-CAPITAL ITEMS          | 2,534.99            |
| 505-3904-45601      | WASTE DISPOSAL             | 60,776.03           |
| 505-3904-47410      | MAINTENANCE CONTRAC...     | 609.49              |
| 505-3904-47420      | MAINTENANCE-VEHICLE/...    | 3,711.98            |
| 505-3904-48599      | OTHER CONTRACTUAL SE...    | 1,918.99            |
| 506-4005-41226      | RETIREE INSURANCE-WAS...   | 540.06              |
| 506-4005-43316      | GAS & OIL                  | 516.90              |
| 506-4005-43317      | DIESEL FUEL-WASTEWAT...    | 27.95               |
| 506-4005-43416      | O & M PURCHASES-WAST...    | 134.50              |
| 506-4005-43465      | RENT OF EQUIPMENT          | 157.28              |
| 506-4005-43775      | TELEPHONE                  | 231.61              |
| 506-4005-43780      | UTILITIES                  | 1,249.78            |
| 506-4005-44605      | CHEMICALS/LABORATORY...    | 5,576.19            |
| 506-4005-44607      | FIELD SUPPLIES-WASTEW...   | 282.97              |
| 506-4005-44615      | SAFETY EQUIPMENT           | 422.50              |
| 506-4005-47420      | MAINTENANCE-VEHICLE/...    | 107.13              |
| 506-4005-47430      | EMERGENCY REPAIRS          | 14,970.00           |
| 506-4005-48798      | VILLAGE OF WILLIAMSBU...   | 3,544.80            |
| 506-4005-80810      | OTHER CAPITAL EQUIPM...    | 24,350.00           |
| 508-4303-41226      | RETIREE INSURANCE          | 115.36              |
| 508-4303-43465      | RENT OF EQUIPMENT          | 1,046.46            |
| 508-4303-43775      | TELEPHONE                  | 85.99               |
| 508-4303-43780      | UTILITIES                  | 2,380.71            |
| 508-4303-44607      | FIELD SUPPLIES             | 349.95              |
| 509-4403-41226      | RETIREE INSURANCE-AIR...   | 230.40              |
| 509-4403-43316      | GAS & OIL                  | 62.30               |
| 509-4403-43465      | RENT OF EQUIPMENT          | 32.93               |
| 509-4403-43770      | SUBSCRIPTION & DUES        | 200.00              |
| 509-4403-43775      | TELEPHONE                  | 486.51              |
| 509-4403-43780      | UTILITIES                  | 842.88              |
| 509-4403-44613      | NON-CAPITAL ITEMS          | 7,683.58            |
| 509-4403-47420      | MAINTENANCE VEH/EQUI...    | 7,848.14            |
| <b>Grand Total:</b> |                            | <b>1,257,946.83</b> |

**Project Account Summary**

| Project Account Key | Payment Amount      |
|---------------------|---------------------|
| **None**            | 1,257,946.83        |
| <b>Grand Total:</b> | <b>1,257,946.83</b> |



# CITY OF TRUTH OR CONSEQUENCES

## AGENDA REQUEST FORM

MEETING DATE: July 8, 2020

Agenda Item #: F.1

**SUBJECT:** Ordinance No. 709 for final adoption amending the Code of Ordinances by adding a Section related to Sale of Real Property pursuant to §NMSA 1978 3-54-1.

**DEPARTMENT:** Community Development

**DATE SUBMITTED:** June 30, 2020

**SUBMITTED BY:** Traci Burnette

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

### 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. City Commission approved ordinance 709 for publication on 9-25-2020. Prior to publication, we discovered an issue with respect to the title. We filed a petition in District Court and successfully resolved the issue. Title search has been performed and property is available for sale. No further offers for purchase have been received.

### Recommendation:

Approve final adoption of Ordinance No. 709 amending the Code of Ordinances by adding a Section related to Sale of Real Property pursuant to §NMSA 1978 3-54-1. and proceed with purchase agreement.

### Attachments:

- Ordinance No. 709
  - Purchase Agreement
- [Click here to enter text.](#)

### 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. - 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: CC Agendas 7-08-2020

## **PURCHASE AGREEMENT**

This Agreement is entered into on the \_\_\_\_ day of September 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 \$26,00.00, 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.

5. All recording fees and closing costs will be paid by Buyer.

**KEVIN M. DEPALMA – Buyer**

\*\*\*\*\*

**STATE OF** \_\_\_\_\_ **]**  
**COUNTY OF** \_\_\_\_\_ **:ss.**

**Seal)** \_\_\_\_\_



STATE OF \_\_\_\_\_ }  
:ss.  
COUNTY OF \_\_\_\_\_ }

The foregoing instrument was acknowledged before me by **KEVIN M. DEPALMA** on the \_\_\_\_ day of September 2019.

\_\_\_\_\_  
**Notary Public**

My Commission Expires:

*Seal)* \_\_\_\_\_

\*\*\*\*\*

STATE OF NEW MEXICO }  
:ss.  
COUNTY OF SIERRA }

The foregoing instrument was acknowledged before me by \_\_\_\_\_, for the **CITY OF TRUTH OR CONSEQUENCES**, on the \_\_\_\_ day of September 2019.

\_\_\_\_\_  
**Notary Public**

My Commission Expires:

*(Seal)* \_\_\_\_\_



# CITY OF TRUTH OR CONSEQUENCES

## AGENDA REQUEST FORM

MEETING DATE: July 8, 2020

Agenda Item #: G.1

**SUBJECT:** Resolution 01 2020-2021 Open Meetings Act

**DEPARTMENT:** City Clerk's Office

**DATE SUBMITTED:** July 1, 2020

**SUBMITTED BY:** Angela A. Torres, City Clerk-Treasurer

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

**Summary/Background:**

The Open Meetings Act is found in NMSA 1978, Chapter 10, Article 15, Section 10-15-1 to 10-15-4 and are known as a "sunshine law." The Open Meetings Act or "Sunshine Law" generally requires that the Public business be conducted in full public view, and that the deliberations of public bodies be open to the public.

This Resolution is generally adopted as the first Resolution of each Fiscal Year at the first meeting in July.

**Recommendation:**

Approve the Resolution.

**Attachments:**

- Resolution No. 01 2020/2021

**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. 01 2020/2021

Ordinance No. .

Continued To: . Referred To: .

☐ Approved ☐ Denied ☐ Other: .

File Name: CC Agendas 7-08-2020



## **CITY OF TRUTH OR CONSEQUENCES**

### **RESOLUTION NO. 01 20/21**

#### **A RESOLUTION DESIGNATING THE MANNER IN WHICH ALL MEETINGS OF THE CITY COMMISSION, ITS BOARDS, COMMISSION AND COMMITTEES WILL BE HELD AND THE METHOD OF PUBLIC NOTIFICATION.**

**WHEREAS**, pursuant to the requirements of the Open Meetings Act ("Act"), Section 10-15-1 et seq. NMSA 1978, all meetings of the City Commission, its boards, commissions or committees held for the purpose of formulating public policy or for the purpose of taking any action within the authority of or the delegated authority of any board, commission, committee, or other policymaking body are declared to be public meetings open to the public at all times, except as otherwise provided in the state constitution or the Act; and

**WHEREAS**, all meetings subject to the provision of the Act at which the formation of public policy, such as discussion or adoption of any proposed resolution, rule, regulation, or formal action occurs and at which a majority of quorum of the body is in attendance shall be public meetings and shall be held only after reasonable Notice/Agenda to the public; and

**WHEREAS**, the Act requires the City Commission to determine annually in a public meeting what Notice/Agenda for a public meeting is reasonable when applied to the City Commission, its boards, commissions and committees.

**NOW THEREFORE, BE IT RESOLVED** by the governing body of the City of Truth or Consequences:

1. Regular meetings of the City Commission shall be held on the second and fourth Wednesdays of each month at 9:00 a.m., or upon such times as the Commission agrees to change the meeting date or time. If said meeting falls on a holiday, the meeting shall then be held on Thursday, immediately following. All meetings will be held at the City Commission Chambers, 405 W. 3<sup>rd</sup> Street unless due Notice/Agenda is given to the public.
2. Regular meeting of any board, commission or committee shall be established by formal action of the respective body as to date, time and location. Consideration shall be given to holding such meetings at a date, time and location, which promotes the active participation of the community.
3. Notice/Agenda requirements for all meetings shall be in accordance with the following:

- A. **Regular Meetings** – Notice of the meetings, indicating the date, time, and location of the meetings shall be published in one or more newspapers of general circulation within the community at least once per month. The Notice/Agenda shall be given at least 5 days prior to the meeting. The final Notice/Agenda shall be posted in the City Clerk's Office and posted on the City's web site.
- B. **Special Meetings** – May be called only by the majority of the members of the City Commission. Notice/Agenda shall be given with no less than 72 hours' Notice/Agenda before such meeting. The Notice/Agenda shall specify the business to be conducted and shall be broadcast over the radio, or in the alternative, be posted in the following places: 1) Bulletin board at the City Utilities Office; 2.) the north bulletin board at the Sierra County Administrative Building; 3) First Savings Bank; 4) Bank of the Southwest at T or C; 5) U.S. Post Office located on Main Street; and 6) City Clerk's Office and on the City's web site.
- C. **Emergency Meetings** – May be called only under circumstances that, if not addressed immediately by the City Commission, will likely result in injury or damage to persons or property or substantial financial loss to the City. Emergency meetings maybe called by the Mayor or a majority of the Commission by giving 24 hours' Notice/Agenda prior to meeting, and is possible and reasonable under the circumstances.

Emergency meeting Notice/Agenda shall include an agenda containing a list of specific items of business to be discussed or transacted at the meeting or information on how the public may obtain a copy of such an agenda. Except in the case of an emergency, the agenda shall be available to the public at least 72 hours prior to the meeting.

4. Pursuant to the Open Meetings Act 10-15-1 (C) NMSA if otherwise allowed by law or rule of the public body, a member of a public body may participate in a meeting of the public body by means of a conference telephone, or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.

**PASSED, APPROVED AND ADOPTED** this 8th day of July, 2020.

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

ATTEST:

\_\_\_\_\_  
Angela A. Torres, City Clerk



## City of Truth or Consequences

### AGENDA REQUEST FORM

MEETING DATE: July 8, 2020

Agenda Item #: G.2

**SUBJECT:** Resolution 02 20/21 Authorizing participation in local government road fund program administered by New Mexico Department of Transportation.

**DEPARTMENT:** Community Development

**DATE SUBMITTED:** June 29, 2020

**SUBMITTED BY:** Traci Burnette

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

**Summary/Background:**

LGRF Project for year 2020 – 2021 for Pavement Rehabilitation/ Improvements, which includes but not limited to, Mill/Inlay, Fog Seal, Overlay with PMPB, Chip seal, Cold Milling recycling, Pothole patching, Blade patching, Slurry seals, Scrub seals, Double Penetration Chip Seals and Sandwich seals

**Recommendation:**

Approve Resolution No. 02 20/21

**Attachments:**

- RESOLUTION No 2 20-21
- Award Letter 6-15-2020
- Letter of Acceptance

**Fiscal Impact (Finance):** Choose an item.

**Legal Review (City Attorney):** Choose an item.

**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. 02 20-21 Ordinance No. .

Continued To: . Referred To: .

☐ Approved ☐ Denied ☐ Other: .

File Name: CC Agendas 7-08-2020

## RESOLUTION No. 02 20/21

### 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 \$82,651.00 to be funded in proportional share by the parties hereto as follows:

- a. New Mexico Department of Transportation's share shall be 75% or \$61,988.00  
and
- b. City of Truth or Consequences' proportional matching share shall be 25% or  
\$20,663.00

TOTAL PROJECT COST IS \$82,651.00

City of Truth or Consequences shall pay all costs, which exceed the total amount of \$82,651.00.

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, 2022** 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 L100464 with the New Mexico Department of Transportation for LGRF Project for year 2020 - 2021 for Pavement Rehabilitation/Improvements, which includes but not limited to, Mill/Inlay, Fog Seal, Overlay with PMPB, Chip seal, Cold Milling recycling, Pothole patching, Blade patching, Slurry seals, Scrub seals, Double Penetration Chip Seals and Sandwich seals within the control of the City of Truth or Consequences in Sierra County, New Mexico.

PASSED, APPROVED AND ADOPTED this 8<sup>th</sup> day of July, 2020.

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

ATTEST:

\_\_\_\_\_  
Angela A. Torres, City Clerk





June 15, 2020

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

Re: 2020 - 2021 Local Government Road Fund Program

Dear Mr. Madrid,

The State Transportation Commission approved the above program during their **May 21<sup>st</sup> meeting**.

A resolution passed by the governing body or agency head respectively adopting the project and verifying its priority standing with the Public Entity is the next item needed. The resolution should contain the scope of work and monetary amounts as submitted to the Transportation Commission and **shown on the preliminary offer letter forwarded to your office in March 2020**. Additional information to be included in the resolution is the route & termini control number **HW2 L100464**.

A sample resolution is included for your convenience.\*\*

**\*\*There are two sample resolutions included with this notification.** If you are asking for match waiver this year, please submit the "match waiver sample resolution" along with the "letter of intent to apply for a hardship waiver" (samples attached). If you will not be asking for match waiver then submit the normal resolution included in your samples.

**Please submit the resolution no later than July 15<sup>th</sup>, 2020.** This will allow the time needed to have the agreement fully executed by the October 31<sup>st</sup> deadline. **Any agreement not fully executed by this deadline could result in the loss of your funding.**

Agreements will be forwarded for signature upon receipt of the resolution in our office. **Please remember that NO aspect of the project can begin prior to the execution of the agreement.**

We appreciate your assistance and please email [MaryJo.Valdez@state.nm.us](mailto:MaryJo.Valdez@state.nm.us) or call 575-386-9085 if you should have any questions or need further assistance.

Sincerely,

Mary Jo Valdez  
District One LGRF Coordinator

Enclosures

**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

**Sandra Whitehead**  
Mayor

**Kathy Clark**  
Mayor Pro-Tem

**Rolf Hechler**  
Commissioner



505 Sims St.  
Truth or Consequences, New Mexico 87901  
P: 575-894-6673 ♦ F: 575-894-7767  
[www.torcnm.org](http://www.torcnm.org)

**Paul Baca**  
Commissioner

**George Szigeti**  
Commissioner

**Morris Madrid**  
City Manager

March 31, 2020

Debbie Hudson, LGRF Coordinator  
NMDOT-District One  
2912 E. Pine Street  
Deming, NM 88030

RE: Acceptance of funding offered for (FY 20/21) Local Government Road Fund Program

Dear Mrs. Hudson:

This letter constitutes acceptance of the funding offer from the Local Government Road Fund (LGRF) FY (2020-2021). The funding offer is:


|                   | Entity Share | State Share | Project Total |
|-------------------|--------------|-------------|---------------|
| (CAP or SP or SB) | \$20,663.00  | \$61,988.00 | \$82,651.00   |

The project scope is as follows:

*Pavement rehabilitation/improvements, which may include but is not limited to mil/inlay, fog seal, overlay with PMPB, chip seal, cold milling recycling, pot hole patching, blade patching, slurry seals, scrub seals, double penetration chip seals and sand seals on Foch Street, Locust Street, Yucca Street, Palo Verde Street, Sierra Vista Drive, Pine Street, and Corbett Street.*

Upon approval of funding by the State Transportation Commission, the City of Truth or Consequences City Commissioners will approve the agreement through a resolution committing the matching funds and establishing the priority of this project for construction. Thank you for your assistance in developing these important public works projects.

Sincerely,

  
Morris Madrid – City Manager





# CITY OF TRUTH OR CONSEQUENCES

## AGENDA REQUEST FORM

MEETING DATE: July 8, 2020

Agenda Item #: G.3

**SUBJECT:** Resolution 03 2020-2021 Animal Shelter Fees

**DEPARTMENT:** City Clerk's Office

**DATE SUBMITTED:** July 1, 2020

**SUBMITTED BY:** Angela A. Torres, City Clerk-Treasurer

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

**Summary/Background:**

This Resolution is to establish new fees for services at the Truth or Consequences Animal Shelter.

**Recommendation:**

Approve Resolution No. 03 2020/2021 amending the Animal Shelter Fees and repealing Resolution 35 2018/2019.

**Attachments:**

- Resolution No. 03 2020/2021

**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. 03 2020/2021

Ordinance No. .

Continued To: . Referred To: .

☐ Approved ☐ Denied ☐ Other: .

File Name: CC Agendas 7-08-2020



**CITY OF TRUTH OR CONSEQUENCES, NM  
RESOLUTION No. 03 20/21**

**RESOLUTION ESTABLISHING  
ANIMAL SHELTER FEES**

**WHEREAS**, the City of Truth or Consequences owns and operates the Truth or Consequences Animal Shelter and is responsible for establishing fees and other charges; and

**WHEREAS**, the City Commission determined that the fees that are currently charged need to be amended; and

**WHEREAS**, the attached Exhibit 1 sets forth the fees that have heretofore been charged (original) and the fees that will be charged upon passage of this Resolution (new).

**NOW THEREFORE, BE IT RESOLVED** by the governing body of the City of Truth or Consequences:

1. The “new” fees set forth in Exhibit 1 are hereby established as the fees for the services described therein.
2. The new fee schedule shall become effective immediately upon adoption of this Resolution.
3. The City Manager has the authority to temporarily adjust the fees based upon special adoption events or specific circumstances at the Animal Shelter.

**PASSED, APPROVED AND ADOPTED** this 8<sup>th</sup> day of July 2020.

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Sandra Whitehead, Mayor

**ATTEST:**

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Angela A. Torres, City Clerk

|                   | ORIGINAL              |                |
|-------------------|-----------------------|----------------|
| IMPOUND           | FEE                   | PRICE          |
|                   | IMPOUND FEE           | \$30.00        |
|                   | NON-STERILIZED FEE    | \$25.00        |
|                   | <b>TOTAL WITH TAX</b> | <b>\$59.67</b> |
| ADOPTION FOR DOG  |                       |                |
|                   | ADOPTION FEE          | \$25.00        |
|                   | NON-STERILIZED FEE    | \$25.00        |
|                   | PARVO & DISTEMPER V   | \$10.00        |
|                   | BORDATELLA            | \$10.00        |
|                   | MICROCHIP             | \$10.00        |
|                   | <b>TOTAL WITH TAX</b> | <b>\$86.80</b> |
| ADOPTION FOR CATS |                       |                |
|                   | ADOPTION FEE          | \$25.00        |
|                   | NON-STERILIZED FEE    | \$25.00        |
|                   | FELV TEST             | \$20.00        |
|                   | PCT VAC               | \$10.00        |
|                   | MICROCHIP             | \$10.00        |
|                   | <b>TOTAL WITH TAX</b> | <b>\$97.65</b> |

**\*\*PRICES CAN CHANGE IF THE ANIMAL IS STERILIZED**

|                                    | NEW                   |                |
|------------------------------------|-----------------------|----------------|
| IMPOUND                            | FEE                   | PRICE          |
|                                    | IMPOUND FEE           | \$30.00        |
|                                    | NON-STERILIZED        | \$25.00        |
|                                    | <b>TOTAL WITH TAX</b> | <b>\$56.67</b> |
| ADOPTION FOR ANIMAL UNDER 6 MONTHS |                       |                |
|                                    | ADOPTION FEE          | \$35.00        |
|                                    | <b>TOTAL WITH TAX</b> | <b>\$37.98</b> |
| ADOPTION FOR ANIMALS OVER 6 MONTHS |                       |                |
|                                    | ADOPTION FEE          | \$50.00        |
|                                    | <b>TOTAL WITH TAX</b> | <b>\$54.25</b> |
| ADOPTION FOR ANIMALS OVER 10 YEARS |                       |                |
|                                    | ADOPTION FEE          | \$25.00        |
|                                    | <b>TOTAL WITH TAX</b> | <b>\$27.13</b> |

**\*\*NEW PRICES INCLUDE CORE VACCINES AND TESTING**

**\*\*PRICES CAN INCREASE BY \$25.00 IF NOT STERILIZED**

**ADDITIONAL CHARGES**

|                             |         |                |
|-----------------------------|---------|----------------|
| OWNER SURRENDER (NOT TAXED) | \$30.00 |                |
| COURT BOARDING              |         |                |
| BOARDING (PER DAY)          | \$10.00 | \$10.85        |
| NON-STERILIZED              | \$25.00 |                |
| MIRCOCHIP (ADD ON FEE)      | \$20.00 |                |
| <b>TOTAL WITH TAX</b>       |         | <b>\$21.70</b> |

**\*\*PRICES CAN CHANGE IF THE ANIMAL IS STERILIZED**

**\*\*\*PRICES ON ADOPTION CAN CHANGE IF THE SHELTER IS HOLDING A SPECIAL EVENT**

**EXHIBIT "I"**



# CITY OF TRUTH OR CONSEQUENCES

## AGENDA REQUEST FORM

MEETING DATE: July 8, 2020

Agenda Item #: H.1

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

**DEPARTMENT:** City Clerk's Office

**DATE SUBMITTED:** July 1, 2020

**SUBMITTED BY:** Angela A. Torres, City Clerk-Treasurer

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

**Summary/Background:**

This is a re-occurring item that will be presented at each meeting during the COVID-19 Pandemic.

**Recommendation:**

Review of Resolution 33 19/20.

**Attachments:**

Resolution 33 19/20

**Fiscal Impact (Finance):** TBD

**Legal Review (City Attorney):** N/A

**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. - Ordinance No. -

Continued To: - Referred To: -

☐ Approved ☐ Denied ☐ Other: -

File Name: CC Agendas 7-08-2020



## **RESOLUTION NO. 33 19/20**

### **A RESOLUTION ADOPTING A GET BACK TO WORK PLAN**

**WHEREAS**, the City of Truth or Consequences City Commission met upon notice of meeting duly published on May 27, 2020, at 5:30 P.M. in the City Commission Chambers, 405 W. 3rd Street, Truth or Consequences, New Mexico 87901 via teleconference; and

**WHEREAS**, on March 11, 2020, the Governor of New Mexico issued Executive Order 2020-04, in response to an outbreak of a novel coronavirus identified as COVID-19, declaring a state of public health emergency under the Public Health Emergency Response Act and invoking powers under the All Hazards Emergency Management Act and the Emergency Licensing Act; and

**WHEREAS**, pursuant to the declaration of a public health emergency, the Secretary of the New Mexico Department of Health has issued several Public Health Emergency Orders, including the Order of March 23, 2020, in which the Secretary defined essential business and ordered that all "non-essential" businesses, including non-profits, reduce their in-person workforce by 100%; and

**WHEREAS**, on April 6, 2020 the Secretary amended the March 23, 2020, Order and ordered that all "non-essential" businesses, including non-profits, close "office spaces, retail spaces, or other public spaces" of the businesses; and

**WHEREAS**, on April 6, 2020, the Governor of New Mexico issued Executive Order 2020, which among other actions, extended the declaration of a public health emergency until May 1, 2020, unless rescinded or extended; and

**WHEREAS**, the Governor of New Mexico amended Executive Order 2020 on May 15, 2020, effective until rescinded or amended; and

**WHEREAS**, in rural areas, small businesses are the primary, and sometimes the sole, provider of essential goods and services; and

**WHEREAS**, the blanket closure of small businesses deemed "non-essential" has had a significant impact on those businesses and continues to have, and the local economy in general; and

**WHEREAS**, data related to COVID-19 shows that the virus has impacted different areas in New Mexico; and

**WHEREAS**, Sierra County currently has a low number of confirmed cases; and

**WHEREAS,** The City of Truth or Consequences acknowledges that the best safe health practices are a shared responsibility of all its citizens and visitors; and

**WHEREAS,** the City of Truth or Consequences appears to be positioned to allow businesses to re-open in progressive degrees and timing; and

**WHEREAS,** the City of Truth or Consequences supports maximum testing and requests maximum support from the State of New Mexico; and

**WHEREAS,** data related to Covid-19 shows that the virus has impacted different areas in New Mexico, and continues to be a serious health risk; and

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TRUTH OR CONSEQUENCES, THAT IT IS HEREBY ADOPTING THE FOLLOWING AS ITS GET BACK TO WORK PLAN:**

The following safe practices shall be followed as appropriate:

1. Continue social distancing of six feet while working, shopping, and all other times possible.
2. Employees of business establishments shall wear masks. Businesses have the right to require customers to wear masks.
3. Gatherings of 10 persons or more are prohibited.
4. Sanitation supplies and/or facilities shall be available at all businesses.
5. Vulnerable individuals should continue to stay at home.
6. Travel shall be reduced as much as possible.

Specifically:

- a. Previously closed Bars, Restaurants and Lodging may operate at Fifty percent (50%) of capacity as designated by the New Mexico State Fire Marshal. Distances between tables/barstools less than six feet is prohibited.
- b. Previously closed Retail Stores may operate at Fifty percent (50%) of capacity as designated by the New Mexico State Fire Marshal.
- c. Medical facilities may operate at full (100%) capacity while maintaining safe distancing and sanitizing requirements.
- d. Close contact businesses such as Cosmetologists, Barbers, Manicurists, etc. may service customers on a one to one basis. No waiting areas will be permitted.
- e. Recreational facilities may open at 50% capacity if they are able to follow safe distancing requirements.

The Civic Center May be used for essential meetings at the discretion of the City Manager. This Resolution shall go into effect commencing May 27, 2020 unless otherwise superseded by an Executive Order from State Authority.

This Resolution may be amended by the City Commission in its discretion.

**PASSED, APPROVED, and ADOPTED this 27<sup>th</sup> day of May, 2020.**



**Angela A. Torres, City Clerk-Treasurer**

**Sandra Whitehead, Mayor**





# CITY OF TRUTH OR CONSEQUENCES

## AGENDA REQUEST FORM

MEETING DATE: July 8, 2020

Agenda Item #: H.2

**SUBJECT:** Approval of amendment to Tower Lease Agreement between the City of Truth or Consequences and CommNet Cellular Inc., dba Verizon Wireless.

**DEPARTMENT:** City Clerk's Office

**DATE SUBMITTED:** June 18, 2020

**SUBMITTED BY:** Angela A. Torres, Clerk Treasurer

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

### Summary/Background:

This item was presented at the June 24, 2020 City Commission Meeting. It was requested that this item be tabled and brought back at the July 8, 2020 Meeting.

Original lease agreement was entered into on May 23, 2003.

### Recommendation:

Staff recommends the approval of the draft amendment Tower lease between the between the City of Truth or Consequences and CommNet Cellular Inc., dba Verizon Wireless.

### Attachments:

- Draft Agreement

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

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

**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 6-24-2020



## THE FIRST AMENDMENT TO THE OPTION AND LEASE AGREEMENT

This First Amendment to the Option and Lease Agreement (this "**Amendment**") is made effective as of the latter signature date hereof (the "**Effective Date**") by and between the **City of Truth or Consequences, New Mexico, a municipal corporation ("Landlord")** and **CommNet Cellular Inc. d/b/a Verizon Wireless ("Tenant")** (Landlord and Tenant being collectively referred to herein as the "**Parties**").

### RECITALS

**WHEREAS**, Landlord owns the real property described on **Exhibit A** attached hereto and by this reference made a part hereof (the "**Parent Parcel**"); and

**WHEREAS**, Landlord (or its predecessor-in-interest) and Tenant (or its predecessor-in-interest) entered into that certain Option and Lease Agreement dated May 23, 2003 (as the same may have been amended, collectively, the "**Lease**"), pursuant to which the Tenant leases a portion of the Parent Parcel and is the beneficiary of certain easements for access and public utilities, all as more particularly described in the Lease (such portion of the Parent Parcel so leased along with such portion of the Parent Parcel so affected, collectively, the "**Leased Premises**"), which Leased Premises are also described on **Exhibit A**; and

**WHEREAS**, Tenant, Verizon Communications Inc., a Delaware corporation, and other parties identified therein, entered into a Management Agreement and a Master Prepaid Lease, both with an effective date of March 27, 2015 and both with ATC Sequoia LLC, a Delaware limited liability company ("**American Tower**"), pursuant to which American Tower subleases, manages, operates and maintains, as applicable, the Leased Premises, all as more particularly described therein; and

**WHEREAS**, Tenant has granted American Tower a limited power of attorney (the "**POA**") to, among other things, prepare, negotiate, execute, deliver, record and/or file certain documents on behalf of Tenant, all as more particularly set forth in the POA; and

**WHEREAS**, Landlord and Tenant desire to amend the terms of the Lease to extend the term thereof and to otherwise modify the Lease as expressly provided herein.

**NOW THEREFORE**, in consideration of the foregoing recitals and the mutual covenants set forth herein and other good and valuable consideration, the receipt, adequacy, and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. **Lease Term Extended.** Notwithstanding anything to the contrary contained in the Lease or this Amendment, the Parties agree the Lease originally commenced on June 1, 2003 and, without giving effect to the terms of this Amendment but assuming the exercise by Tenant of all remaining renewal options contained in the Lease (each an "**Existing Renewal Term**" and, collectively, the "**Existing Renewal Terms**"), the Lease is otherwise scheduled to expire on May 31, 2028. In addition to any Existing Renewal Term(s), the Lease is hereby amended to provide Tenant with the option to extend the Lease for each of six (6) additional five (5) year renewal terms (each a "**New Renewal Term**" and, collectively, the "**New Renewal Terms**"). Notwithstanding anything to the contrary contained in the Lease, as modified by this Amendment, (a) all Existing Renewal Terms and New Renewal Terms shall automatically renew unless Tenant notifies Landlord that Tenant elects not to renew the Lease at least sixty (60) days prior to the commencement of the next Renewal Term (as defined below) and (b) Landlord shall be able to terminate the Lease only in the event of a material default by Tenant, which default is not cured within sixty (60) days of Tenant's receipt of written notice thereof, provided, however, in the event that Tenant has diligently commenced to cure a material default within sixty (60) days of Tenant's actual receipt of notice thereof and reasonably requires additional time beyond the sixty (60) day cure period described herein to effect such cure, Tenant shall have such additional time as is necessary (beyond the sixty [60] day cure period) to effect the cure. References in this Amendment to

**"Renewal Term"** shall refer, collectively, to the Existing Renewal Term(s) and the New Renewal Term(s). The Landlord hereby agrees to execute and return to Tenant an original Memorandum of Lease in the form and of the substance attached hereto as **Exhibit B** and by this reference made a part hereof (the **"Memorandum"**) executed by Landlord, together with any applicable forms needed to record the Memorandum, which forms shall be supplied by Tenant to Landlord.

2. **Rent and Escalation.** Commencing with the first rental payment due following the Effective Date, the rent payable from Tenant to Landlord under the Lease is hereby increased to **One Thousand Seven Hundred and No/100 Dollars (\$1,700.00)** per month (the **"Rent"**). Commencing on June 1, 2023 and on the beginning of each Renewal Term thereafter, Rent due under the Lease, as modified by this Amendment, shall increase by an amount equal to fifteen percent (15%) of the then current Rent. In the event of any overpayment of Rent prior to or after the Effective Date, Tenant shall have the right to deduct from any future Rent payments an amount equal to the overpayment amount. Notwithstanding anything to the contrary contained in the Lease, all Rent and any other payments expressly required to be paid by Tenant to Landlord under the Lease and this Amendment shall be paid to TRUTH OR CONSEQUENCES CITY OF. The escalations in this Section shall be the only escalations to the Rent and any/all rental escalations otherwise contained in the Lease are hereby null and void and are of no further force and effect.
3. **Landlord and Tenant Acknowledgments.** Except as modified herein, the Lease and all provisions contained therein remain in full force and effect and are hereby ratified and affirmed. In the event there is a conflict between the Lease and this Amendment, this Amendment shall control. The Parties hereby agree that no defaults exist under the Lease. To the extent Tenant needed consent and/or approval from Landlord for any of Tenant's activities at and uses of the site prior to the Effective Date, including subleasing to American Tower, Landlord's execution of this Amendment is and shall be considered consent to and approval of all such activities and uses and confirmation that no additional consideration is owed to Landlord for such activities and uses. Tenant and Tenant's sublessees and customers shall have vehicular (specifically including truck) and pedestrian access to the Leased Premises from a public right of way on a 24 hours per day, 7 days per week basis, together with utilities services to the Leased Premises from a public right of way. Upon request by Tenant and at Tenant's sole cost and expense and for no additional consideration to Landlord, Landlord hereby agrees to promptly execute and return to Tenant building permits, zoning applications and other forms and documents, including a memorandum of lease, as required for the use of the Leased Premises by Tenant and/or Tenant's customers, licensees, and sublessees. Landlord hereby appoints Tenant as Landlord's attorney-in-fact coupled with an interest to prepare, execute and deliver land use and zoning and building permit applications that concern the Leased Premises, on behalf of Landlord with federal, state and local governmental authorities, provided that such applications shall be limited strictly to the use of the Leased Premises as a wireless telecommunications facility and that such attorney-in-fact shall not allow Tenant to re-zone or otherwise reclassify the Leased Premises or the Parent Parcel. The terms, provisions, and conditions of this Section shall survive the execution and delivery of this Amendment.
4. **Non-Compete.** During the original term, any Existing Renewal Terms, and/or any New Renewal Terms of the Lease, as modified by this Amendment, Landlord shall not sell, transfer, grant, convey, lease, and/or license by deed, easement, lease, license or other legal instrument, an interest in and to, or the right to use or occupy any portion of the Parent Parcel or Landlord's contiguous, adjacent, adjoining or surrounding property to any person or entity directly or indirectly engaged in the business of owning, acquiring, operating, managing, investing in or leasing wireless telecommunications infrastructure (any such person or entity, a **"Third Party Competitor"**) without the prior written consent of Tenant, which may be withheld, conditioned, and/or delayed in Tenant's sole, reasonable discretion.

5. **Limited Right of First Refusal.** The Parties acknowledge and agree that Section 13 of the Lease is hereby deleted in its entirety and is of no further force and effect. From and after the Effective Date the obligations of the Parties with respect to Tenant's right of first refusal shall be controlled by this Section of this Amendment. Notwithstanding anything to the contrary contained herein, this paragraph shall not apply to any fee simple sale of the Parent Parcel from Landlord to any prospective purchaser that is not a Third Party Competitor or to American Tower. If Landlord receives an offer or desires to offer to: (i) sell or convey any interest (including, but not limited to, leaseholds or easements) in any real property of which the Leased Premises is a part to a Third Party Competitor or (ii) assign all or any portion of Landlord's interest in the Lease to a Third Party Competitor (any such offer, the "***Offer***"), Tenant shall have the right of first refusal to purchase the real property or other interest being offered by Landlord in connection with the Offer on the same terms and conditions. If Tenant elects, in its sole and absolute discretion, to exercise its right of first refusal as provided herein, Tenant must provide Landlord with notice of its election not later than forty-five (45) days after Tenant receives written notice from Landlord of the Offer. If Tenant elects not to exercise Tenant's right of first refusal with respect to an Offer as provided herein, Landlord may complete the transaction contemplated in the Offer with the Third Party Competitor on the stated terms and price but with the express condition that such sale is made subject to the terms of the Lease, as modified by this Amendment. Landlord hereby acknowledges and agrees that any sale or conveyance by Landlord in violation of this Section is and shall be deemed to be null and void and of no force and effect. The terms, provisions, and conditions of this Section shall survive the execution and delivery of this Amendment. For the avoidance of doubt, American Tower, its affiliates and subsidiaries, shall not be considered a Third Party Competitor and this provision shall not apply to future transactions with American Tower, its affiliates and subsidiaries.
6. **Landlord Statements.** Landlord hereby represents and warrants to Tenant that: (i) to the extent applicable, Landlord is duly organized, validly existing, and in good standing in the jurisdiction in which Landlord was organized, formed, or incorporated, as applicable, and is otherwise in good standing and authorized to transact business in each other jurisdiction in which such qualifications are required; (ii) Landlord has the full power and authority to enter into and perform its obligations under this Amendment, and, to the extent applicable, the person(s) executing this Amendment on behalf of Landlord, have the authority to enter into and deliver this Amendment on behalf of Landlord; (iii) no consent, authorization, order, or approval of, or filing or registration with, any governmental authority or other person or entity is required for the execution and delivery by Landlord of this Amendment; (iv) Landlord is the sole owner of the Leased Premises and all other portions of the Parent Parcel; (v) to the best of Landlord's knowledge, there are no agreements, liens, encumbrances, claims, claims of lien, proceedings, or other matters (whether filed or recorded in the applicable public records or not) related to, encumbering, asserted against, threatened against, and/or pending with respect to the Leased Premises or any other portion of the Parent Parcel which do or could (now or any time in the future) adversely impact, limit, and/or impair Tenant's rights under the Lease, as amended and modified by this Amendment; (vi) so long as Tenant performs its obligations under the Lease, Tenant shall peaceably and quietly have, hold and enjoy the Leased Premises, and Landlord shall not act or permit any third person to act in any manner which would interfere with or disrupt Tenant's business or frustrate Tenant or Tenant's customers' use of the Leased Premises and (vii) the square footage of the Leased Premises is the greater of Tenant's existing improvements on the Parent Parcel or the land area conveyed to Tenant under the Lease. The representations and warranties of Landlord made in this Section shall survive the execution and delivery of this Amendment. Landlord hereby does and agrees to indemnify Tenant for any damages, losses, costs, fees, expenses, or charges of any kind sustained or incurred by Tenant as a result of the breach of the representations and warranties made herein or if any of the representations and warranties made herein prove to be untrue. The aforementioned indemnification shall survive the execution and delivery of this Amendment.

7. **Confidentiality.** Notwithstanding anything to the contrary contained in the Lease or in this Amendment, Landlord agrees and acknowledges that all the terms of this Amendment and the Lease and any information furnished to Landlord by Tenant or American Tower in connection therewith shall be and remain confidential. Except with Landlord's family, attorney, accountant, broker, lender, a prospective fee simple purchaser of the Parent Parcel, or if otherwise required by law, Landlord shall not disclose any such terms or information without the prior written consent of Tenant. The terms and provisions of this Section shall survive the execution and delivery of this Amendment.
8. **Notices.** The Parties acknowledge and agree that Section 20 of the Lease is hereby deleted in its entirety and is of no further force and effect. From and after the Effective Date the notice address and requirements of the Lease, as modified by this Amendment, shall be controlled by this Section of this Amendment. All notices must be in writing and shall be valid upon receipt when delivered by hand, by nationally recognized courier service, or by First Class United States Mail, certified, return receipt requested to the addresses set forth herein: to Landlord at: 505 Sims, Truth or Consequences, New Mexico 87901; to Tenant at: Verizon Wireless, Attn.: Network Real Estate, 180 Washington Valley Road, Bedminster, NJ 07921; with copy to: American Tower, Attn.: Land Management, 10 Presidential Way, Woburn, MA 01801; and also with copy to: Attn.: Legal Dept. 116 Huntington Avenue, Boston, MA 02116. Any of the Parties, by thirty (30) days prior written notice to the others in the manner provided herein, may designate one or more different notice addresses from those set forth above. Refusal to accept delivery of any notice or the inability to deliver any notice because of a changed address for which no notice was given as required herein, shall be deemed to be receipt of any such notice.
9. **Counterparts.** This Amendment may be executed in several counterparts, each of which when so executed and delivered, shall be deemed an original and all of which, when taken together, shall constitute one and the same instrument, even though all Parties are not signatories to the original or the same counterpart. Furthermore, the Parties may execute and deliver this Amendment by electronic means such as .pdf or similar format. Each of the Parties agrees that the delivery of the Amendment by electronic means will have the same force and effect as delivery of original signatures and that each of the Parties may use such electronic signatures as evidence of the execution and delivery of the Amendment by all Parties to the same extent as an original signature.
10. **Governing Law.** The Parties acknowledge and agree that Section 18 of the Lease is hereby deleted in its entirety and is of no further force and effect. From and after the Effective Date and notwithstanding anything to the contrary contained in the Lease and in this Amendment, the Lease and this Amendment shall be governed by and construed in all respects in accordance with the laws of the State or Commonwealth in which the Leased Premises is situated, without regard to the conflicts of laws provisions of such State or Commonwealth.
11. **Waiver.** Notwithstanding anything to the contrary contained herein, in no event shall Landlord or Tenant be liable to the other for, and Landlord and Tenant hereby waive, to the fullest extent permitted under applicable law, the right to recover incidental, consequential (including, without limitation, lost profits, loss of use or loss of business opportunity), punitive, exemplary and similar damages.
12. **Tenant's Securitization Rights; Estoppel.** Landlord hereby consents to the granting by Tenant and/or American Tower of one or more leasehold mortgages, collateral assignments, liens, and/or other security interests (collectively, a "***Security Interest***") in Tenant's (or American Tower's) interest in the Lease, as amended, and all of Tenant's (or American Tower's) property and fixtures attached to and lying within the Leased Premises and further consents to the exercise by Tenant's (or American Tower's) mortgagee ("***Tenant's Mortgagee***") of its rights to exercise its remedies, including without limitation foreclosure, with respect to any such Security Interest. Landlord shall recognize the holder of any such Security

Interest of which Landlord is given prior written notice (any such holder, a "**Holder**") as "Tenant" hereunder in the event a Holder succeeds to the interest of Tenant and/or American Tower hereunder by the exercise of such remedies. Landlord further agrees to execute a written estoppel certificate within thirty (30) days of written request of the same by Tenant, American Tower or Holder.

13. **Taxes.** During the term of the Lease, as modified by this Amendment, Landlord shall pay when due all real property, personal property, and other taxes, fees and assessments attributable to the Parent Parcel, including the Leased Premises. Tenant hereby agrees to reimburse Landlord for any personal property taxes in addition to any increase in real property taxes levied against the Parent Parcel, to the extent both are directly attributable to Tenant's improvements on the Leased Premises (but not, however, taxes or other assessments attributable to periods prior to the Effective Date), provided, however, that Landlord must furnish written documentation (the substance and form of which shall be reasonably satisfactory to Tenant) of such personal property taxes or real property tax increase to Tenant along with proof of payment of same by Landlord. Anything to the contrary notwithstanding, Tenant shall not be obligated to reimburse Landlord for any applicable taxes unless Landlord requests such reimbursement within one (1) year after the date such taxes became due. Landlord shall submit requests for reimbursement in writing to: *American Tower Corporation, Attn: Landlord Relations, 10 Presidential Way, Woburn, MA 01801* unless otherwise directed by Tenant from time to time. Subject to the requirements set forth in this Section, Tenant shall make such reimbursement payment within forty-five (45) days of receipt of a written reimbursement request from Landlord. Tenant shall pay applicable personal property taxes directly to the local taxing authority to the extent such taxes are billed and sent directly by the taxing authority to Tenant. If Landlord fails to pay when due any taxes affecting the Parent Parcel as required herein, Tenant shall have the right, but not the obligation, to pay such taxes on Landlord's behalf and: (i) deduct the full amount of any such taxes paid by Tenant on Landlord's behalf from any future payments required to be made by Tenant to Landlord hereunder; (ii) demand reimbursement from Landlord, which reimbursement payment Landlord shall make within thirty (30) days of such demand by Tenant; and/or (iii) collect from Landlord any such tax payments made by Tenant on Landlord's behalf by any lawful means.
14. **Conflict/Capitalized Terms.** The Parties hereby acknowledge and agree that in the event of a conflict between the terms and provisions of this Amendment and those contained in the Lease, the terms and provisions of this Amendment shall control. Except as otherwise defined or expressly provided in this Amendment, all capitalized terms used in this Amendment shall have the meanings or definitions ascribed to them in the Lease. To the extent of any inconsistency in or conflict between the meaning, definition, or usage of any capitalized terms in this Amendment and the meaning, definition, or usage of any such capitalized terms or similar or analogous terms in the Lease, the meaning, definition, or usage of any such capitalized terms in this Amendment shall control.
15. **Indemnification.** Tenant shall and hereby does indemnify and hold Landlord harmless from all demands, claims, actions, causes of action, assessments, expenses, costs, damages, losses, and liabilities (including reasonable attorney's fees and costs) actually incurred, asserted, and/or suffered (collectively, the "**Losses**"), whether to persons or property, arising directly from Tenant's use of the Leased Premises and the use of the Leased Premises by Tenant's employees, agents, contractors, guests, licensees, or invitees; provided, in all events, the aforementioned indemnification shall not apply if and to the extent that the Losses relate to, or arise as the result of, the negligence, gross negligence, or willful misconduct of Landlord or any of Landlord's employees, agents, contractors, and/or invitees. Landlord shall and hereby does indemnify and hold Tenant harmless from all Losses, whether to persons or property, arising directly from Landlord's use of the Parent Parcel and the use of the Parent Parcel by Landlord's employees, agents, contractors, guests, licensees, or invitees; provided, in all events, the aforementioned indemnification shall not apply if and to the extent that the Losses relate to, or arise as the result of, the

negligence, gross negligence, or willful misconduct of Tenant or any of Tenant's employees, agents, contractors, and/or invitees.

16. **Compliance with Laws.** Tenant shall at all times use the Leased Premises in a lawful manner and comply with all governmental laws, rules, regulations and orders applicable to Lessee's use of the Leased Premises.
17. **Termination and Removal.** The Parties acknowledge and agree that Section 12 of the Lease is hereby deleted in its entirety and is of no further force and effect. From and after the Effective Date the holdover, termination, and removal requirements of the Lease, as modified by this Amendment, shall be controlled by this Section of this Amendment. Within 120 days of the expiration or termination of the Lease, Tenant shall remove all of its communications equipment and other personal property from the Leased Premises, including the removal of any foundation to six (6) inches below grade, but not including underground utilities, if any, and restore the Leased Premises to its original condition, reasonable wear and tear excepted.
18. **Maintenance.** The Parties agree that Tenant shall maintain the Leased Premises in a commercially reasonable manner.
19. **Utilities.** Tenant will be responsible for paying on a monthly or quarterly basis all utilities charges for electricity, telephone service or any other utility used or consumed by Tenant on the Premises.
20. **Interference.** Tenant warrants that its use of the Premises will not interfere with those existing radio frequency uses on the Leased Premises at the Effective Date of this Amendment.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

**LANDLORD:**

**The City of Truth or Consequences, New Mexico,  
a municipal corporation**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

*[SIGNATURES CONTINUE ON FOLLOWING PAGE]*

**TENANT:**

**CommNet Cellular Inc. d/b/a Verizon Wireless**

By: ATC Sequoia LLC, a Delaware limited liability company

Title: Attorney-in-Fact

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

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



**EXHIBIT A**

*This Exhibit A may be replaced at Tenant's option as described below.*

**PARENT PARCEL**

*Tenant shall have the right to replace this description with a description obtained from Landlord's deed (or deeds) that include the land area encompassed by the Lease and Tenant's improvements thereon.*

The Parent Parcel consists of the entire legal taxable lot owned by Landlord as described in a deed (or deeds) to Landlord of which the Leased Premises is a part thereof with such Parent Parcel being described below:

Being situated in the County of Sierra, State of New Mexico, and being known as  
Sierra County APN:

## LEASED PREMISES

*Tenant shall have the right to replace this description with a description obtained from the Lease or from a description obtained from an as-built survey conducted by Tenant.*

The Leased Premises consists of that portion of the Parent Parcel as defined in the Lease which shall include access and utilities easements. The square footage of the Leased Premises shall be the greater of: (i) the land area conveyed to Tenant in the Lease; (ii) Tenant's (and Tenant's customers) existing improvements on the Parent Parcel; or (iii) the legal description or depiction below (if any).

The Lease Area is approximately 2,062.5 square feet, more or less, located in the County of Sierra, State of New Mexico, within the following described property:

Beginning at a concrete monument set for the Southeast corner of this tract at a point on the West right of way of Interstate Highway No. 25 [N.M.P. I-025-2(8)68] whence a Highway right of way rail marked Station 757+00 bears S.48°16'30" W. a distance of 213.55 feet and whence the West one Quarter Corner of Section 28, Township 13 South, Range 4 W, bears N.54°54'30" W. a distance of 1792.63 feet;

thence N.89°07'30" W 466.78 feet;

thence N.81°59' W 668.88 feet to a concrete monument at the Southwest corner of this tract;

thence N.0°10' W. 1034.90 ft. to the Northwest corner marked by a concrete monument;

thence N.64°34' E. 995.60 feet to the Northeast corner of this tract marked by a concrete monument;

thence S.24°24' E. 208.62 feet;

thence South 342.32 feet;

thence East 155.28 feet;

thence S.24°24' E. 87.98 feet to a point of curvature;

thence around the arc of a curve to the left having a radius of 350 feet, through a central angle of 65°49' an arc length of 402.05 feet and whose long chord bears S.57°18'30" E, 380.31 feet to a point of tangency;

thence N.89°47'E. 92.45 feet to a point of a curve;

thence around the arc of a curve to the left having a radius of 230 feet through a central angle of 21°26'58", an arc length of 86.10 feet and whose long chord bears S. 13°40'31" E. 85.60 feet to a point of tangency;

thence S. 24°24' E. 53.58 feet to a point of curvature;

thence around the arc of a curve to the right having a radius 399.44 feet, through a central angle of 20°21'31", an arc length of 141.93 feet and whose long chord bears S. 14°13'15" E. 141.19 feet to the West right of way of Interstate Highway No. 25 marked by a concrete monument,

thence along the right of way S. 48°16'30" W 718.02 feet to the place of beginning.

Parcel ID# 3022077439295

For reference see Memorandum of Option and Lease Agreement recorded on 8/21/2003 in Book 99, Page 1548, as Reception# 200302771.

## ACCESS AND UTILITIES

The access and utility easements include all easements of record as well that portion of the Parent Parcel currently utilized by Tenant (and Tenant's customers) for ingress, egress and utility purposes from the Leased Premises to and from a public right of way including but not limited to:

## **EXHIBIT B**

### **FORM OF MEMORANDUM OF LEASE**

**Prepared by and Return to:**

American Tower  
10 Presidential Way  
Woburn, MA 01801  
Attn: Land Management/Anthony G. DePasquale, Esq.  
ATC Site No: 413074  
ATC Site Name: City of Consequences NM  
Assessor's Parcel No(s):

**Prior Recorded Lease Reference:**

Book \_\_\_\_\_, Page \_\_\_\_\_  
Document No: \_\_\_\_\_  
State of New Mexico  
County of Seirra

**MEMORANDUM OF LEASE**

This Memorandum of Lease (the "**Memorandum**") is entered into as of the latter signature date hereof, by and between the **City of Truth or Consequences, New Mexico, a municipal corporation ("Landlord")** and **CommNet Cellular Inc. d/b/a Verizon Wireless ("Tenant")**.

**NOTICE** is hereby given of the Lease (as defined and described below) for the purpose of recording and giving notice of the existence of said Lease. To the extent that notice of such Lease has previously been recorded, then this Memorandum shall constitute an amendment of any such prior recorded notice(s).

1. **Parent Parcel and Lease.** Landlord is the owner of certain real property being described in **Exhibit A** attached hereto and by this reference made a part hereof (the "**Parent Parcel**"). Landlord (or its predecessor-in-interest) and Tenant (or its predecessor-in-interest) entered into that certain Option and Lease Agreement dated May 23, 2003 (as the same may have been amended from time to time, collectively, the "**Lease**"), pursuant to which the Tenant leases a portion of the Parent Parcel and is the beneficiary of certain easements for access and public utilities, all as more particularly described in the Lease (such portion of the Parent Parcel so leased along with such portion of the Parent Parcel so affected, collectively, the "**Leased Premises**"), which Leased Premises is also described on **Exhibit A**.
2. **American Tower.** Tenant, Verizon Communications Inc., a Delaware corporation, and other parties identified therein, entered into a Management Agreement and a Master Prepaid Lease, both with an effective date of March 27, 2015 and both with ATC Sequoia LLC, a Delaware limited liability company ("**American Tower**"), pursuant to which American Tower subleases, manages, operates and maintains, as applicable, the Leased Premises, all as more particularly described therein. In connection with these responsibilities, Tenant has also granted American Tower a limited power of attorney (the "**POA**") to, among other things, prepare, negotiate, execute, deliver, record and/or file certain documents on behalf of Tenant, all as more particularly set forth in the POA.
3. **Expiration Date.** Subject to the terms, provisions, and conditions of the Lease, and assuming the exercise by Tenant of all renewal options contained in the Lease, the final expiration date of the Lease would be May 31, 2058. Notwithstanding the foregoing, in no event shall Tenant be required to exercise any option to renew the term of the Lease.

ATC Site No: 413074  
VZW Site No: 144257  
Site Name: City of Consequences NM

4. **Leased Premises Description.** Tenant shall have the right, exercisable by Tenant at any time during the original or renewal terms of the Lease, to cause an as-built survey of the Leased Premises to be prepared and, thereafter, to replace, in whole or in part, the description(s) of the Leased Premises set forth on **Exhibit A** with a legal description or legal descriptions based upon such as-built survey. Upon Tenant's request, Landlord shall execute and deliver any documents reasonably necessary to effectuate such replacement, including, without limitation, amendments to this Memorandum and to the Lease.
5. **Right of First Refusal.** There is a right of first refusal in the Lease.
6. **Effect/Miscellaneous.** This Memorandum is not a complete summary of the terms, provisions and conditions contained in the Lease. In the event of a conflict between this Memorandum and the Lease, the Lease shall control. Landlord hereby grants the right to Tenant to complete and execute on behalf of Landlord any government or transfer tax forms necessary for the recording of this Memorandum. This right shall terminate upon recording of this Memorandum.
7. **Notices.** All notices must be in writing and shall be valid upon receipt when delivered by hand, by nationally recognized courier service, or by First Class United States Mail, certified, return receipt requested to the addresses set forth herein: to Landlord at: 505 Sims, Truth or Consequences, New Mexico 87901; to Tenant at: Verizon Wireless, Attn.: Network Real Estate, 180 Washington Valley Road, Bedminster, NJ 07921; with copy to: American Tower, Attn.: Land Management, 10 Presidential Way, Woburn, MA 01801, and also with copy to: Attn.: Legal Dept. 116 Huntington Avenue, Boston, MA 02116. Any of the parties hereto, by thirty (30) days prior written notice to the other in the manner provided herein, may designate one or more different notice addresses from those set forth above. Refusal to accept delivery of any notice or the inability to deliver any notice because of a changed address for which no notice was given as required herein, shall be deemed to be receipt of any such notice.
8. **Counterparts.** This Memorandum may be executed in multiple counterparts, each of which when so executed and delivered, shall be deemed an original and all of which, when taken together, shall constitute one and the same instrument.
9. **Governing Law.** This Memorandum shall be governed by and construed in all respects in accordance with the laws of the State or Commonwealth in which the Leased Premises is situated, without regard to the conflicts of laws provisions of such State or Commonwealth.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, Landlord and Tenant have each executed this Memorandum as of the day and year set forth below.

**LANDLORD**

**2 WITNESSES**

**The City of Truth or Consequences, New Mexico,  
a municipal corporation**

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_

**WITNESS AND ACKNOWLEDGEMENT**

State/Commonwealth of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

[SEAL]

*[SIGNATURES CONTINUE ON FOLLOWING PAGE]*

**TENANT**

**WITNESS**

**CommNet Cellular Inc. d/b/a Verizon Wireless**

By: ATC Sequoia LLC,  
a Delaware limited liability company  
Title: Attorney-in-Fact

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_

**WITNESS AND ACKNOWLEDGEMENT**

Commonwealth of Massachusetts

County of Middlesex

On this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

[SEAL]

**EXHIBIT A**

*This Exhibit A may be replaced at Tenant's option as described below.*

**PARENT PARCEL**

*Tenant shall have the right to replace this description with a description obtained from Landlord's deed (or deeds) that include the land area encompassed by the Lease and Tenant's improvements thereon.*

The Parent Parcel consists of the entire legal taxable lot owned by Landlord as described in a deed (or deeds) to Landlord of which the Leased Premises is a part thereof with such Parent Parcel being described below:

Being situated in the County of Sierra, State of New Mexico, and being known as  
Sierra County APN:



## LEASED PREMISES

*Tenant shall have the right to replace this description with a description obtained from the Lease or from a description obtained from an as-built survey conducted by Tenant.*

The Leased Premises consists of that portion of the Parent Parcel as defined in the Lease which shall include access and utilities easements. The square footage of the Leased Premises shall be the greater of: (i) the land area conveyed to Tenant in the Lease; (ii) Tenant's (and Tenant's customers) existing improvements on the Parent Parcel; or (iii) the legal description or depiction below (if any).

The Lease Area is approximately 2,062.5 square feet, more or less, located in the County of Sierra, State of New Mexico, within the following described property:

Beginning at a concrete monument set for the Southeast corner of this tract at a point on the West right of way of Interstate Highway No. 25 [N.M.P. I-025-2(8)68] whence a Highway right of way rail marked Station 757+00 bears S.48°16'30" W. a distance of 213.55 feet and whence the West one Quarter Corner of Section 28, Township 13 South, Range 4 W. bears N.54°54'30" W. a distance of 1792.63 feet;

thence N.89°07'30" W. 466.78 feet;

thence N.81°59' W. 668.88 feet to a concrete monument at the Southwest corner of this tract;

thence N.0°10' W. 1034.90 feet to the Northwest corner marked by a concrete monument;

thence N.64°34' E. 995.60 feet to the Northeast corner of this tract marked by a concrete monument;

thence S.24°24' E. 208.62 feet;

thence South 342.32 feet;

thence East 155.28 feet;

thence S.24°24' E. 87.98 feet to a point of curvature;

thence around the arc of a curve to the left having a radius of 350 feet, through a central angle of 65°49' an arc length of 402.05 feet and whose long chord bears S. 57°18'30" E. 380.31 feet to a point of tangency;

thence N. 89°47' E. 92.45 feet to a point of a curve;

thence around the arc of a curve to the left having a radius of 230 feet through a central angle of 21°26'58" an arc length of 86.10 feet and whose long chord bears S. 13°40'31" E. 85.60 feet to a point of tangency;

thence S. 24°24' E. 53.58 feet to a point of curvature;

thence around the arc of a curve to the right having a radius 399.44 feet, through a central angle of 20°21'31", an arc length of 141.93 feet and whose long chord bears S. 14°13'15" E. 141.19 feet to the West right of way of Interstate Highway No. 25 marked by a concrete monument;

thence along the right of way S. 48°16'30" W. 716.02 feet to the place of beginning

Parcel ID# 3022077439295

For reference see Memorandum of Option and Lease Agreement recorded on 8/21/2003 in Book 99, Page 1548, as Reception# 200302771.

## ACCESS AND UTILITIES

The access and utility easements include all easements of record as well that portion of the Parent Parcel currently utilized by Tenant (and Tenant's customers) for ingress, egress and utility purposes from the Leased Premises to and from a public right of way including but not limited to:

## **Instructions for completing the Resolution and Consent Affidavit**

### ***\*IMPORTANT INFORMATION BELOW\****

In order to avoid delays in the completion of this transaction, the Resolution and Consent Affidavit must be signed by **ALL** Members, Partners, Directors, Shareholders, Officers or Trustees of the organization. Section 6 of this form allows for the organization to appoint one person to sign the remaining documents but **ONE HUNDRED PERCENT (100%)** of the ownership or voting interest of the organization must sign this first. Failure to comply with these instructions or properly indicate the percentage of ownership and/or voting interest will result in delays and could require the documents to be re-executed. If you have any questions, please contact your land lease representative.

**Prepared by and Return to:**

American Tower

Attn: Land Management/Anthony G. DePasquale, Esq.

10 Presidential Way

Woburn, MA 01801

Assessor's Parcel No(s):

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**RESOLUTION AND CONSENT AFFIDAVIT**

**The City of Truth or Consequences, New Mexico, a municipal corporation**

Be it known that, under the pains and penalties of perjury, the undersigned Members, Partners, Directors, Shareholders, Officers or Trustees, as applicable (collectively, the "**Affiants**") of the above referenced entity (the "**Landlord**"), hereby declare and resolve the following:

1. Landlord (or its predecessor-in-interest) has leased or subleased a portion of land to **CommNet Cellular Inc. d/b/a Verizon Wireless** (the "**Tenant**") pursuant to that certain Option and Lease Agreement dated May 23, 2003 (as the same may have been amended from time to time, collectively, the "**Lease**").
2. Landlord and Tenant desire to enter into an amendment of the Lease (the "**Amendment**") in order to extend the term thereof and to further amend the Lease as more particularly set forth in the Amendment.
3. Landlord is duly organized, validly existing, and in good standing in the jurisdiction of its formation, organization, and/or incorporation, as applicable, and is otherwise authorized to transact business and in good standing in any other jurisdictions where such qualifications are required. Landlord has full power and authority to enter into and perform Landlord's obligations under the Amendment and the other Transaction Documents (as hereinafter defined), and the Amendment and the other Transaction Documents have been duly executed and delivered by Landlord. The Affiants listed below are the only legal and equitable owners of Landlord and are the only members, partners, directors, shareholders, officers and/or trustees, as applicable, of Landlord.
4. The Affiants hereby approve of the Transaction Documents and all of the terms and provisions contained therein and declare, resolve and/or affirm, as applicable, that Landlord is hereby authorized to enter into the Transaction Documents with Tenant and effect the transactions contemplated therein. The Affiants hereby declare and affirm that any other corporate and shareholder, member, partner, and/or trustee actions required to effectuate the transactions contemplated in the Amendment and other Transaction Documents have been completed.
5. The Affiants also declare that they have full legal authority to bind Landlord under the laws of the State or Commonwealth in which the Leased Premises (as defined in the Amendment) is located, and Affiants have the full authority to execute any and all of the Transaction Documents on behalf of

ATC Site No: 413074

VZW Site No: 144257

Site Name: City of Consequences NM

Landlord and to nominate individuals to act on Landlord's behalf.

6. The Affiants hereby nominate the below listed individual (the "**Nominee**") as attorney-in-fact to execute and deliver the Amendment, together with any other documents and agreements, including, without limitation, the Memorandum (as defined in the Amendment), required to be executed and delivered pursuant to the terms and provisions of the Amendment (the Amendment and all of such other aforementioned agreements and documents, collectively, the "Transaction Documents"), on behalf of Affiants and Landlord. The Nominee shall have full power and authority to act on behalf of Affiants and on behalf of Landlord for purposes of executing and delivering the Transaction Documents and ensuring that Landlord fulfills its obligations thereunder. Additionally, the Nominee shall have full authority to direct the manner in which all payments made by Tenant pursuant to the Amendment are to be made to Landlord, including, without limitation, identifying which bank account(s) to transfer funds to in the event a wire payment is made by Tenant.

NOMINEE: (Print Name) \_\_\_\_\_  
(Address) \_\_\_\_\_  
\_\_\_\_\_

7. This Resolution and Consent Affidavit shall become effective as of the date of the last notarized signature of the Affiants listed below.
8. Affiants hereby acknowledge and agree that Tenant, its lenders, and its title insurance company are relying upon, and are entitled to rely upon, this Resolution and Consent Affidavit and the contents hereof as a material inducement to entering into the Amendment and other Transaction Documents. Tenant, its lenders, and its title insurance company may rely upon a faxed, scanned or otherwise electronically reproduced fully-executed copy of this document as if it were an original.
9. This document can only be amended or modified by addendum or an amendment that is fully executed and notarized by all Affiants listed hereunder.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]

EXECUTED UNDER THE PAINS AND PENALTIES OF PERJURY ON THE DATE WRITTEN BELOW

**AFFIANT NO. 1**

**2 WITNESSES**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

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

Title: (circle one) Member, Partner, Director,  
Shareholder, Officer, Trustee

Percentage Ownership or Voting Interest:  
\_\_\_\_\_ %

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

**WITNESS AND ACKNOWLEDGEMENT**

State/Commonwealth of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

My commission expires: \_\_\_\_\_

[SEAL]

EXECUTED UNDER THE PAINS AND PENALTIES OF PERJURY ON THE DATE WRITTEN BELOW

**AFFIANT NO. 2**

**2 WITNESSES**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

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

Title: (*circle one*) Member, Partner, Director,  
Shareholder, Officer, Trustee

Percentage Ownership or Voting Interest:

\_\_\_\_\_ %

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

**WITNESS AND ACKNOWLEDGEMENT**

State/Commonwealth of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

My commission expires: \_\_\_\_\_

[SEAL]

EXECUTED UNDER THE PAINS AND PENALTIES OF PERJURY ON THE DATE WRITTEN BELOW

**AFFIANT NO. 3**

**2 WITNESSES**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

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

Title: *(circle one)* Member, Partner, Director,  
Shareholder, Officer, Trustee

Percentage Ownership or Voting Interest:  
\_\_\_\_\_ %

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

**WITNESS AND ACKNOWLEDGEMENT**

State/Commonwealth of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

My commission expires: \_\_\_\_\_

[SEAL]

EXECUTED UNDER THE PAINS AND PENALTIES OF PERJURY ON THE DATE WRITTEN BELOW

**AFFIANT NO. 4**

**2 WITNESSES**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

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

Title: (*circle one*) Member, Partner, Director,  
Shareholder, Officer, Trustee

Percentage Ownership or Voting Interest:

\_\_\_\_\_ %

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

**WITNESS AND ACKNOWLEDGEMENT**

State/Commonwealth of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

My commission expires: \_\_\_\_\_

[SEAL]



EXECUTED UNDER THE PAINS AND PENALTIES OF PERJURY ON THE DATE WRITTEN BELOW

**AFFIANT NO. 5**

**2 WITNESSES**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

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

Title: (circle one) Member, Partner, Director,  
Shareholder, Officer, Trustee

Percentage Ownership or Voting Interest:  
\_\_\_\_\_ %

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

**WITNESS AND ACKNOWLEDGEMENT**

State/Commonwealth of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

My commission expires: \_\_\_\_\_

[SEAL]

EXECUTED UNDER THE PAINS AND PENALTIES OF PERJURY ON THE DATE WRITTEN BELOW

**AFFIANT NO. 6**

**2 WITNESSES**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

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

Title: (circle one) Member, Partner, Director,  
Shareholder, Officer, Trustee

Percentage Ownership or Voting Interest:  
\_\_\_\_\_ %

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

**WITNESS AND ACKNOWLEDGEMENT**

State/Commonwealth of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity upon which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

My commission expires: \_\_\_\_\_

[SEAL]



## City of Truth or Consequences

### AGENDA REQUEST FORM

MEETING DATE: July 8, 2020

Agenda Item #: I.1

**SUBJECT:** Discussion/Action – Approve the Special Use Permit for a live/work retail store and art gallery at 320 Broadway as recommended by the Planning and Zoning Commission on June 24, 2020

**DEPARTMENT:** Community Development

**DATE SUBMITTED:** June 29, 2020

**SUBMITTED BY:** Traci Burnette

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

**Summary/Background:**

The Planning and Zoning Commission did hold a duly noticed Public Hearing and did consider testimony from staff, applicants and public pursuant to Sec. 11-2-2. - The Planning and Zoning Commission G. Findings of facts for recommendations and decisions before reaching its decision. Applicants/Representative were in attendance. No proponents and 1 opponent (via email).

**Recommendation:**

The Planning and Zoning Commission on a vote 4 to 1 recommends approval of the Special Use Permit for a live/work retail store and art gallery at 320 Broadway

**Attachments:**

- Planning and Zoning Agenda Packet as presented
- Opponent e-mail
- Draft Minutes P & Z Meeting 6-24-2020

**Fiscal Impact (Finance):** Choose an item.

.

**Legal Review (City Attorney):** Choose an item.

.

**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 7-08-2020

**From:** Eddie Russ <[eddieruss@me.com](mailto:eddieruss@me.com)>  
**Sent:** Friday, June 26, 2020 11:23 AM  
**To:** Traci Burnette <[tburnette@torcnm.org](mailto:tburnette@torcnm.org)>  
**Subject:** Re: 320 Broadway T or C Permit

Hi

I am following up on the permit hearing for 320 Broadway?

Thanks,

Eddie Russ

Good Afternoon:

This email is in reference to the The City of T or C Planning and Zoning Commission Public Hearing for the proposed live work special use permit located at 320 Broadway on June 24th. I will be unable to attend this hearing due to work commitments. I request that this letter become a part of the official public hearing.

I am protesting the permit for a live/ work special use permit at 320 Broadway in Truth or Consequences (owners: Scattoloni and Farnier).

We live right behind the gallery across the alley at 321 Austin St. We do not want residential permit behind us in the alley. We bought the house with the expectation of cars coming and going behind our house only during business hours. We do not think that the permit should be given to allow a live/ work space in the commercial space at 320 Broadway. The only parking for 320 Broadway is in the back of the property in the alley behind our property; additionally, the only outdoor space for a residential use of the space is also in the alley back side of the property.

We think that 320 Broadway should remain a commercial property only.

Sincerely,

Eddie Russ  
321 Austin St  
[eddieruss@me.com](mailto:eddieruss@me.com)

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12/18/19

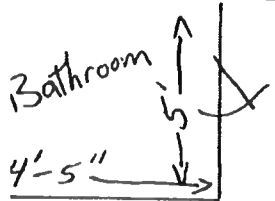
We are requesting a work/live permit to accomodate our plans to use our current residence as an air/bnb and/or rental unit. This ideally will offset the expense of the business at 320 Broadway. We are both artists who have relocated to TorC with plans to pursue our art alongside operating a retail store and art gallery. We are planning to use studio space in the building for stain glass, sculpture, painting and community art projects. Your approval of our application for a live/work space will facilitate our ability to stay in TorC and pursue these goals and will also contribute to a vibrant downtown.

Thankyou for your consideration.

Anna Scattolon  
Cafe

(X = Doorway = X)

Driveway



Kitchen

14'-7"

14'-4"

14'-5"

17'-7"

closet

13'-8"

3'-8"

13'-7"

22'-10"

19'-7"

Art  
Gallery  
+  
Retail shop

Retail  
Store

Retail Store

7'-2"

17'-5"

5'-0" Front Entrance

12'

***Sandra K. Whitehead  
Mayor***

***Brendan Tolley  
Mayor Pro-Tem***

***Amanda Forrister  
Commissioner***



***Paul Baca  
Commissioner***

***Randall Aragon  
Commissioner***

***Morris Madrid  
City Manager***

***505 Sims St.  
Truth or Consequences, New Mexico 87901  
P: 575-894-6673 ♦ F: 575-894-7767  
[www.torcnm.org](http://www.torcnm.org)***

## **NOTICE OF PUBLIC HEARING**

**NOTICE is hereby given that the City of Truth or Consequences Planning & Zoning Commission will hold a Public Hearing during their Special Meeting scheduled on Wednesday, June 24, 2020 in the Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico to receive input regarding the following:**

**Public Hearing/Discussion/Action: Request for a Special Use Permit to do a live/work Retail Store/Art Gallery at 320 Broadway, Truth or Consequences, NM.**

**All interested persons are welcome to attend or participate via teleconference.**

**A copy of the proposed Ordinance is available at the City Clerk's Office, 505 Sims Street, Truth or Consequences or by email at [aatorres@torcnm.org](mailto:aatorres@torcnm.org).**

**The agenda for this meeting may be obtained on Friday, June 19, 2020 on the city website; by contacting the City Clerk's Office at 575-894-6673; or by email to: [aatorres@torcnm.org](mailto:aatorres@torcnm.org).**

**/s/ Angela A. Torres, CMC, City Clerk**

**Publish on the following date:**

- **Sentinel– Friday, June 5, 2020**

**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 |



|   |   |
|---|---|
|   | <b>Repair</b>   |
| • 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 with 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  
PLANNING & ZONING COMMISSION  
MINUTES**

**WEDNESDAY, JUNE 24, 2020**

**SPECIAL MEETING MINUTES**

Special meeting of the Planning & Zoning Commission of the City of Truth or Consequences, New Mexico to be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico, on Wednesday, June 24, 2020 at 5:30 p.m.

**ROLL CALL:**

Lillis Urban, Chair  
Richard Dumiak, Member  
Merrill Dicks, Member  
**James Bush, Member – ARRIVED LATE**  
**Dennis Dunnum, Vice Chairman – ABSENT**

**ALSO PRESENT:**

Morris Madrid, City Manager  
Angela A. Torres, City Clerk  
Traci Alvarez, Grants/P&Z Coordinator  
Jay Rubin, City Attorney  
Lisa Gabaldon, Secretary

**APPROVAL OF AGENDA**

**Member Dicks moved to approve the agenda as submitted. Member Dumiak seconded the motion. Motion carried unanimously.**

**APPROVAL OF MINUTES:**

Regular meeting of Wednesday, June 10, 2020

**Member Dumiak moved to approve the Minutes from June 10, 2020. Member Dicks seconded the motion. Motion carried unanimously.**

**PUBLIC HEARINGS:**

- a. Public Hearing/Discussion/Action: Request for a Special Use Permit to do a live/work Retail Store/Art Gallery at 320 Broadway, Truth or Consequences, NM.  
Traci Alvarez, Designated Zoning Official

Chairman Urban opened up the meeting by giving a brief overview of the Batter shell procedures and the facts and findings for each item.

Chairman Urban: OK, so on the agenda now we're moving to public hearing discussion action request for a special use permit to do a live/work, retail store/art Gallery at 320 Broadway and T or C, New Mexico. Tracy Alvarez who is our designated zoning official is here to explain that to us and the audience. Who do we have as a proponent? We have 2. Do we have any opponents?

Traci Alvarez: We have one via email.

Chairman Urban: And any public comment? Thank you. And with that, will the clerk, please swear in Miss Alvarez.

City Clerk Torres: Do you swear to tell the truth, the whole truth and nothing but the truth?

Everyone agreed.

Traci Alvarez: Good evening chairman and members of the board. Your applicants are Anna Scattoloni and Corinne Farner of Galactic Digs Gallery & Other Treasures. They would like to maintain their retail store in the front and then do a live apartment in the back. We have done an onsite inspection at the place and done a walk through with the city manager. They've discussed their building and business plans with him as well. Per the city code which I attached in your packet, the code of ordinances for Chapter 16, any dwelling unit request in a commercial zone that's adjacent to the Broadway Ave, Main Street or Date Street needs to come before planning and zoning for special use permit. And with that I will stand for any questions. But applicants are in the audience.

Chairman Urban: And to clarify, for the Commission because we're all new for special use permit such as this our planning and zoning Commission will vote and provide a recommendation and the final decision goes to the city Commission for decision.

Traci Alvarez: Correct.

Chairman Urban: Any questions for Miss Alvarez from the planning and zoning Commission? And with that, I'd like to move on to the proponents. I'm calling forward Miss Scattoloni. And if you like to come together, you can. And, Miss Farner is that right? Thanks for coming.

Corrinne Farner: We started our business in December of this year. It is a small retail, collectables and we opened our Gallery maybe a week before the governor did the stay at home order. So we've had a lot of success with the establishing ourselves in the community. I think we have a couple people offer to be here, but I'm not sure what occurred with that. I feel like we have a lot of support. We would like to be able to use the space in the back. It's quite large for art work, painting and stained glass, but also to have as a living situation with the potential of being able to rent our home as either an Air Babb or a rental. Things are influx with the economy such as it is, we are just looking for ways to make it work and continue to be a presence on Broadway. I think for we've got big thumbs up when we got our inspection. We've done some painting and would like to further improve the property since then and

we're excited to move forward. I don't know what the opposition is, so I'm curious to hear about that.  
Chairman Urban: Thank you, any questions from the Commission for the proponents. Commissioner Dumiak?

Member Dumiak: Real quick question. The plan I presume, is to keep the retail end of this going?

Anna Scattoloni & Corrinne Farner: Yes.

Member Dumiak: Yah, that'll work. Thank you.

Chairman Urban: Any further questions from the proponents from the commission this evening? Thank you so much. Moving on to opponents; calling back Miss Alvarez to read an email or communication.

Traci Alvarez: This email came to me from Eddie Russ of 321 Austin Street. In his email, he said Good afternoon. The email is in reference to the city appears to be planning and zoning Commission public hearing for the proposed live/work special use permit located at 320 Broadway on June 24th. I will be unable to attend this hearing due to work commitments. I request that this letter become a part of the official public hearing. I am protesting the permit for a live/work special use permit at 320 Broadway in T or C. We live right behind the Gallery, across the alley at 321 Austin Street. We do not want residential permit behind us in the alley. We bought the house with the expectation of cars coming and going behind our house only during business hours. We do not think with the permit should be given to allow a live/workspace in the commercial space at 320 Broadway. The only parking for 320 Broadway is in the back of the property in the alley behind our property. Additionally, the only outdoor space for residential use of the space is also in the alley back side of the property. We think that 320 Broadway should remain a commercial property only. And that was from, Eddie Russ 321 Austin Street.

Chairman Urban: Thank you, Miss Alvarez. It is a challenge when people aren't here in person and they can't entertain questions or...

City Attorney Rubin: Of course if you were in a formal court of law, you would not admit email into evidence because it's hearsay. The rules of evidence are relaxed here; you can admit the emails into evidence, which of course you can get as much weight as you want to, based upon the circumstances that the person is not here. And again, if the person was here, then the proponent could answer them. In fairness, you might to allow the proponents if they wish to respond to what were said, if they're inclined to do that.

Chairman Urban: Thank you, attorney Rubin. Would the proponents care to provide any statement?

Anna Scattoloni: As far as I can see, there are just hotels. There's two hotels behind our rather large parking lot in back. It's only the two of us that would be there anyway. There are no homes, so I'm not sure what homes they're talking about, directly across the street; there are no homes there. There's 2 hotels.

Corrinne Farner: There must be one that somebody is living in. But we're not partyers. We're not allowing in and out privileges for our buddies or anything like that. I don't see I mean, we as the business



owners, we could go over there in the middle of the night for an emergency for any kind of occasion, so I don't think that our goings and comings at the shop can really be controlled by someone who's in the neighborhood.

Anna Scattoloni: The other thing is, we're also extremely sensitive to noise, which is partly why we like that area, because downtown at night it's really quiet. Which is exactly what we want. It's quieter than at my house. We're very conscious of noise and don't ever want to inconvenience anyone, especially not anyone living next door because I know what that's like.

Chairman Urban: Thank you.

Corrinne Farner: Does anyone have any questions or comments?

Member Dumiak: Yeah I do. How many parking spots are in the back of the building?

Anna Scattoloni: It's a very large parking lot. Probably 3 cars or 4 cars next to each other, at least three cars.

Member Dumiak: Do your deliveries come from the rear or from the back for the front?

Corrinne Farner: We have no deliveries.

Member Dumiak: You have no deliveries?

Anna Scattoloni: I'm the shopper and I go around the country looking for antiques kind of cool stuff. I just put it in my car in the back. I mean, it's not like I have big truck full or anything. It's not a huge store. The gallery is the biggest part of the whole thing. When the artist comes through, they come through the front.

Member Dumiak: OK, thank you.

Chairman Urban: Thank you.

Member Bush: Mr. Dicks, there is parking in the front, quite a bit. It's a wide building.

Corrinne Farner: Exactly, there is. The sign say there's a limit, but as far as I've understood from the authorities, there is no real time limit to the parking in front.

Member Bush: So, I don't think that parking is a real issue. That's a good point.

Corrinne Farner: That's a good point. Thank you for that.

Chairman Urban: Thank you. So at this time the Commission could entertain motion and I just learned myself last meeting that we had is the way that this might work is that there's a motion put forward, it's seconded and then there's discussion. So we can have discussion before we vote.

Member Dicks: I would like to forward a motion to approve.

Member Bush: I would second the motion.

Chairman Urban: We got a second from Commissioner Bush. Any discussion on the point?

Member Dumiak: Madam Chair, one point. I don't know if there's a way to do this or not, but is there a way to ensure that the retail stays with the live/workspace? Can there be a condition tied to this?

City Attorney Rubin: Yes, I was about ready to throw something out about this. This is been a source of conversation on the city Commission level. We have many concerns due to sometimes you grant these special use permits for live/work and then the business doesn't keep operating, and then the person is still living there. I'm not saying that for feedback, I'm just saying that that's been a problem in the past. One suggestion I have made in the past is that you could make it conditional. If you make special permits on the condition that they continue to operate, under the conditions that the commission imposes. This would be reviewed in 6 months or one year; whatever you feel is appropriate. So those are just ideas.

Chairman Urban: For the point of discussion, thank you Attorney Rubin. Another point of discussion in reading carefully over the downtown master plan, there are a number of places in the plan that distinctly call out the C1 districts in its current code ordinance. In it being in need of revision and specifically, on page 74, under economic can't read my writing restructuring. It says support for programs that encourage new mixed use development that fills a niche for artists that want to live and work downtown on page 96. Zoning code revisions, it notes that the quote that the present quote development standards, including setbacks, landscaping, parking, etc., associated with the C1 District are also not compatible with the existing urban character envision for the district. And another final quote is the revisions to the code should address the permitting of mixed use both vertical or horizontal within a single lot or project. So that said, I realized we are dealing with the city code as written and thus were entertaining, a special use permit. I just did want to point out that the downtown master plan as had been approved by the city Commission that is in the spirit of the document to support mixed use to include residential in the downtown. Um, any other comments or...

Member Dumiak: So how would we write this into the conditional type review? Or can we write it in that if the business that the retail end of it closes down the permit or conditions are rejected?

City Attorney Rubin: Yeah, you could say that there would be a cause for a rescission of the special use permits, upon the showing that the business has been closed down. First you'd have to give notice that you intend to do that. Yeah, I guess that's really we're talking about. I don't know if you work, but maybe a number of hours that again operation down off or you want to go with it. But that's something else you can consider.

Member Dumiak: I'll be honest with you, you know, the reason I'm bringing this up is it's kind of a short point for me to drive downtown, and we've got so many businesses that are not businesses. It really bugs me, quite honestly personally and so that's the only thing I'd like to say on this. I'd like to be some kind of condition tied to it, that if the retail end of it closes, the live/workspace is revoked.

Member Dicks: Well, I think that under the current conditions that we're working with across the nation in this community, you know, we would have to if we were going to put some kind of time constraint on what you're talking about, it would have to take into account what we're dealing with right now, as far as closures, in a lot of places, with regard to the Congress fact team. I think that with this community and its business district, I think, leaning towards incentives to allow leniency for individuals to open businesses, to continue to operate businesses is kind of important rather than imposing penalties on individuals. They have come to this community, have invested their lives and their time and their energies in doing so and so I think adding penalties to that kind of endeavor is sort of the wrong direction.

Member Dumiak: Yeah, I don't see it as a penalty, I see it more as a condition, and I'm quite honestly looking at your business, it's a business. I like that. Thank you, there is a storefront; it's established. I understand the circumstances were all operating under with COVID. It's hard to say what businesses are going to survive. I just I just don't want to see another storefront closed up where nothing is there but somebody's living in the back, quite honestly.

Corrinne Farner: We're very enthusiastic and committed to this business.

Member Dumiak: And quite honestly, it shows because you got some skin in the game. You open the storefront already, it's there.

Chairman Urban: If I may, if you want to speak, I'll have to acknowledge you. I'm learning the ropes myself. Would you care to respond to the commissioners? That's fine with me. Do we need you at the mic so the people on the phone can hear?

Corrinne Farner: I wish I knew how to open up my new phone, but I don't because I would just show you all pictures and photos of the various angles for the advertising and the artist's work and the beautiful glass that Anna has collected. We're very enthusiastic and committed. We can sign anything you want, I mean, and then we talked with Mr. Madrid, about if we fail, what is our backup plan? And it's to rent out business space to someone else, but we don't intend to fail. We feel very enthusiastic. We have savings to tide us over and we're very happy to sign any kind of commitment papers. That sounds a little odd, but yes.

Chairman Urban: thank you. If I may, I'd like to add to the discussion wherein I believe that this evening it may be too much to endeavor to come up with a finite and completely thought out list of conditions for the approval of this permit. And I do believe that this discussion is one that we need to continue, and perhaps in its own venue, in another meeting in a regular session. I think there's a lot to discuss on this point, and I don't want to keep the meeting for hours here this evening.

Member Dumiak: I'd like to make a motion then. And the motion is basically going to state that this permit would be reviewed in one year. If the retail establishment continues to go, the permit continues to go. If not, there has to be some kind of a timeline that the live/work has to disappear until it becomes retail again.

Chairman Urban: Do we have a second? So if there's no second, the motion fails. I would like to make a just to respond to you. I think again I would like to continue the conversation of this idea on when we get live/work permits for the downtown, how they could be handled, and if there would be conditions put upon them. But I think it might be in haste to try to put any conditions on at this time, and that being the case, I'd like to make a motion to approve the permit.

Member Dumiak: Just one more question. City attorney or city manager, what is the read currently right now with these other permits that have been given out, special use conditions, for live/work spaces? Is there anything to review at a later date? Or is there anything to come back on currently in the paperwork that exists. Am I going down the path that's already been gone down?

City Attorney Rubin: Traci might know better than I, but I'm not sure that you're gonna find a whole lot that's going to give you any guidance. In fact, the commission has recognized the same problem that you recognize Mr. Dumiak, about the situation where you have these vacant places and it's been recently that I've been making the advice that we need to put these conditions on these permits, but we haven't really had test case. Am I right?

Traci Alvarez: You're correct. It is something that is that they are looking into. I can tell you were also looking into it on the administrative side as well and that will come with the revision of the municipal code. In the meantime, we have people that come in and until we get those done, you know we can't put everybody on hold either.

City Manager Madrid: Before you all were appointed, this process had been started and then they said if I did try to handle this administratively the process would be started. And I did ask them for a little business plan, which is a good plan. And I did actually tour their facility to see if it could be considered a growing concern. And I did a couple of interviews with them to see what their contingency plan was, if there was a downturn in their business, they have one. They showed me their financial information to show that they could endure for a little while if they needed to. That was a good thing. I also did a walkthrough in their living space. And it seemed to be completely adequate for two people and adequately segregated too. So, I just want to let you know that I was satisfied as to those conditions, prior to you all being appointed. The other thing that I'd like to tell you is that, I think it is appropriate and I actually believe that I can say that the city commissioners would expect some type of reasonable condition; it is a conditional use permit. I believe that if the business would stop, that in itself would be a violation of the conditions of the permit. However, I think it is appropriate, and you can do this by your motion, to approve it for one year and its renewal is conditional upon adequate business conditions in place. And that could be handled by a simple 10 minute walkthrough again. And I don't think anyone would object to that, that's reasonable. Thank you.

City Attorney Rubin: I support that and I agree with Mr. Madrid. I'm also noticing by looking at the packet, the proponents submitted their letter 12-18-19. It's been 6 months already, so I'd like to see us move forward on it. I like what City Manager Madrid said.

Chairman Urban: If I may, not to belabor the point, but I do find it unclear on what would be adequate conditions. For me to feel comfortable to vote on a conditional approval, I would want to know what

really is meant behind that. That's just someone's decision someone's judgment call. I don't know what adequate conditions are for the business. Who is determining what is what is? What are the criteria that that would actually be very clear rather than at this point, to me, just ambiguous?

City Manager Madrid: That's a responsibility you can place on the staff. I think that we would qualify to be able to identify whether a business is actually a going concern and continues as a normal business would versus a resident behind the mask of a business. On a normal basis, we could just take a walk down the street, at random times during the week; are they open? If they're open, then it really doesn't matter if they have 1 customer in the store or 10 customers in the store; they're available for business – they are conducting business. So I think there needs to be a decent amount of reasonableness in this whole process until we get it better defined. I think them having their doors open and being available to conduct business is reasonable enough. The time constraint just gives us a checkpoint to be sure. And if the doors are closed a lot in that time and we can't make contact with the business owners, then the permit would be revoked. Now the revocation of the permit is something that I'm not familiar with.

Chairman Urban: If I may, I do believe it's a bigger discussion in that to just put a couple of points forward. What if there is a circumstance wherein the business doesn't open owing to human reasons; someone's family is ill and they have to go care take them, etc., so then would the live permit be revoked for a set of circumstances like that, for example? Or say, someone is undertaking extensive renovations in their building and they have yet to open. And the moreover, many of the buildings downtown, some of them don't yet have the live space in the portion of the building that someone is seeking the permit for; so extensive renovations could be undertaken to make the building into a livable environment for a residence. And then if the permit is revoked, you would end up with a building that had that infrastructure, do you see what I'm saying?

City Manager Madrid: Yes, I understand and I think that those types of things would have to be handled on a case by case basis. It would have to be communicated between the business owner and the city staff and could be dealt with. If there's a lack of communication, then we both deserve to suffer. For example, if restrictions had to be placed on businesses around the time that the renewal would take place, of course that's an extenuating circumstance we would assume that the permit would be continued until those restrictions were lifted. If there was going to be a major renovation, then I would expect the business owners to notify us about that. I don't think that everything needs to be defined in tonight's action, there always can be some leeway as long as the terms of the permit are being met or there's a major effort made to having them met. And if they're not being met for some reason, that we're informed about that, and it's reasonable. I like to use and I think that the city attorney would agree with me, that we use the 'reasonable man concept'. What would a reasonable man do in every situation? And if it's reasonable and if it's logical, then it's probably ok, as long as it's legal. I hope that's an adequate response.

Chairman Urban: Thank you, yes.

Member Bush: Madam Chair, you made a motion to accept the proposal, as is. We did have public discussion, I'm not sure how much that weighs on your motion because your motion was to approve as

is. And I understand that the other items are a little more weighed than just approving these women's request to have a workspace. As it stands, I want to second that motion that you made.

City Clerk Torres: Can I just ask that everybody talk into the mic when they do speak, so that we can capture it on the recording and then everybody else on the phone can hear?

Chairman Urban: Thank you for the reminder.

Member Bush: Did you understand?

Chairman Urban: I did. So I've made a motion to approve the proposal as is and there's a second from Commissioner Bush. Because I am new to the Robert's Rules of Order, and there was a motion previously, can I get some guidance here City Manager Madrid, on orders of operation at present?

City Manager Madrid: You had a motion and second. And then I believe you had another motion and another second, so one of them...

Member Dumiak: The second motion failed. The second motion didn't get a second.

City Manager Madrid: Then the first one with the second is still on the floor. Now you can revoke that; you can modify it if the person that made the second will concur with that. If you choose not to do so, then you should take a vote on the motion and second.

Chairman Urban: Thank you, that's very helpful.

Member Bush: The first motion failed because there was not a second. The second motion was by the Chair to approve as presented, and I seconded the motion after the discussion. That's what happened.

Chairman Urban: The motion that did receive the second was the motion to approve the special use permit as is. And then the motion to approve the special use permit with conditions did not receive a second.

City Manager Madrid: At this point to end the discussion at any time, anyone of you can just call for the question, let's get the vote done. And you have the same privilege Madam Chair.

Chairman Urban: I would like to call for a vote with the full acknowledgement that I would like to revisit this discussion in a more robust fashion in our next regular session for the upcoming agenda. And with that, I'd like to make a motion to vote.

City Manager Madrid: Madam Chair, you already have a motion and a second on the floor.

Chairman Urban: So what do I do?

City Manager Madrid: You just call for a roll call vote.

Chairman Urban: I'd like to call for a roll call to vote.

Secretary Gabaldon: Lillis Urban

Chairman Urban: Present, I.

Secretary Gabaldon: Dennis Dunnum. James Bush

Member Bush: Present, I.

Secretary Gabaldon: Rick Dumiak

Member Dumiak: Nay

Secretary Gabaldon: Merrill Dicks

Member Dicks: I

Chairman Urban: And the motion passes. Thank you for your patience. And with that we will move on in the agenda.

**Chairman Urban made a motion to approve the Request for a Special Use Permit. Member Bush seconded the motion. Motion carried.**

- b. Public Hearing/Discussion/Action: Request for a Summary Plat Amendment and Variance at 408 Main Street, 410 Main Street and 412 Main Street, Truth or Consequences, NM pursuant to Chapter 15, Sec. 15-17., Amendment of plats. Traci Alvarez, Designated Zoning Official

**Member James Bush recused himself due to a conflict of interest with Applicant Gerald Bush being his brother.**

Chairman Urban: Miss Alvarez with the city.

Traci Alvarez: Chairman and members of the board, the property owner, is requesting a very minor plat amendment and with that plat amendment because he's making an adjustment, he'll have to do a variance as well. Our applicant is Gerald Bush. He's requesting to amend his existing property lines. He does own the 408, 410 and 412 Main Street. 410 and 412 do not have access in the back. There's a back back there, but if you look at the property line map, you'll see that the way the property line runs, it kind of covers the back end of 410 and 412, and so what he's requesting is just simply a 5 foot walkway easement so that everybody has lawful access in and out of the rear of their building. Now the reason for the variance is because, when you do something within the plat amendment, or amend something you're supposed to make sure that it is then brought to code, but currently his lots are so small on Main Street they don't meet the minimum lot size anyway as they stand, so we're just requesting a variance so he doesn't have to tear down buildings and redo the entire lot line. And with that, I'll stand for questions. Also, all fees were paid. Certified mailings were done, everybody was notified and I did not hear any opponents to it.

Chairman Urban: Miss Alvarez, if I may, I had a question. I had a hard time. My eyes are like what they used to be. So the plat is very, very small, but I need to get a magnifying glass. So does the proponent own the lot that he is seeking to get the variance on?

Traci Alvarez: Correct, yes, he is the property owner of 408, 410, and 412.

Chairman Urban: And so the city requires, I guess I'm still unclear on why this issue is even before the planning and zoning Commission. Could you explain that to me again? Why it's before the planning and zoning Commission for review like what's abnormal about someone wanting to do something on their property?

Traci Alvarez: Because he's making a request to amend his plat, and so all items come to planning and zoning Commission for review.

Chairman Urban: Ok, and how is he amending it?

Traci Alvarez: He's amending his lot line so that a 5 foot walkway easement is in there, which is amending 408 Main St. So 408 Main St owns that whole corner and it goes to the entire back and all the way to almost the other side.

Chairman Urban: Thank you, thank you Miss Alvarez. Maybe it does help to hear the proponents explanation. That might answer all my questions.

Gerald So this. Platt amendment with delight. As Tracy mentioned a walkway from boat St. From the back. Parking lot which is actually owned by four 1200. For 12 votes for 12. So the properties are for 12 or 10, which is. Main Street office and 408, which was Andy Underwood so. Phone. Office. And four 12 was. The cobblestone store. Figured it. About three now, but there was at present. There was no access to properties 410. And 408 from the backlog. Because the Backplot is surveyed out too. 412 Main St. Now that's not a problem when. And only has all three properties. But if I were to sell property for a later, there's no. There's currently no access to the back door, no legal access to the back door on the back parking lot. Again, the parking lot is. Phone number for club. Thank you that helped me. Is Montana it's already been surveyed an our understanding in? On the survey, it has to be ultimately signed. I believe I could imagine. Thank you, Miss Alvarez. Just gonna say he's doing an alternate summary procedure and that is it is required to come in front of the planning and zoning Commission will be doing alternate summary procedure. Thank you. Any questions for Mr Bush from the planning and zoning Commission? Any proponent or any opponents rather this evening? None, and any public comment. Commissioner motion to accept this as is. Missioner, Bush or Dixon. Thank you. And may we have roll call? Roll call Lilith Urban I. Richard in the proposal for a summary plan amendment variants of Faraway Main Street passes. Thank you, Mr.

**Member Dumiak made a motion to approve the Request for a Summary Plat Amendment and Variance. Member Dicks seconded the motion. Motion carried unanimously.**

- c. Public Hearing/Discussion/Action: Request for a Summary Plat Amendment and Variance Request at 323 W. Riverside Drive, Truth or Consequences, NM pursuant



to Chapter 15, Sec. 15-17., Amendment of plats. Traci Alvarez, Designated Zoning Official

**Chairman Urban made a motion to approve the Request for a Summary Plat Amendment and Variance. Member Bush seconded the motion. Motion carried unanimously.**

**NEW BUSINESS:**

- a. Discussion/Action: Set time and date for future meetings.

**Chairman Urban made a motion to set all future meetings for the 1<sup>st</sup> Monday of the month beginning on August 3<sup>rd</sup>, 2020 at 5:30 p.m. Member Dicks seconded the motion. Motion carried unanimously.**

**ADJOURNMENT:**

**There being no further business to come before the Planning & Zoning Commission, Member Dumiak declared the meeting adjourned. Member Bush seconded the motion. Motion carried unanimously.**

**PASSED AND APPROVED this 8<sup>th</sup> day of July 2020.**

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Lillis Urban – Chairman  
Planning & Zoning Commission



## City of Truth or Consequences

### AGENDA REQUEST FORM

MEETING DATE: July 8, 2020

Agenda Item #: I.2

**SUBJECT:** Discussion/Action – Approve the Summary Plat Amendment and Variance for 408/410/412 Main Street as recommended by the Planning and Zoning Commission on June 24, 2020

**DEPARTMENT:** Community Development

**DATE SUBMITTED:** June 29, 2020

**SUBMITTED BY:** Traci Burnette

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

**Summary/Background:**

The Planning and Zoning Commission did hold a duly noticed Public Hearing and did consider testimony from staff, applicants and public pursuant to Sec. 11-2-2. - The Planning and Zoning Commission G. Findings of facts for recommendations and decisions before reaching its decision. Applicants/Representative were in attendance. No proponents and No opponents.

**Recommendation:**

The Planning and Zoning Commission unanimously recommends approval of the Summary Plat Amendment and Variance at 408/410/412 Main Street

**Attachments:**

- Planning and Zoning Agenda Packet as presented
- Draft minutes P & Z Meeting 6-24-2020

**Fiscal Impact (Finance):** Choose an item.

**Legal Review (City Attorney):** Choose an item.

**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

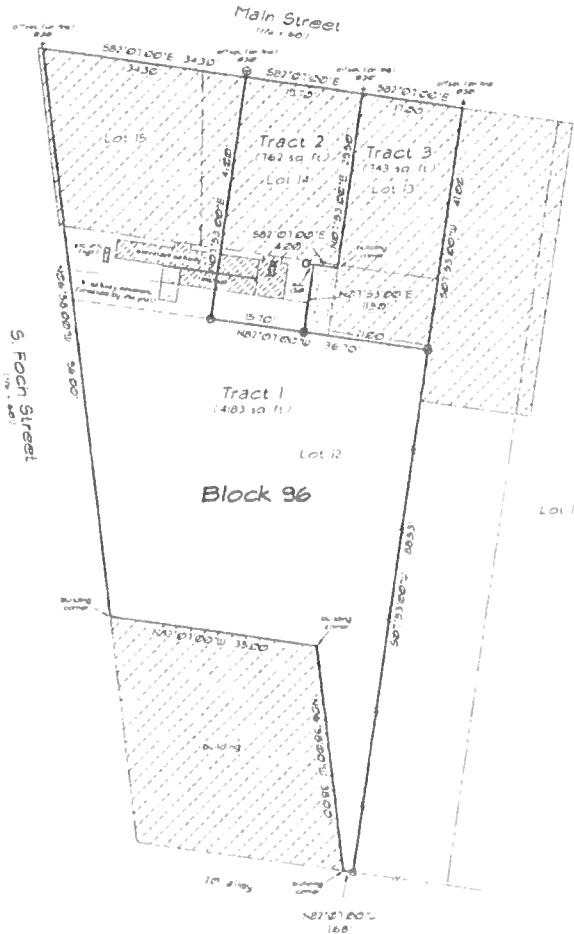
Resolution No. . Ordinance No. .

Continued To: . Referred To: .

☐ Approved ☐ Denied ☐ Other: .

File Name: CC Agendas 7-08-2020

**ALTERNATE SUMMARY PROCEDURE-SUMMARY PLAT**  
of three tracts of land  
within Lots 12, 13, 14 and 15, Block 36, Original Townsite of Hot Springs,  
a subdivision in the City of Truth or Consequences, Sierra County  
New Mexico



**Reference**

Account No. 1291  
Book 13, Pages 4831-4839 (formerly Deed)  
UPC 102-101-027-3466

Account No. 6568  
Book 12, Pages 4841-4845 (formerly Deed)  
UPC 102-101-027-4470

Account No. 9216  
Book 13, Pages 4837-4839 (formerly Deed)  
UPC 102-101-027-3464

Account No. 1948  
Book 13, Page 4833 (formerly Deed)  
UPC 102-101-027-1465

City of Truth or Consequences Subdivision Codes, Ordinance Number 555,  
Enacted May 13, 1986.

Original Townsite of Hot Springs Subdivision Plat filed on March 16, 1921  
(Map No. 11-A-1)

National Flood Insurance Program, Flood Insurance Rate Map for the City of  
Truth or Consequences, New Mexico, Community Panel No. 350013 0006 C,  
Map revised July 16, 1996.

Block 1, Pages 148-149 (Right-of-Way)

Block 1, Pages 451-453 (Mutual Easements)

Block 25, Pages 668-669 (Corners of Square Line Easement)

**Notes**

These tracts are subject to easements, restrictions and reservations of record.

The tracts shown herein are located within the boundaries of Flood Zone A  
area determined to be outside 500-year flood plain.

The herein described tracts were created under the City of Truth or Consequences  
Subdivision Codes, Ordinance Number 555, enacted May 13, 1986, (Chapter 15,  
Section 15, Alternate Summary Procedure).

Use of this scale to determine measurements when not labeled.

Character found without survey identification as a corner tag stamped "N.M.S. 1029"  
was applied.

**Legend**

Found 9/8" rebar surveyed stamped "J. Richer N.M.S. 1354" @

Found 3/8" rebar (no survey identification) @

Found crushed "x" in concrete @

Set 1/2" rebar surveyed stamped "N.M.S. 1029" @

Marked "x" on metal grade @

Computed metal fence @

Lot line

**ACKNOWLEDGMENT**

I, the undersigned owner of the herein described property do hereby  
acknowledge, with my free consent, and in accordance with my intent and  
desires, the division of land and valuable easement created as shown on  
this plat.

*Gerald A. Bush*  
Gerald A. Bush  
STATE OF NEW MEXICO  
COUNTY OF SIERRA

The foregoing instrument was acknowledged before me this 9th day of  
March, 2020 by Gerald A. Bush

*Bureau Kasiah*  
Bureau Kasiah  
Notary Public

My Comm. Expires 1-18-21

The City of Truth or Consequences does hereby acknowledge the  
division of land as shown on this plat.

Page

Date

March 6, 2020

**Chaparral Surveying, LLC**  
Professional Land Surveying

P.O. Box 615, Stephens, Blue, New Mexico 87536

**CERTIFICATE**

This is to certify that I am a Registered Professional  
Land Surveyor and that this plat is prepared from notes  
of field survey made by me or under my supervision.  
This field survey and this plat are true and correct  
to the best of my knowledge and belief.  
I further certify that this survey is not a wheel drive or  
subdivision as defined in the New Mexico Subdivision Act,  
and that this is a summary plat of an existing tract or tracts.

This plat meets the minimum requirements of the  
Standards of Land Surveying New Mexico

*David M. Sem*  
David M. Sem  
New Mexico Professional Surveyor  
License Number 1115

**INDEXING INFORMATION FOR COUNTY CLERK**

Gerald A. Bush  
Original Townsite of Hot Springs  
Section 33, T4N, 13S, R10W, P4 West



2078237468

3022078224470

***Sandra K. Whitehead***  
***Mayor***

***Brendan Tolley***  
***Mayor Pro-Tem***

***Amanda Forrister***  
***Commissioner***



***Paul Baca***  
***Commissioner***

***Randall Aragon***  
***Commissioner***

***Morris Madrid***  
***City Manager***

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

## **NOTICE OF PUBLIC HEARING**

**NOTICE is hereby given that the City of Truth or Consequences Planning & Zoning Commission will hold a Public Hearing during their Special Meeting scheduled on Wednesday, June 24, 2020 in the Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico to receive input regarding the following:**

**Public Hearing/Discussion/Action: Request for a Summary Plat Amendment and Variance at 408 Main Street, 410 Main Street and 412 Main Street, Truth or Consequences, NM pursuant to Chapter 15, Sec. 15-17., Amendment of plats.**

**All interested persons are welcome to attend or participate via teleconference.**

**A copy of the proposed Ordinance is available at the City Clerk's Office, 505 Sims Street, Truth or Consequences or by email at [aatorres@torcnm.org](mailto:aatorres@torcnm.org).**

**The agenda for this meeting may be obtained on Friday, June 19, 2020 on the city website; by contacting the City Clerk's Office at 575-894-6673; or by email to: [aatorres@torcnm.org](mailto:aatorres@torcnm.org).**

**/s/ Angela A. Torres, CMC, City Clerk**

**Publish on the following date:**

- **Sentinel– Friday, June 5, 2020**

**Sec. 15-17. - Amendment of plats.**

- A. *Administrative amendment:*** Any change that is required to correct an error in lettering, numbering or other minor detail on a filed plat which does not affect any material aspect of the subdivision will be considered a minor amendment. Administrative amendments may be processed and approved by the City's Zoning Administrator, who shall have the right to require review and approval by the Planning and Zoning. The City's Zoning Administrator shall insure that the corrections are noted on the original filed plat. The fee schedule for administrative amendments shall be as approved by the City of Truth or Consequences.
- B. *Minor amendment of plat:*** Any proposed amendment that is greater than an administrative amendment which does not have the effect to significantly alter the impacts on utilities, drainage, or traffic, may be approved as an amendment by the Planning and Zoning Commission.
- C. *Major amendment of plat:*** Any proposed correction or amendment of a filed plat that affects material aspects of the subdivision shall be considered by the Planning and Zoning Commission, with approval by the City Commission, the Planning and Zoning Commission shall determine if the subdivider may use the alternate summary procedure or if the subdivider shall be required to vacate a portion or all of the filed plat and follow the procedures appropriate for the approval of a new subdivision. The fee schedule for major amendments shall be as approved by the City of Truth or Consequences.

(Ord. No. 555, 5-23-06)

**Sec. 11-14-2. - Standards For Districts.**

| <b>District</b> | <b>Lots:<br/>Minimum<br/>Front<br/>Setback</b> | <b>Yards:<br/>Minimum<br/>Rear Setback</b> | <b>Yards:<br/>Minimum<br/>Side Setback</b> |
|-----------------|--|--|--|
| <b>R-1</b>      | <b>25'</b>                                     | <b>25'</b>                                 | <b>8'</b>                                  |
| <b>R-1</b>      | <b>25'</b>                                     | <b>20'</b>                                 | <b>6' or 0'*</b>                           |
| <b>R-3</b>      | <b>20'</b>                                     | <b>15'</b>                                 | <b>5' or 0'*</b>                           |
| <b>R-4</b>      | <b>25'</b>                                     | <b>25'</b>                                 | <b>5'</b>                                  |
| <b>RR-1</b>     | <b>25'</b>                                     | <b>15'</b>                                 | <b>5'</b>                                  |
| <b>C-1</b>      | <b>20'</b>                                     | <b>15'</b>                                 | <b>5' or 0'*</b>                           |
| <b>M-1</b>      | <b>25'</b>                                     | <b>25'</b>                                 | <b>5' or 0'*</b>                           |
| <b>T-1</b>      | <b>25'</b>                                     | <b>25'</b>                                 | <b>15'</b>                                 |

\* As permissible per Section 11-14-3 and 11-14-4.

| <b>District</b>             | <b>Lots:<br/>Minimum Area</b> | <b>Lots:<br/>Minimum Width</b> | <b>Dwelling:<br/>Minimum Area</b> | <b>Maximum<br/>Height</b> |
|-----------------------------|-------------------------------|--------------------------------|-----------------------------------|---------------------------|
| <b>R-1</b>                  | <b>9,000 s. f.</b>            | <b>60'</b>                     | <b>1,200 s. f.</b>                | <b>26'</b>                |
| <b>R-2: Single-Family</b>   | <b>5,000 s. f.</b>            | <b>60'</b>                     | <b>900 s. f.</b>                  | <b>26'</b>                |
| <b>R-2: Two-Family</b>      | <b>4,000 s. f./unit</b>       | <b>60'</b>                     | <b>650 s. f./unit</b>             | <b>35'</b>                |
| <b>R-2: Multiple-Family</b> | <b>3,500 s. f./unit</b>       | <b>60'</b>                     | <b>600 s. f./unit</b>             | <b>35'</b>                |
| <b>R-2: Apartments</b>      | <b>3,500 s. f./unit</b>       | <b>60'</b>                     | <b>500 s. f./unit</b>             | <b>35'</b>                |

|                             |                         |             |                       |            |
|-----------------------------|-------------------------|-------------|-----------------------|------------|
| <b>R-2: MH*</b>             | <b>5,000 s. f.</b>      | <b>60'</b>  | <b>900 s. f.</b>      | <b>26'</b> |
| <b>R-3: Single-Family</b>   | <b>4,500 s. f.</b>      | <b>45'</b>  | <b>700 s. f.</b>      | <b>35'</b> |
| <b>R-3: Two-Family</b>      | <b>3,000 s. f./unit</b> | <b>45'</b>  | <b>500 s. f./unit</b> | <b>35'</b> |
| <b>R-3: Multiple-Family</b> | <b>3,000 s. f./unit</b> | <b>45'</b>  | <b>450 s. f./unit</b> | <b>35'</b> |
| <b>R-3: Apartments</b>      | <b>2,000 s. f./unit</b> | <b>45'</b>  | <b>400 s. f./unit</b> | <b>35'</b> |
| <b>R-3: NM*</b>             | <b>4,500</b>            | <b>45'</b>  | <b>550 s. f.</b>      | <b>26'</b> |
| <b>R-4</b>                  | <b>1 acre</b>           | <b>75'</b>  | <b>1,200 s. f.</b>    | <b>26'</b> |
| <b>RR-1</b>                 | <b>5,000 s. f.</b>      | <b>50'</b>  | <b>800 s. f.</b>      | <b>26'</b> |
| <b>C-1</b>                  | <b>5,000 s. f.</b>      | <b>60'</b>  | <b>" "</b>            | <b>35'</b> |
| <b>C-1: MH*</b>             | <b>4,000 s. f.</b>      | <b>45'</b>  | <b>550 s. f.</b>      | <b>26'</b> |
| <b>M-1</b>                  | <b>" "</b>              | <b>60'</b>  | <b>" "</b>            | <b>35'</b> |
| <b>T-1</b>                  | <b>21,780 s. f.</b>     | <b>100'</b> | <b>800 s. f.</b>      | <b>35'</b> |
| <b>T-1: MH*</b>             | <b>21,780 s. f.</b>     | <b>60'</b>  | <b>550 s. f.</b>      | <b>26'</b> |

**\* Not located within MHP**



**CITY OF TRUTH OR CONSEQUENCES  
PLANNING & ZONING COMMISSION  
MINUTES**

**WEDNESDAY, JUNE 24, 2020**

**SPECIAL MEETING MINUTES**

Special meeting of the Planning & Zoning Commission of the City of Truth or Consequences, New Mexico to be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico, on Wednesday, June 24, 2020 at 5:30 p.m.

**ROLL CALL:**

Lillis Urban, Chair  
Richard Dumiak, Member  
Merrill Dicks, Member  
**James Bush, Member – ARRIVED LATE**  
**Dennis Dunnum, Vice Chairman – ABSENT**

**ALSO PRESENT:**

Morris Madrid, City Manager  
Angela A. Torres, City Clerk  
Traci Alvarez, Grants/P&Z Coordinator  
Jay Rubin, City Attorney  
Lisa Gabaldon, Secretary

**APPROVAL OF AGENDA**

**Member Dicks moved to approve the agenda as submitted. Member Dumiak seconded the motion. Motion carried unanimously.**

**APPROVAL OF MINUTES:**

Regular meeting of Wednesday, June 10, 2020

**Member Dumiak moved to approve the Minutes from June 10, 2020. Member Dicks seconded the motion. Motion carried unanimously.**

**PUBLIC HEARINGS:**

- a. Public Hearing/Discussion/Action: Request for a Special Use Permit to do a live/work Retail Store/Art Gallery at 320 Broadway, Truth or Consequences, NM.  
Traci Alvarez, Designated Zoning Official

Chairman Urban opened up the meeting by giving a brief overview of the Batter shell procedures and the facts and findings for each item.

Chairman Urban: OK, so on the agenda now we're moving to public hearing discussion action request for a special use permit to do a live/work, retail store/art Gallery at 320 Broadway and T or C, New Mexico. Tracy Alvarez who is our designated zoning official is here to explain that to us and the audience. Who do we have as a proponent? We have 2. Do we have any opponents?

Traci Alvarez: We have one via email.

Chairman Urban: And any public comment? Thank you. And with that, will the clerk, please swear in Miss Alvarez.

City Clerk Torres: Do you swear to tell the truth, the whole truth and nothing but the truth?

Everyone agreed.

Traci Alvarez: Good evening chairman and members of the board. Your applicants are Anna Scattoloni and Corinne Farner of Galactic Digs Gallery & Other Treasures. They would like to maintain their retail store in the front and then do a live apartment in the back. We have done an onsite inspection at the place and done a walk through with the city manager. They've discussed their building and business plans with him as well. Per the city code which I attached in your packet, the code of ordinances for Chapter 16, any dwelling unit request in a commercial zone that's adjacent to the Broadway Ave, Main Street or Date Street needs to come before planning and zoning for special use permit. And with that I will stand for any questions. But applicants are in the audience.

Chairman Urban: And to clarify, for the Commission because we're all new for special use permit such as this our planning and zoning Commission will vote and provide a recommendation and the final decision goes to the city Commission for decision.

Traci Alvarez: Correct.

Chairman Urban: Any questions for Miss Alvarez from the planning and zoning Commission? And with that, I'd like to move on to the proponents. I'm calling forward Miss Scattoloni. And if you like to come together, you can. And, Miss Farner is that right? Thanks for coming.

Corrinne Farner: We started our business in December of this year. It is a small retail, collectables and we opened our Gallery maybe a week before the governor did the stay at home order. So we've had a lot of success with the establishing ourselves in the community. I think we have a couple people offer to be here, but I'm not sure what occurred with that. I feel like we have a lot of support. We would like to be able to use the space in the back. It's quite large for art work, painting and stained glass, but also to have as a living situation with the potential of being able to rent our home as either an Air Babb or a rental. Things are influx with the economy such as it is, we are just looking for ways to make it work and continue to be a presence on Broadway. I think for we've got big thumbs up when we got our inspection. We've done some painting and would like to further improve the property since then and

we're excited to move forward. I don't know what the opposition is, so I'm curious to hear about that.  
Chairman Urban: Thank you, any questions from the Commission for the proponents. Commissioner Dumiak?

Member Dumiak: Real quick question. The plan I presume, is to keep the retail end of this going?

Anna Scattoloni & Corrinne Farner: Yes.

Member Dumiak: Yah, that'll work. Thank you.

Chairman Urban: Any further questions from the proponents from the commission this evening? Thank you so much. Moving on to opponents; calling back Miss Alvarez to read an email or communication.

Traci Alvarez: This email came to me from Eddie Russ of 321 Austin Street. In his email, he said Good afternoon. The email is in reference to the city appears to be planning and zoning Commission public hearing for the proposed live/work special use permit located at 320 Broadway on June 24th. I will be unable to attend this hearing due to work commitments. I request that this letter become a part of the official public hearing. I am protesting the permit for a live/work special use permit at 320 Broadway in T or C. We live right behind the Gallery, across the alley at 321 Austin Street. We do not want residential permit behind us in the alley. We bought the house with the expectation of cars coming and going behind our house only during business hours. We do not think with the permit should be given to allow a live/workspace in the commercial space at 320 Broadway. The only parking for 320 Broadway is in the back of the property in the alley behind our property. Additionally, the only outdoor space for residential use of the space is also in the alley back side of the property. We think that 320 Broadway should remain a commercial property only. And that was from, Eddie Russ 321 Austin Street.

Chairman Urban: Thank you, Miss Alvarez. It is a challenge when people aren't here in person and they can't entertain questions or...

City Attorney Rubin: Of course if you were in a formal court of law, you would not admit email into evidence because it's hearsay. The rules of evidence are relaxed here; you can admit the emails into evidence, which of course you can get as much weight as you want to, based upon the circumstances that the person is not here. And again, if the person was here, then the proponent could answer them. In fairness, you might to allow the proponents if they wish to respond to what were said, if they're inclined to do that.

Chairman Urban: Thank you, attorney Rubin. Would the proponents care to provide any statement?

Anna Scattoloni: As far as I can see, there are just hotels. There's two hotels behind our rather large parking lot in back. It's only the two of us that would be there anyway. There are no homes, so I'm not sure what homes they're talking about, directly across the street; there are no homes there. There's 2 hotels.

Corrinne Farner: There must be one that somebody is living in. But we're not partyers. We're not allowing in and out privileges for our buddies or anything like that. I don't see I mean, we as the business

owners, we could go over there in the middle of the night for an emergency for any kind of occasion, so I don't think that our goings and comings at the shop can really be controlled by someone who's in the neighborhood.

Anna Scattoloni: The other thing is, we're also extremely sensitive to noise, which is partly why we like that area, because downtown at night it's really quiet. Which is exactly what we want. It's quieter than at my house. We're very conscious of noise and don't ever want to inconvenience anyone, especially not anyone living next door because I know what that's like.

Chairman Urban: Thank you.

Corrinne Farner: Does anyone have any questions or comments?

Member Dumiak: Yeah I do. How many parking spots are in the back of the building?

Anna Scattoloni: It's a very large parking lot. Probably 3 cars or 4 cars next to each other, at least three cars.

Member Dumiak: Do your deliveries come from the rear or from the back for the front?

Corrinne Farner: We have no deliveries.

Member Dumiak: You have no deliveries?

Anna Scattoloni: I'm the shopper and I go around the country looking for antiques kind of cool stuff. I just put it in my car in the back. I mean, it's not like I have big truck full or anything. It's not a huge store. The gallery is the biggest part of the whole thing. When the artist comes through, they come through the front.

Member Dumiak: OK, thank you.

Chairman Urban: Thank you.

Member Bush: Mr. Dicks, there is parking in the front, quite a bit. It's a wide building.

Corrinne Farner: Exactly, there is. The sign says there's a limit, but as far as I've understood from the authorities, there is no real time limit to the parking in front.

Member Bush: So, I don't think that parking is a real issue. That's a good point.

Corrinne Farner: That's a good point. Thank you for that.

Chairman Urban: Thank you. So at this time the Commission could entertain motion and I just learned myself last meeting that we had is the way that this might work is that there's a motion put forward, it's seconded and then there's discussion. So we can have discussion before we vote.

Member Dicks: I would like to forward a motion to approve.

Member Bush: I would second the motion.

Chairman Urban: We got a second from Commissioner Bush. Any discussion on the point?

Member Dumiak: Madam Chair, one point. I don't know if there's a way to do this or not, but is there a way to ensure that the retail stays with the live/workspace? Can there be a condition tied to this?

City Attorney Rubin: Yes, I was about ready to throw something out about this. This is been a source of conversation on the city Commission level. We have many concerns due to sometimes you grant these special use permits for live/work and then the business doesn't keep operating, and then the person is still living there. I'm not saying that for feedback, I'm just saying that that's been a problem in the past. One suggestion I have made in the past is that you could make it conditional. If you make special permits on the condition that they continue to operate, under the conditions that the commission imposes. This would be reviewed in 6 months or one year; whatever you feel is appropriate. So those are just ideas.

Chairman Urban: For the point of discussion, thank you Attorney Rubin. Another point of discussion in reading carefully over the downtown master plan, there are a number of places in the plan that distinctly call out the C1 districts in its current code ordinance. In it being in need of revision and specifically, on page 74, under economic can't read my writing restructuring. It says support for programs that encourage new mixed use development that fills a niche for artists that want to live and work downtown on page 96. Zoning code revisions, it notes that the quote that the present quote development standards, including setbacks, landscaping, parking, etc., associated with the C1 District are also not compatible with the existing urban character envision for the district. And another final quote is the revisions to the code should address the permitting of mixed use both vertical or horizontal within a single lot or project. So that said, I realized we are dealing with the city code as written and thus were entertaining, a special use permit. I just did want to point out that the downtown master plan as had been approved by the city Commission that is in the spirit of the document to support mixed use to include residential in the downtown. Um, any other comments or...

Member Dumiak: So how would we write this into the conditional type review? Or can we write it in that if the business that the retail end of it closes down the permit or conditions are rejected?

City Attorney Rubin: Yeah, you could say that there would be a cause for a rescission of the special use permits, upon the showing that the business has been closed down. First you'd have to give notice that you intend to do that. Yeah, I guess that's really we're talking about. I don't know if you work, but maybe a number of hours that again operation down off or you want to go with it. But that's something else you can consider.

Member Dumiak: I'll be honest with you, you know, the reason I'm bringing this up is it's kind of a short point for me to drive downtown, and we've got so many businesses that are not businesses. It really bugs me, quite honestly personally and so that's the only thing I'd like to say on this. I'd like to be some kind of condition tied to it, that if the retail end of it closes, the live/workspace is revoked.

Member Dicks: Well, I think that under the current conditions that we're working with across the nation in this community, you know, we would have to if we were going to put some kind of time constraint on what you're talking about, it would have to take into account what we're dealing with right now, as far as closures, in a lot of places, with regard to the Congress fact team. I think that with this community and its business district, I think, leaning towards incentives to allow leniency for individuals to open businesses, to continue to operate businesses is kind of important rather than imposing penalties on individuals. They have come to this community, have invested their lives and their time and their energies in doing so and so I think adding penalties to that kind of endeavor is sort of the wrong direction.

Member Dumiak: Yeah, I don't see it as a penalty, I see it more as a condition, and I'm quite honestly looking at your business, it's a business. I like that. Thank you, there is a storefront; it's established. I understand the circumstances were all operating under with COVID. It's hard to say what businesses are going to survive. I just I just don't want to see another storefront closed up where nothing is there but somebody's living in the back, quite honestly.

Corrinne Farner: We're very enthusiastic and committed to this business.

Member Dumiak: And quite honestly, it shows because you got some skin in the game. You open the storefront already, it's there.

Chairman Urban: If I may, if you want to speak, I'll have to acknowledge you. I'm learning the ropes myself. Would you care to respond to the commissioners? That's fine with me. Do we need you at the mic so the people on the phone can hear?

Corrinne Farner: I wish I knew how to open up my new phone, but I don't because I would just show you all pictures and photos of the various angles for the advertising and the artist's work and the beautiful glass that Anna has collected. We're very enthusiastic and committed. We can sign anything you want, I mean, and then we talked with Mr. Madrid, about if we fail, what is our backup plan? And it's to rent out business space to someone else, but we don't intend to fail. We feel very enthusiastic. We have savings to tide us over and we're very happy to sign any kind of commitment papers. That sounds a little odd, but yes.

Chairman Urban: thank you. If I may, I'd like to add to the discussion wherein I believe that this evening it may be too much to endeavor to come up with a finite and completely thought out list of conditions for the approval of this permit. And I do believe that this discussion is one that we need to continue, and perhaps in its own venue, in another meeting in a regular session. I think there's a lot to discuss on this point, and I don't want to keep the meeting for hours here this evening.

Member Dumiak: I'd like to make a motion then. And the motion is basically going to state that this permit would be reviewed in one year. If the retail establishment continues to go, the permit continues to go. If not, there has to be some kind of a timeline that the live/work has to disappear until it becomes retail again.

Chairman Urban: Do we have a second? So if there's no second, the motion fails. I would like to make a just to respond to you. I think again I would like to continue the conversation of this idea on when we get live/work permits for the downtown, how they could be handled, and if there would be conditions put upon them. But I think it might be in haste to try to put any conditions on at this time, and that being the case, I'd like to make a motion to approve the permit.

Member Dumiak: Just one more question. City attorney or city manager, what is the read currently right now with these other permits that have been given out, special use conditions, for live/work spaces? Is there anything to review at a later date? Or is there anything to come back on currently in the paperwork that exists. Am I going down the path that's already been gone down?

City Attorney Rubin: Traci might know better than I, but I'm not sure that you're gonna find a whole lot that's going to give you any guidance. In fact, the commission has recognized the same problem that you recognize Mr. Dumiak, about the situation where you have these vacant places and it's been recently that I've been making the advice that we need to put these conditions on these permits, but we haven't really had test case. Am I right?

Traci Alvarez: You're correct. It is something that is that they are looking into. I can tell you were also looking into it on the administrative side as well and that will come with the revision of the municipal code. In the meantime, we have people that come in and until we get those done, you know we can't put everybody on hold either.

City Manager Madrid: Before you all were appointed, this process had been started and then they said if I did try to handle this administratively the process would be started. And I did ask them for a little business plan, which is a good plan. And I did actually tour their facility to see if it could be considered a growing concern. And I did a couple of interviews with them to see what their contingency plan was, if there was a downturn in their business, they have one. They showed me their financial information to show that they could endure for a little while if they needed to. That was a good thing. I also did a walkthrough in their living space. And it seemed to be completely adequate for two people and adequately segregated too. So, I just want to let you know that I was satisfied as to those conditions, prior to you all being appointed. The other thing that I'd like to tell you is that, I think it is appropriate and I actually believe that I can say that the city commissioners would expect some type of reasonable condition; it is a conditional use permit. I believe that if the business would stop, that in itself would be a violation of the conditions of the permit. However, I think it is appropriate, and you can do this by your motion, to approve it for one year and its renewal is conditional upon adequate business conditions in place. And that could be handled by a simple 10 minute walkthrough again. And I don't think anyone would object to that, that's reasonable. Thank you.

City Attorney Rubin: I support that and I agree with Mr. Madrid. I'm also noticing by looking at the packet, the proponents submitted their letter 12-18-19. It's been 6 months already, so I'd like to see us move forward on it. I like what City Manager Madrid said.

Chairman Urban: If I may, not to belabor the point, but I do find it unclear on what would be adequate conditions. For me to feel comfortable to vote on a conditional approval, I would want to know what

really is meant behind that. That's just someone's decision someone's judgment call. I don't know what adequate conditions are for the business. Who is determining what is what is? What are the criteria that that would actually be very clear rather than at this point, to me, just ambiguous?

City Manager Madrid: That's a responsibility you can place on the staff. I think that we would qualify to be able to identify whether a business is actually a going concern and continues as a normal business would versus a resident behind the mask of a business. On a normal basis, we could just take a walk down the street, at random times during the week; are they open? If they're open, then it really doesn't matter if they have 1 customer in the store or 10 customers in the store; they're available for business – they are conducting business. So I think there needs to be a decent amount of reasonableness in this whole process until we get it better defined. I think them having their doors open and being available to conduct business is reasonable enough. The time constraint just gives us a checkpoint to be sure. And if the doors are closed a lot in that time and we can't make contact with the business owners, then the permit would be revoked. Now the revocation of the permit is something that I'm not familiar with.

Chairman Urban: If I may, I do believe it's a bigger discussion in that to just put a couple of points forward. What if there is a circumstance wherein the business doesn't open owing to human reasons; someone's family is ill and they have to go care take them, etc., so then would the live permit be revoked for a set of circumstances like that, for example? Or say, someone is undertaking extensive renovations in their building and they have yet to open. And the moreover, many of the buildings downtown, some of them don't yet have the live space in the portion of the building that someone is seeking the permit for; so extensive renovations could be undertaken to make the building into a livable environment for a residence. And then if the permit is revoked, you would end up with a building that had that infrastructure, do you see what I'm saying?

City Manager Madrid: Yes, I understand and I think that those types of things would have to be handled on a case by case basis. It would have to be communicated between the business owner and the city staff and could be dealt with. If there's a lack of communication, then we both deserve to suffer. For example, if restrictions had to be placed on businesses around the time that the renewal would take place, of course that's an extenuating circumstance we would assume that the permit would be continued until those restrictions were lifted. If there was going to be a major renovation, then I would expect the business owners to notify us about that. I don't think that everything needs to be defined in tonight's action, there always can be some leeway as long as the terms of the permit are being met or there's a major effort made to having them met. And if they're not being met for some reason, that we're informed about that, and it's reasonable. I like to use and I think that the city attorney would agree with me, that we use the 'reasonable man concept'. What would a reasonable man do in every situation? And if it's reasonable and if it's logical, then it's probably ok, as long as it's legal. I hope that's an adequate response.

Chairman Urban: Thank you, yes.

Member Bush: Madam Chair, you made a motion to accept the proposal, as is. We did have public discussion, I'm not sure how much that weighs on your motion because your motion was to approve as



is. And I understand that the other items are a little more weighed than just approving these women's request to have a workspace. As it stands, I want to second that motion that you made.

City Clerk Torres: Can I just ask that everybody talk into the mic when they do speak, so that we can capture it on the recording and then everybody else on the phone can hear?

Chairman Urban: Thank you for the reminder.

Member Bush: Did you understand?

Chairman Urban: I did. So I've made a motion to approve the proposal as is and there's a second from Commissioner Bush. Because I am new to the Robert's Rules of Order, and there was a motion previously, can I get some guidance here City Manager Madrid, on orders of operation at present?

City Manager Madrid: You had a motion and second. And then I believe you had another motion and another second, so one of them...

Member Dumiak: The second motion failed. The second motion didn't get a second.

City Manager Madrid: Then the first one with the second is still on the floor. Now you can revoke that; you can modify it if the person that made the second will concur with that. If you choose not to do so, then you should take a vote on the motion and second.

Chairman Urban: Thank you, that's very helpful.

Member Bush: The first motion failed because there was not a second. The second motion was by the Chair to approve as presented, and I seconded the motion after the discussion. That's what happened.

Chairman Urban: The motion that did receive the second was the motion to approve the special use permit as is. And then the motion to approve the special use permit with conditions did not receive a second.

City Manager Madrid: At this point to end the discussion at any time, anyone of you can just call for the question, let's get the vote done. And you have the same privilege Madam Chair.

Chairman Urban: I would like to call for a vote with the full acknowledgement that I would like to revisit this discussion in a more robust fashion in our next regular session for the upcoming agenda. And with that, I'd like to make a motion to vote.

City Manager Madrid: Madam Chair, you already have a motion and a second on the floor.

Chairman Urban: So what do I do?

City Manager Madrid: You just call for a roll call vote.

Chairman Urban: I'd like to call for a roll call to vote.

Secretary Gabaldon: Lillis Urban

Chairman Urban: Present, I.

Secretary Gabaldon: Dennis Dunnum. James Bush

Member Bush: Present, I.

Secretary Gabaldon: Rick Dumiak

Member Dumiak: Nay

Secretary Gabaldon: Merrill Dicks

Member Dicks: I

Chairman Urban: And the motion passes. Thank you for your patience. And with that we will move on in the agenda.

**Chairman Urban made a motion to approve the Request for a Special Use Permit. Member Bush seconded the motion. Motion carried.**

- b. Public Hearing/Discussion/Action: Request for a Summary Plat Amendment and Variance at 408 Main Street, 410 Main Street and 412 Main Street, Truth or Consequences, NM pursuant to Chapter 15, Sec. 15-17., Amendment of plats. Traci Alvarez, Designated Zoning Official

**Member James Bush recused himself due to a conflict of interest with Applicant Gerald Bush being his brother.**

Chairman Urban: Miss Alvarez with the city.

Traci Alvarez: Chairman and members of the board, the property owner, is requesting a very minor plat amendment and with that plat amendment because he's making an adjustment, he'll have to do a variance as well. Our applicant is Gerald Bush. He's requesting to amend his existing property lines. He does own the 408, 410 and 412 Main Street. 410 and 412 do not have access in the back. There's a back back there, but if you look at the property line map, you'll see that the way the property line runs, it kind of covers the back end of 410 and 412, and so what he's requesting is just simply a 5 foot walkway easement so that everybody has lawful access in and out of the rear of their building. Now the reason for the variance is because, when you do something within the plat amendment, or amend something you're supposed to make sure that it is then brought to code, but currently his lots are so small on Main Street they don't meet the minimum lot size anyway as they stand, so we're just requesting a variance so he doesn't have to tear down buildings and redo the entire lot line. And with that, I'll stand for questions. Also, all fees were paid. Certified mailings were done, everybody was notified and I did not hear any opponents to it.

Chairman Urban: Miss Alvarez, if I may, I had a question. I had a hard time. My eyes are like what they used to be. So the plat is very, very small, but I need to get a magnifying glass. So does is the proponent own the lot that he is seeking to get the variance on?

Traci Alvarez: Correct, yes, he is the property owner of 408, 410, and 412.

Chairman Urban: And so the city requires, I guess I'm still unclear on why this issue is even before the planning and zoning Commission. Could you explain that to me again? Why it's before the planning and zoning Commission for review like what's abnormal about someone wanting to do something on their property?

Traci Alvarez: Because he's making a request to amend his plat, and so all items come to planning and zoning Commission for review.

Chairman Urban: Ok, and how is he amending it?

Traci Alvarez: He's amending his lot line so that a 5 foot walkway easement is in there, which is amending 408 Main St. So 408 Main St owns that whole corner and it goes to the entire back and all the way to almost the other side.

Chairman Urban: Thank you, thank you Miss Alvarez. Maybe it does help to hear the proponents explanation. That might answer all my questions.

Gerald So this. Platt amendment with delight. As Tracy mentioned a walkway from boat St. From the back. Parking lot which is actually owned by four 1200. For 12 votes for 12. So the properties are for 12 or 10, which is. Main Street office and 408, which was Andy Underwood so. Phone. Office. And four 12 was. The cobblestone store. Figured it. About three now, but there was at present. There was no access to properties 410. And 408 from the backlog. Because the Backplot is surveyed out too. 412 Main St. Now that's not a problem when. And only has all three properties. But if I were to sell property for a later, there's no. There's currently no access to the back door, no legal access to the back door on the back parking lot. Again, the parking lot is. Phone number for club. Thank you that helped me. Is Montana it's already been surveyed an our understanding in? On the survey, it has to be ultimately signed. I believe I could imagine. Thank you, Miss Alvarez. Just gonna say he's doing an alternate summary procedure and that is it is required to come in front of the planning and zoning Commission will be doing alternate summary procedure. Thank you. Any questions for Mr Bush from the planning and zoning Commission? Any proponent or any opponents rather this evening? None, and any public comment. Commissioner motion to accept this as is. Missioner, Bush or Dixon. Thank you. And may we have roll call? Roll call Lilith Urban I. Richard in the proposal for a summary plan amendment variants of Faraway Main Street passes. Thank you, Mr.

**Member Dumiak made a motion to approve the Request for a Summary Plat Amendment and Variance. Member Dicks seconded the motion. Motion carried unanimously.**

- c. Public Hearing/Discussion/Action: Request for a Summary Plat Amendment and Variance Request at 323 W. Riverside Drive, Truth or Consequences, NM pursuant

to Chapter 15, Sec. 15-17., Amendment of plats. Traci Alvarez, Designated Zoning Official

**Chairman Urban made a motion to approve the Request for a Summary Plat Amendment and Variance. Member Bush seconded the motion. Motion carried unanimously.**

**NEW BUSINESS:**

- a. Discussion/Action: Set time and date for future meetings.

**Chairman Urban made a motion to set all future meetings for the 1<sup>st</sup> Monday of the month beginning on August 3<sup>rd</sup>, 2020 at 5:30 p.m. Member Dicks seconded the motion. Motion carried unanimously.**

**ADJOURNMENT:**

**There being no further business to come before the Planning & Zoning Commission, Member Dumiak declared the meeting adjourned. Member Bush seconded the motion. Motion carried unanimously.**

**PASSED AND APPROVED this 8<sup>th</sup> day of July 2020.**

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Lillis Urban – Chairman  
Planning & Zoning Commission



## City of Truth or Consequences

### AGENDA REQUEST FORM

MEETING DATE: July 8, 2020

Agenda Item #: I.3

**SUBJECT:** Discussion/Action – Approve the Summary Plat Amendment and Variance for 323 W Riverside as recommended by the Planning and Zoning Commission on June 24, 2020

**DEPARTMENT:** Community Development

**DATE SUBMITTED:** June 29, 2020

**SUBMITTED BY:** Traci Burnette

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

**Summary/Background:**

The Planning and Zoning Commission did hold a duly noticed Public Hearing and did consider testimony from staff, applicants and public pursuant to Sec. 11-2-2. - The Planning and Zoning Commission G. Findings of facts for recommendations and decisions before reaching its decision. Applicants/Representative were in attendance. No proponents and No Opponents.

**Recommendation:**

The Planning and Zoning Commission unanimously recommends approval of the Summary Plat Amendment and Variance at 323 W Riverside

**Attachments:**

- Planning and Zoning Agenda Packet as presented
- Draft Minutes P & Z Meeting 6-24-2020

**Fiscal Impact (Finance):** Choose an item.

.

**Legal Review (City Attorney):** Choose an item.

.

**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 7-08-2020

of the alteration of property boundaries  
between Lots 15 through 17 and Lots 18 through 26, Block 38,  
Palomas Hot Springs Townsite,  
a subdivision in the City of Truth or Consequences, Sierra County,  
New Mexico

These tracks are subject to amendments, restrictions and reservations of record

The tracts shown herein are located within the boundaries of Flood Zone AE, "special flood hazard area inundated by 100-year flood with base flood elevations determined."

The herein described tracts were created under the City of Truth or Consequences Subdivision Codes, Ordinance Number 506, adopted May 23, 2006. (Chapter 15, Section 15, Alternate Summary Procedure)

Use string scale to determine measurements when not labeled

improvements, mobile homes, fences, etc.) located within parcel boundaries are not shown

### References

Lets B through F  
 Account No. 2092, (Epifanio Surovante)  
 Book 131 Page 2247, (Quelcim Dead)  
 UPC 202-207-99-210

Lots 15 through 26, (Riverbloss Mobile Home Park)  
 Account No. 3167, (Roseland Tower Equestrian Trust)  
 Book 17, Pages 4246-4247, (Barney Dead)  
 UPC 357-387-529-443

Revised & Amended Plat of Palouse McI Springs Townsite recorded on May 8, 1929.  
(Plat No. 28, State No. 66)

City of Truth or Consequences Subdivision Codes, Ordinance Number 989, (adopted May 28, 2008.)

National Flood Insurance Program, Flood Insurance Rate Map Community-Panel Number  
330803 0000 C, (map revised July 15, 1984)

## ACKNOWLEDGMENT

I, the undersigned owner and representative of the herein described properties do hereby acknowledge, with my free consent, and in accordance with my wishes and desires the situation of property boundaries as shown on this plat.

Residential Yonkers Broomfield Trust - Personal Rep. Efrain N. Broomfield

STATE OF NEW MEXICO )  
COUNTY OF SERRA )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of February, 2000 by Epifanio Duranvito

Notary Public

### My Connection Expires



**OFFICIAL SEAL**  
**Destiny Welty**

**NOTARY PUBLIC - State of New Mexico**

My Commission Expires 05-03-2023

The City of Truth or Consequences does hereby acknowledge the alteration of property boundaries as shown on this plat.

**Playor:**

DATE:

SIERRA COUNTY, NM  
SHELLY K TRUJILLO, COUNTY CLERK  
282008335  
Book 132 Page 4433  
1 of 2  
02/21/2020 10:45:19 AM  
BY JERRY

February 8, 2020

Chaparral Surveying, LLC

Professional Land Surveying

P.O. Box 671 Elaprem, Bells, New Mexico 87030

## CERTIFICATE

I further certify that this survey is an Alternate Summary  
Proceedings of an existing tract or tracts.



INDEXING INFORMATION FOR COUNTY CLERK  
Epifanio B. Buena (20591)  
Rosalind Towle Buena Buena Trust (3767)  
Palomas Hot Springs Townsite  
Section 4, Tshp. 14 South, Rge. 4 West



3022079210115

3022079192113

3022079204123

30220

3022079187133



*Sandra K. Whitehead  
Mayor*

*Brendan Tolley  
Mayor Pro-Tem*

*Amanda Forrister  
Commissioner*



*505 Sims St.  
Truth or Consequences, New Mexico 87901  
P: 575-894-6673 ♦ F: 575-894-7767  
[www.torcnm.org](http://www.torcnm.org)*

*Paul Baca  
Commissioner*

*Randall Aragon  
Commissioner*

*Morris Madrid  
City Manager*

## **NOTICE OF PUBLIC HEARING**

NOTICE is hereby given that the City of Truth or Consequences Planning & Zoning Commission will hold a Public Hearing during their Special Meeting scheduled on Wednesday, June 24, 2020 in the Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico to receive input regarding the following:

Public Hearing/Discussion/Action: Request for a Summary Plat Amendment and Variance Request at 323 W. Riverside Drive, Truth or Consequences, NM pursuant to Chapter 15, Sec. 15-17., Amendment of plats.

All interested persons are welcome to attend or participate via teleconference.

A copy of the proposed Ordinance is available at the City Clerk's Office, 505 Sims Street, Truth or Consequences or by email at [aatorres@torcnm.org](mailto:aatorres@torcnm.org).

The agenda for this meeting may be obtained on Friday, June 19, 2020 on the city website; by contacting the City Clerk's Office at 575-894-6673; or by email to: [aatorres@torcnm.org](mailto:aatorres@torcnm.org).

/s/ Angela A. Torres, CMC, City Clerk

Publish on the following date:

- Sentinel– Friday, June 5, 2020



**CITY OF TRUTH OR CONSEQUENCES  
PLANNING & ZONING COMMISSION  
MINUTES  
WEDNESDAY, JUNE 24, 2020**

**SPECIAL MEETING MINUTES**

Special meeting of the Planning & Zoning Commission of the City of Truth or Consequences, New Mexico to be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico, on Wednesday, June 24, 2020 at 5:30 p.m.

**ROLL CALL:**

Lillis Urban, Chair  
Richard Dumiak, Member  
Merrill Dicks, Member  
**James Bush, Member – ARRIVED LATE**  
**Dennis Dunnum, Vice Chairman – ABSENT**

**ALSO PRESENT:**

Morris Madrid, City Manager  
Angela A. Torres, City Clerk  
Traci Alvarez, Grants/P&Z Coordinator  
Jay Rubin, City Attorney  
Lisa Gabaldon, Secretary

**APPROVAL OF AGENDA**

**Member Dicks moved to approve the agenda as submitted. Member Dumiak seconded the motion. Motion carried unanimously.**

**APPROVAL OF MINUTES:**

Regular meeting of Wednesday, June 10, 2020

**Member Dumiak moved to approve the Minutes from June 10, 2020. Member Dicks seconded the motion. Motion carried unanimously.**

**PUBLIC HEARINGS:**

- a. Public Hearing/Discussion/Action: Request for a Special Use Permit to do a live/work Retail Store/Art Gallery at 320 Broadway, Truth or Consequences, NM.  
Traci Alvarez, Designated Zoning Official

Chairman Urban opened up the meeting by giving a brief overview of the Batter shell procedures and the facts and findings for each item.

Chairman Urban: OK, so on the agenda now we're moving to public hearing discussion action request for a special use permit to do a live/work, retail store/art Gallery at 320 Broadway and T or C, New Mexico. Tracy Alvarez who is our designated zoning official is here to explain that to us and the audience. Who do we have as a proponent? We have 2. Do we have any opponents?

Traci Alvarez: We have one via email.

Chairman Urban: And any public comment? Thank you. And with that, will the clerk, please swear in Miss Alvarez.

City Clerk Torres: Do you swear to tell the truth, the whole truth and nothing but the truth?

Everyone agreed.

Traci Alvarez: Good evening chairman and members of the board. Your applicants are Anna Scattoloni and Corinne Farner of Galactic Digs Gallery & Other Treasures. They would like to maintain their retail store in the front and then do a live apartment in the back. We have done an onsite inspection at the place and done a walk through with the city manager. They've discussed their building and business plans with him as well. Per the city code which I attached in your packet, the code of ordinances for Chapter 16, any dwelling unit request in a commercial zone that's adjacent to the Broadway Ave, Main Street or Date Street needs to come before planning and zoning for special use permit. And with that I will stand for any questions. But applicants are in the audience.

Chairman Urban: And to clarify, for the Commission because we're all new for special use permit such as this our planning and zoning Commission will vote and provide a recommendation and the final decision goes to the city Commission for decision.

Traci Alvarez: Correct.

Chairman Urban: Any questions for Miss Alvarez from the planning and zoning Commission? And with that, I'd like to move on to the proponents. I'm calling forward Miss Scattoloni. And if you like to come together, you can. And, Miss Farner is that right? Thanks for coming.

Corrinne Farner: We started our business in December of this year. It is a small retail, collectables and we opened our Gallery maybe a week before the governor did the stay at home order. So we've had a lot of success with the establishing ourselves in the community. I think we have a couple people offer to be here, but I'm not sure what occurred with that. I feel like we have a lot of support. We would like to be able to use the space in the back. It's quite large for art work, painting and stained glass, but also to have as a living situation with the potential of being able to rent our home as either an Air Babb or a rental. Things are influx with the economy such as it is, we are just looking for ways to make it work and continue to be a presence on Broadway. I think for we've got big thumbs up when we got our inspection. We've done some painting and would like to further improve the property since then and

we're excited to move forward. I don't know what the opposition is, so I'm curious to hear about that.

Chairman Urban: Thank you, any questions from the Commission for the proponents. Commissioner Dumiak?

Member Dumiak: Real quick question. The plan I presume, is to keep the retail end of this going?

Anna Scattoloni & Corrinne Farner: Yes.

Member Dumiak: Yah, that'll work. Thank you.

Chairman Urban: Any further questions from the proponents from the commission this evening? Thank you so much. Moving on to opponents; calling back Miss Alvarez to read an email or communication.

Traci Alvarez: This email came to me from Eddie Russ of 321 Austin Street. In his email, he said Good afternoon. The email is in reference to the city appears to be planning and zoning Commission public hearing for the proposed live/work special use permit located at 320 Broadway on June 24th. I will be unable to attend this hearing due to work commitments. I request that this letter become a part of the official public hearing. I am protesting the permit for a live/work special use permit at 320 Broadway in T or C. We live right behind the Gallery, across the alley at 321 Austin Street. We do not want residential permit behind us in the alley. We bought the house with the expectation of cars coming and going behind our house only during business hours. We do not think with the permit should be given to allow a live/workspace in the commercial space at 320 Broadway. The only parking for 320 Broadway is in the back of the property in the alley behind our property. Additionally, the only outdoor space for residential use of the space is also in the alley back side of the property. We think that 320 Broadway should remain a commercial property only. And that was from, Eddie Russ 321 Austin Street.

Chairman Urban: Thank you, Miss Alvarez. It is a challenge when people aren't here in person and they can't entertain questions or...

City Attorney Rubin: Of course if you were in a formal court of law, you would not admit email into evidence because it's hearsay. The rules of evidence are relaxed here; you can admit the emails into evidence, which of course you can get as much weight as you want to, based upon the circumstances that the person is not here. And again, if the person was here, then the proponent could answer them. In fairness, you might to allow the proponents if they wish to respond to what were said, if they're inclined to do that.

Chairman Urban: Thank you, attorney Rubin. Would the proponents care to provide any statement?

Anna Scattoloni: As far as I can see, there are just hotels. There's two hotels behind our rather large parking lot in back. It's only the two of us that would be there anyway. There are no homes, so I'm not sure what homes they're talking about, directly across the street; there are no homes there. There's 2 hotels.

Corrinne Farner: There must be one that somebody is living in. But we're not partyers. We're not allowing in and out privileges for our buddies or anything like that. I don't see I mean, we as the business

owners, we could go over there in the middle of the night for an emergency for any kind of occasion, so I don't think that our goings and comings at the shop can really be controlled by someone who's in the neighborhood.

Anna Scattoloni: The other thing is, we're also extremely sensitive to noise, which is partly why we like that area, because downtown at night it's really quiet. Which is exactly what we want. It's quieter than at my house. We're very conscious of noise and don't ever want to inconvenience anyone, especially not anyone living next door because I know what that's like.

Chairman Urban: Thank you.

Corrinne Farner: Does anyone have any questions or comments?

Member Dumiak: Yeah I do. How many parking spots are in the back of the building?

Anna Scattoloni: It's a very large parking lot. Probably 3 cars or 4 cars next to each other, at least three cars.

Member Dumiak: Do your deliveries come from the rear or from the back for the front?

Corrinne Farner: We have no deliveries.

Member Dumiak: You have no deliveries?

Anna Scattoloni: I'm the shopper and I go around the country looking for antiques kind of cool stuff. I just put it in my car in the back. I mean, it's not like I have big truck full or anything. It's not a huge store. The gallery is the biggest part of the whole thing. When the artist comes through, they come through the front.

Member Dumiak: OK, thank you.

Chairman Urban: Thank you.

Member Bush: Mr. Dicks, there is parking in the front, quite a bit. It's a wide building.

Corrinne Farner: Exactly, there is. The sign says there's a limit, but as far as I've understood from the authorities, there is no real time limit to the parking in front.

Member Bush: So, I don't think that parking is a real issue. That's a good point.

Corrinne Farner: That's a good point. Thank you for that.

Chairman Urban: Thank you. So at this time the Commission could entertain motion and I just learned myself last meeting that we had is the way that this might work is that there's a motion put forward, it's seconded and then there's discussion. So we can have discussion before we vote.

Member Dicks: I would like to forward a motion to approve.

Member Bush: I would second the motion.

Chairman Urban: We got a second from Commissioner Bush. Any discussion on the point?

Member Dumiak: Madam Chair, one point. I don't know if there's a way to do this or not, but is there a way to ensure that the retail stays with the live/workspace? Can there be a condition tied to this?

City Attorney Rubin: Yes, I was about ready to throw something out about this. This is been a source of conversation on the city Commission level. We have many concerns due to sometimes you grant these special use permits for live/work and then the business doesn't keep operating, and then the person is still living there. I'm not saying that for feedback, I'm just saying that that's been a problem in the past. One suggestion I have made in the past is that you could make it conditional. If you make special permits on the condition that they continue to operate, under the conditions that the commission imposes. This would be reviewed in 6 months or one year; whatever you feel is appropriate. So those are just ideas.

Chairman Urban: For the point of discussion, thank you Attorney Rubin. Another point of discussion in reading carefully over the downtown master plan, there are a number of places in the plan that distinctly call out the C1 districts in its current code ordinance. In it being in need of revision and specifically, on page 74, under economic can't read my writing restructuring. It says support for programs that encourage new mixed use development that fills a niche for artists that want to live and work downtown on page 96. Zoning code revisions, it notes that the quote that the present quote development standards, including setbacks, landscaping, parking, etc., associated with the C1 District are also not compatible with the existing urban character envision for the district. And another final quote is the revisions to the code should address the permitting of mixed use both vertical or horizontal within a single lot or project. So that said, I realized we are dealing with the city code as written and thus were entertaining, a special use permit. I just did want to point out that the downtown master plan as had been approved by the city Commission that is in the spirit of the document to support mixed use to include residential in the downtown. Um, any other comments or...

Member Dumiak: So how would we write this into the conditional type review? Or can we write it in that if the business that the retail end of it closes down the permit or conditions are rejected?

City Attorney Rubin: Yeah, you could say that there would be a cause for a rescission of the special use permits, upon the showing that the business has been closed down. First you'd have to give notice that you intend to do that. Yeah, I guess that's really we're talking about. I don't know if you work, but maybe a number of hours that again operation down off or you want to go with it. But that's something else you can consider.

Member Dumiak: I'll be honest with you, you know, the reason I'm bringing this up is it's kind of a short point for me to drive downtown, and we've got so many businesses that are not businesses. It really bugs me, quite honestly personally and so that's the only thing I'd like to say on this. I'd like to be some kind of condition tied to it, that if the retail end of it closes, the live/workspace is revoked.

Member Dicks: Well, I think that under the current conditions that we're working with across the nation in this community, you know, we would have to if we were going to put some kind of time constraint on what you're talking about, it would have to take into account what we're dealing with right now, as far as closures, in a lot of places, with regard to the Congress fact team. I think that with this community and its business district, I think, leaning towards incentives to allow leniency for individuals to open businesses, to continue to operate businesses is kind of important rather than imposing penalties on individuals. They have come to this community, have invested their lives and their time and their energies in doing so and so I think adding penalties to that kind of endeavor is sort of the wrong direction.

Member Dumiak: Yeah, I don't see it as a penalty, I see it more as a condition, and I'm quite honestly looking at your business, it's a business. I like that. Thank you, there is a storefront; it's established. I understand the circumstances were all operating under with COVID. It's hard to say what businesses are going to survive. I just I just don't want to see another storefront closed up where nothing is there but somebody's living in the back, quite honestly.

Corrinne Farner: We're very enthusiastic and committed to this business.

Member Dumiak: And quite honestly, it shows because you got some skin in the game. You open the storefront already, it's there.

Chairman Urban: If I may, if you want to speak, I'll have to acknowledge you. I'm learning the ropes myself. Would you care to respond to the commissioners? That's fine with me. Do we need you at the mic so the people on the phone can hear?

Corrinne Farner: I wish I knew how to open up my new phone, but I don't because I would just show you all pictures and photos of the various angles for the advertising and the artist's work and the beautiful glass that Anna has collected. We're very enthusiastic and committed. We can sign anything you want, I mean, and then we talked with Mr. Madrid, about if we fail, what is our backup plan? And it's to rent out business space to someone else, but we don't intend to fail. We feel very enthusiastic. We have savings to tide us over and we're very happy to sign any kind of commitment papers. That sounds a little odd, but yes.

Chairman Urban: thank you. If I may, I'd like to add to the discussion wherein I believe that this evening it may be too much to endeavor to come up with a finite and completely thought out list of conditions for the approval of this permit. And I do believe that this discussion is one that we need to continue, and perhaps in its own venue, in another meeting in a regular session. I think there's a lot to discuss on this point, and I don't want to keep the meeting for hours here this evening.

Member Dumiak: I'd like to make a motion then. And the motion is basically going to state that this permit would be reviewed in one year. If the retail establishment continues to go, the permit continues to go. If not, there has to be some kind of a timeline that the live/work has to disappear until it becomes retail again.

Chairman Urban: Do we have a second? So if there's no second, the motion fails. I would like to make a just to respond to you. I think again I would like to continue the conversation of this idea on when we get live/work permits for the downtown, how they could be handled, and if there would be conditions put upon them. But I think it might be in haste to try to put any conditions on at this time, and that being the case, I'd like to make a motion to approve the permit.

Member Dumiak: Just one more question. City attorney or city manager, what is the read currently right now with these other permits that have been given out, special use conditions, for live/work spaces? Is there anything to review at a later date? Or is there anything to come back on currently in the paperwork that exists. Am I going down the path that's already been gone down?

City Attorney Rubin: Traci might know better than I, but I'm not sure that you're gonna find a whole lot that's going to give you any guidance. In fact, the commission has recognized the same problem that you recognize Mr. Dumiak, about the situation where you have these vacant places and it's been recently that I've been making the advice that we need to put these conditions on these permits, but we haven't really had test case. Am I right?

Traci Alvarez: You're correct. It is something that is that they are looking into. I can tell you were also looking into it on the administrative side as well and that will come with the revision of the municipal code. In the meantime, we have people that come in and until we get those done, you know we can't put everybody on hold either.

City Manager Madrid: Before you all were appointed, this process had been started and then they said if I did try to handle this administratively the process would be started. And I did ask them for a little business plan, which is a good plan. And I did actually tour their facility to see if it could be considered a growing concern. And I did a couple of interviews with them to see what their contingency plan was, if there was a downturn in their business, they have one. They showed me their financial information to show that they could endure for a little while if they needed to. That was a good thing. I also did a walkthrough in their living space. And it seemed to be completely adequate for two people and adequately segregated too. So, I just want to let you know that I was satisfied as to those conditions, prior to you all being appointed. The other thing that I'd like to tell you is that, I think it is appropriate and I actually believe that I can say that the city commissioners would expect some type of reasonable condition; it is a conditional use permit. I believe that if the business would stop, that in itself would be a violation of the conditions of the permit. However, I think it is appropriate, and you can do this by your motion, to approve it for one year and its renewal is conditional upon adequate business conditions in place. And that could be handled by a simple 10 minute walkthrough again. And I don't think anyone would object to that, that's reasonable. Thank you.

City Attorney Rubin: I support that and I agree with Mr. Madrid. I'm also noticing by looking at the packet, the proponents submitted their letter 12-18-19. It's been 6 months already, so I'd like to see us move forward on it. I like what City Manager Madrid said.

Chairman Urban: If I may, not to belabor the point, but I do find it unclear on what would be adequate conditions. For me to feel comfortable to vote on a conditional approval, I would want to know what

really is meant behind that. That's just someone's decision someone's judgment call. I don't know what adequate conditions are for the business. Who is determining what is what is? What are the criteria that that would actually be very clear rather than at this point, to me, just ambiguous?

City Manager Madrid: That's a responsibility you can place on the staff. I think that we would qualify to be able to identify whether a business is actually a going concern and continues as a normal business would versus a resident behind the mask of a business. On a normal basis, we could just take a walk down the street, at random times during the week; are they open? If they're open, then it really doesn't matter if they have 1 customer in the store or 10 customers in the store; they're available for business – they are conducting business. So I think there needs to be a decent amount of reasonableness in this whole process until we get it better defined. I think them having their doors open and being available to conduct business is reasonable enough. The time constraint just gives us a checkpoint to be sure. And if the doors are closed a lot in that time and we can't make contact with the business owners, then the permit would be revoked. Now the revocation of the permit is something that I'm not familiar with.

Chairman Urban: If I may, I do believe it's a bigger discussion in that to just put a couple of points forward. What if there is a circumstance wherein the business doesn't open owing to human reasons; someone's family is ill and they have to go care take them, etc., so then would the live permit be revoked for a set of circumstances like that, for example? Or say, someone is undertaking extensive renovations in their building and they have yet to open. And the moreover, many of the buildings downtown, some of them don't yet have the live space in the portion of the building that someone is seeking the permit for; so extensive renovations could be undertaken to make the building into a livable environment for a residence. And then if the permit is revoked, you would end up with a building that had that infrastructure, do you see what I'm saying?

City Manager Madrid: Yes, I understand and I think that those types of things would have to be handled on a case by case basis. It would have to be communicated between the business owner and the city staff and could be dealt with. If there's a lack of communication, then we both deserve to suffer. For example, if restrictions had to be placed on businesses around the time that the renewal would take place, of course that's an extenuating circumstance we would assume that the permit would be continued until those restrictions were lifted. If there was going to be a major renovation, then I would expect the business owners to notify us about that. I don't think that everything needs to be defined in tonight's action, there always can be some leeway as long as the terms of the permit are being met or there's a major effort made to having them met. And if they're not being met for some reason, that we're informed about that, and it's reasonable. I like to use and I think that the city attorney would agree with me, that we use the 'reasonable man concept'. What would a reasonable man do in every situation? And if it's reasonable and if it's logical, then it's probably ok, as long as it's legal. I hope that's an adequate response.

Chairman Urban: Thank you, yes.

Member Bush: Madam Chair, you made a motion to accept the proposal, as is. We did have public discussion, I'm not sure how much that weighs on your motion because your motion was to approve as



is. And I understand that the other items are a little more weighed than just approving these women's request to have a workspace. As it stands, I want to second that motion that you made.

City Clerk Torres: Can I just ask that everybody talk into the mic when they do speak, so that we can capture it on the recording and then everybody else on the phone can hear?

Chairman Urban: Thank you for the reminder.

Member Bush: Did you understand?

Chairman Urban: I did. So I've made a motion to approve the proposal as is and there's a second from Commissioner Bush. Because I am new to the Robert's Rules of Order, and there was a motion previously, can I get some guidance here City Manager Madrid, on orders of operation at present?

City Manager Madrid: You had a motion and second. And then I believe you had another motion and another second, so one of them...

Member Dumiak: The second motion failed. The second motion didn't get a second.

City Manager Madrid: Then the first one with the second is still on the floor. Now you can revoke that; you can modify it if the person that made the second will concur with that. If you choose not to do so, then you should take a vote on the motion and second.

Chairman Urban: Thank you, that's very helpful.

Member Bush: The first motion failed because there was not a second. The second motion was by the Chair to approve as presented, and I seconded the motion after the discussion. That's what happened.

Chairman Urban: The motion that did receive the second was the motion to approve the special use permit as is. And then the motion to approve the special use permit with conditions did not receive a second.

City Manager Madrid: At this point to end the discussion at any time, anyone of you can just call for the question, let's get the vote done. And you have the same privilege Madam Chair.

Chairman Urban: I would like to call for a vote with the full acknowledgement that I would like to revisit this discussion in a more robust fashion in our next regular session for the upcoming agenda. And with that, I'd like to make a motion to vote.

City Manager Madrid: Madam Chair, you already have a motion and a second on the floor.

Chairman Urban: So what do I do?

City Manager Madrid: You just call for a roll call vote.

Chairman Urban: I'd like to call for a roll call to vote.

Secretary Gabaldon: Lillis Urban

Chairman Urban: Present, I.

Secretary Gabaldon: Dennis Dunnum. James Bush

Member Bush: Present, I.

Secretary Gabaldon: Rick Dumiak

Member Dumiak: Nay

Secretary Gabaldon: Merrill Dicks

Member Dicks: I

Chairman Urban: And the motion passes. Thank you for your patience. And with that we will move on in the agenda.

**Chairman Urban made a motion to approve the Request for a Special Use Permit. Member Bush seconded the motion. Motion carried.**

- b. Public Hearing/Discussion/Action: Request for a Summary Plat Amendment and Variance at 408 Main Street, 410 Main Street and 412 Main Street, Truth or Consequences, NM pursuant to Chapter 15, Sec. 15-17., Amendment of plats. Traci Alvarez, Designated Zoning Official

**Member James Bush recused himself due to a conflict of interest with Applicant Gerald Bush being his brother.**

Chairman Urban: Miss Alvarez with the city.

Traci Alvarez: Chairman and members of the board, the property owner, is requesting a very minor plat amendment and with that plat amendment because he's making an adjustment, he'll have to do a variance as well. Our applicant is Gerald Bush. He's requesting to amend his existing property lines. He does own the 408, 410 and 412 Main Street. 410 and 412 do not have access in the back. There's a back back there, but if you look at the property line map, you'll see that the way the property line runs, it kind of covers the back end of 410 and 412, and so what he's requesting is just simply a 5 foot walkway easement so that everybody has lawful access in and out of the rear of their building. Now the reason for the variance is because, when you do something within the plat amendment, or amend something you're supposed to make sure that it is then brought to code, but currently his lots are so small on Main Street they don't meet the minimum lot size anyway as they stand, so we're just requesting a variance so he doesn't have to tear down buildings and redo the entire lot line. And with that, I'll stand for questions. Also, all fees were paid. Certified mailings were done, everybody was notified and I did not hear any opponents to it.

Chairman Urban: Miss Alvarez, if I may, I had a question. I had a hard time. My eyes are like what they used to be. So the plat is very, very small, but I need to get a magnifying glass. So does is the proponent own the lot that he is seeking to get the variance on?

Traci Alvarez: Correct, yes, he is the property owner of 408, 410, and 412.

Chairman Urban: And so the city requires, I guess I'm still unclear on why this issue is even before the planning and zoning Commission. Could you explain that to me again? Why it's before the planning and zoning Commission for review like what's abnormal about someone wanting to do something on their property?

Traci Alvarez: Because he's making a request to amend his plat, and so all items come to planning and zoning Commission for review.

Chairman Urban: Ok, and how is he amending it?

Traci Alvarez: He's amending his lot line so that a 5 foot walkway easement is in there, which is amending 408 Main St. So 408 Main St owns that whole corner and it goes to the entire back and all the way to almost the other side.

Chairman Urban: Thank you, thank you Miss Alvarez. Maybe it does help to hear the proponents explanation. That might answer all my questions.

Gerald So this. Platt amendment with delight. As Tracy mentioned a walkway from boat St. From the back. Parking lot which is actually owned by four 1200. For 12 votes for 12. So the properties are for 12 or 10, which is. Main Street office and 408, which was Andy Underwood so. Phone. Office. And four 12 was. The cobblestone store. Figured it. About three now, but there was at present. There was no access to properties 410. And 408 from the backlog. Because the Backplot is surveyed out too. 412 Main St. Now that's not a problem when. And only has all three properties. But if I were to sell property for a later, there's no. There's currently no access to the back door, no legal access to the back door on the back parking lot. Again, the parking lot is. Phone number for club. Thank you that helped me. Is Montana it's already been surveyed an our understanding in? On the survey, it has to be ultimately signed. I believe I could imagine. Thank you, Miss Alvarez. Just gonna say he's doing an alternate summary procedure and that is it is required to come in front of the planning and zoning Commission will be doing alternate summary procedure. Thank you. Any questions for Mr Bush from the planning and zoning Commission? Any proponent or any opponents rather this evening? None, and any public comment. Commissioner motion to accept this as is. Missioner, Bush or Dixon. Thank you. And may we have roll call? Roll call Lilith Urban I. Richard in the proposal for a summary plan amendment variants of Faraway Main Street passes. Thank you, Mr.

**Member Dumiak made a motion to approve the Request for a Summary Plat Amendment and Variance. Member Dicks seconded the motion. Motion carried unanimously.**

- c. Public Hearing/Discussion/Action: Request for a Summary Plat Amendment and Variance Request at 323 W. Riverside Drive, Truth or Consequences, NM pursuant

to Chapter 15, Sec. 15-17., Amendment of plats. Traci Alvarez, Designated Zoning Official

Chairman Urban made a motion to approve the Request for a Summary Plat Amendment and Variance. Member Bush seconded the motion. Motion carried unanimously.

**NEW BUSINESS:**

- a. Discussion/Action: Set time and date for future meetings.

Chairman Urban made a motion to set all future meetings for the 1<sup>st</sup> Monday of the month beginning on August 3<sup>rd</sup>, 2020 at 5:30 p.m. Member Dicks seconded the motion. Motion carried unanimously.

**ADJOURNMENT:**

There being no further business to come before the Planning & Zoning Commission, Member Dumiak declared the meeting adjourned. Member Bush seconded the motion. Motion carried unanimously.

PASSED AND APPROVED this 8<sup>th</sup> day of July 2020.

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Lillis Urban – Chairman  
Planning & Zoning Commission



## City of Truth or Consequences

### AGENDA REQUEST FORM

MEETING DATE: July 8, 2020

Agenda Item #: I.4

**SUBJECT:** Authorize City Manager to negotiate price agreement for the Clean Water State Revolving Loan Fund Project RFP's

**DEPARTMENT:** Community Development

**DATE SUBMITTED:** June 30, 2020

**SUBMITTED BY:** Traci Burnette

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

**Summary/Background:**

City was offered and accepted CWSRLF for Rehabilitation of the Vacuum Sanitary Sewer System July 2019. RFP 19-20-003 opened April 29, 2020 and closed May 27, 2020. Proposals have been received and scored, and required interviews have been completed. Price negotiations are needed prior to final award.

**Recommendation:**

Authorize City Manager Madrid to negotiate price agreement for the CWSRLF RFP for the purpose of award recommendation.

**Attachments:**

- T or C Offer Letter
- Resolution 09 19/20

**Fiscal Impact (Finance):** Yes

Principal amount of \$373,000.00 plus 1.2% accrued interest; and loan subsidy grant funds in the amount of \$100,000.00 for a total funded amount of \$473,000.000

**Legal Review (City Attorney):** Choose an item.

[Click here to enter text.](#)

**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.](#)

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File Name: CC Agendas 7-08-2020



**RESOLUTION NO. 09 19/20**

**A RESOLUTION ACCEPTING THE NEW MEXICO ENVIRONMENTAL  
DEPARTMENT CONSTRUCTIONS PROGRAM BUREAU CLEAN WATER STATE  
REVOLVING LOAN FUND FUNDING OFFER AND DESIGNATING SIGNATORY  
AUTHORITY FOR RELATED DOCUMENTATION**

**WHEREAS**, The City of Truth or Consequences is in need of funds for Infrastructure Improvements;

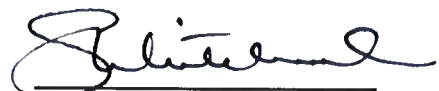
**WHEREAS**, The City of Truth or Consequences has applied for and received an offer of loan/subsidy funds from New Mexico Environment Department Construction Programs Bureau Clean Water State Revolving Loan Fund for Infrastructure Improvements.

**WHEREAS**, NMED CPB Clean Water State Revolving Loan Fund has offered total funding in the amount of \$473,000.00, with a subsidy amount of \$100,000.00 and an interest rate of 1.2% on \$373,000.00 for Vacuum Sanitation Sewer System Rehabilitation.


**WHEREAS**, the City of Truth or Consequences is required to execute NMED CPB Clean Water State Revolving Loan Fund project specific documentation including but not limited to pay applications, reimbursement requests, change orders and other project related documents.

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Governing Body of the City of Truth or Consequences, New Mexico, hereby accepts the NMED CPB Clean Water State Revolving Loan Fund offer and approves that City Manager Morris Madrid is hereby designated as the City's representative on behalf of the NMED CPB Clean Water State Revolving Loan Fund Project and is authorized as signatory authority and has designated the City Clerk as signatory authority in his absence and shall work with staff to execute, sign and submit required documentation.

**PASSED, APPROVED AND ADOPTED** this 24th day of July, 2019.

  
**Sandra Whitehead, Mayor**

**ATTEST:**

  
**Renee Cantin, City Clerk**



**Michelle Lujan Grisham**  
Governor

**Howie C. Morales**  
Lt. Governor

## NEW MEXICO ENVIRONMENT DEPARTMENT

**Construction Programs Bureau**  
Harold Runnels Building  
1190 Saint Francis Drive, PO Box 5469  
Santa Fe, NM 87502-5469  
Phone (505) 827-2806 Fax (505) 476-8656  
[www.env.nm.gov/construction-programs](http://www.env.nm.gov/construction-programs)



**James C. Kenney**  
Cabinet Secretary

**Jennifer J. Pruett**  
Deputy Secretary

July 12, 2019

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

RE: 2020 Project Priority List Clean Water State Revolving Loan Fund  
City of Truth or Consequences Rehabilitation of Vacuum Sanitary Sewer System

Dear Ms. Burnette:

The New Mexico Environment Department (NMED) Construction Programs Bureau (CPB) has reviewed the above referenced project application. Given Truth or Consequences' financial capability and readiness to proceed with this project, we are happy to make the following funding offer:

Loan Funding at 1.2% interest:

|                |              |
|----------------|--------------|
| Loan:          | \$373,000.00 |
| Subsidy        | \$100,000.00 |
| Total Funding: | \$473,000.00 |

The loan term is 20 years, however if a useful life of more than 20 years can be substantiated, NMED can extend the term for that period up to a maximum of 30 years.

We respectfully request a response to this offer by August 16, 2019. If the City accepts the offer, please reply by email or in writing by that date. If you have any questions or need any additional information please don't hesitate to e-mail me at [judi.kahl@state.nm.us](mailto:judi.kahl@state.nm.us) or call (505) 827-1055, or you can also contact the CPB team at (505) 827-2806 or by e-mailing [NMENV-cpbinfo@state.nm.us](mailto:NMENV-cpbinfo@state.nm.us). We look forward to working with the City on this project.

Sincerely,

Judith L. Kahl, P.E.

Bureau Chief, NMED Construction Programs Bureau

cc: Steven Deal, P.E., NMED CPB Project Manager  
Rhonda Holderman, NMED CPB Financial Manager for Loans and Grants  
Gail Craven, NMED CPB Loan Program Manager





## City of Truth or Consequences

### AGENDA REQUEST FORM

MEETING DATE: July 8, 2020

Agenda Item #: I.5

**SUBJECT:** Discussion/Action: Police Department Policy & Procedures

**DEPARTMENT:** Police

**DATE SUBMITTED:** July 1, 2020

**SUBMITTED BY:** Michael S. Apodaca, Chief

**WHO WILL PRESENT THE ITEM:** Michael S. Apodaca, Chief

#### **Summary/Background:**

The present Police Department policy manual was last revised 16 years ago. Many aspects of law enforcement have changed over that period of time. Procedures, laws, technology to name a few. The model policy we are implementing is approved by the Commission on Accreditation of Law Enforcement Agencies (CALEA). Several hours have been exhausted in tailoring this policy to suit the needs of our department. Numerous individuals with lengthy law enforcement experience have reviewed and contributed to the contents of this manual.

#### **Recommendation:**

The Police Department is long overdue for policy and procedure manual update. I respectfully request that this updated version be approved. The updated guidance it will provide our police personnel invaluable especially the new officers on staff.

#### **Attachments:**

- .

**Fiscal Impact (Finance):** Choose an item.

No financial impact

**Legal Review (City Attorney):** Choose an item.

Attorney Rubin did review it and found no legal issues with this policy and procedure manual.

**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**

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File Name: CC Agendas 7-08-2020





## City of Truth or Consequences

### AGENDA REQUEST FORM

MEETING DATE: July 8, 2020

Agenda Item #: I.6

**SUBJECT:** Discussion/Action: Out of state training approval for Deputy Chief Baker

**DEPARTMENT:** Police Department

**DATE SUBMITTED:** July 1, 2020

**SUBMITTED BY:** Michael S. Apodaca, Chief

**WHO WILL PRESENT THE ITEM:** City Manager Madrid & Michael S. Apodaca, Chief

#### **Summary/Background:**

Deputy Chief Baker is completing the necessary paperwork to attend the F.B.I. National Academy in Quantico, Virginia in the fall of this year.

#### **Recommendation:**

I request approval for Deputy Chief Baker to attend this executive level training. The training she will receive will not only benefit the department, but the community as well. Good leadership equates to more effective police services.

#### **Attachments:**

• .

**Fiscal Impact (Finance):** Choose an item.

We are still in the process of getting Deputy Chief Baker approved and don't have an exact dollar amount for this training. I know there will be air-fare, more than likely meals and housing as well. The cost of this will be paid out of Law Enforcement Protection Funds.

**Legal Review (City Attorney):** Choose an item.

N/A

**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**

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

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File Name: CC Agendas 7-08-2020