

CITY COMMISSION MEETING MINUTES  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
CITY COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> St.  
WEDNESDAY, APRIL 27, 2022

**A. CALL TO ORDER:**

The meeting was called to order by Mayor Amanda Forrister 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. Amanda Forrister, Mayor  
Hon. Rolf Hechler, Mayor Pro-Tem  
Hon. Destiny Mitchell, Commissioner  
Hon. Merry Jo Fahl, Commissioner  
Hon. Shelly Harrelson, Commissioner

Also Present: Bruce Swingle, 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 Pro-Tem Forrister called for fifteen seconds of silent meditation.

**3. PLEDGE OF ALLEGIANCE:**

Mayor Pro-Tem Forrister called for Commissioner Harrelson to lead the Pledge of Allegiance.

**4. APPROVAL OF AGENDA:**

**Mayor Pro-Tem Hechler moved to approve the agenda as submitted. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**C. PRESENTATIONS:**

**1. Proclamation naming Saturday, May 7, 2022 as Miss Fiesta (Brooklynn Garcia) Day.**

Mayor Forrister presented a Proclamation to Brooklynn Garcia naming Saturday, May 7, 2022 as Miss Fiesta (Brooklynn Garcia) Day.

**2. Issuance of certificates to the 2022 Miss Fiesta Royal Court Winners.**

Mayor Forrister presented a certificate to Jazlyn Cates for 1<sup>st</sup> runner up in the 2022 Miss Fiesta Royal Court.

Mayor Forrister presented a certificate to Kimberly Moslbee for 2<sup>nd</sup> runner up in the 2022 Miss Fiesta Royal Court.

Mayor Forrister presented a certificate to our 2022 Miss Fiesta, Brooklynn Garcia for Miss Congeniality in the 2022 Miss Fiesta Royal Court.

**3. Presentation of the Status of Sierra Vista Hospital.**

SVH Chief Executive Officer Frank Corcoran gave a presentation of the current status of Sierra Vista Hospital. (Complete copy attached hereto and made a part hereof).

**D. PUBLIC COMMENT (3 Minute Rule Applies):**

Steven Zeschke addressed the Commission with comments related to:

- (1) He asked the Commission if they read his letter that he submitted that included sidewalks. He stated that most places require that you put in sidewalks when you build a new building. A lot of places also have sale stickers that are similar to vehicle stickers where you have to have a \$40 sticker on your car every year, and if you want to sell your house you have to pay for a city inspection and things have to be upgraded before you can sell. Maybe the city can add language to the code that property owners must have everything on the property up to code before they sell the property.
- (2) He is all for the city selling the electrical so he doesn't have to pay trash fees the 5 months that he is gone.

George Henson addressed the Commission with comments related to:

- (1) He's an acentric sort of person and the problem is becoming more of a federal case because of the developers coming into the neighborhood and trying to change the flood control on Wyona. He hopes to soon be a more level part of the neighborhood. He brought in a petition against the development on Wyona Street.
- (2) He is all for the city, and hospital doing things to address mental health.

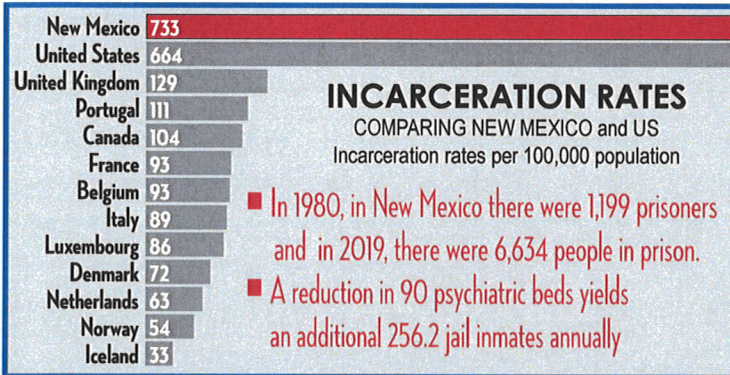




# The High Cost Of Treating Behavioral Health Patients In The Justice System Versus In The Healthcare System



A staggering number of seriously mentally ill people are incarcerated.



INCARCERATION TYPICALLY INTENSIFIES MENTAL HEALTH DISORDER

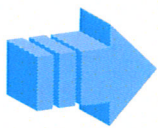
New Mexico spends the third highest amount (and more than twice the 49-state median) on inmate health care needs in the country.

"Jails and prisons are not created to be de facto mental health hospitals" (Fuller et al., 2010)



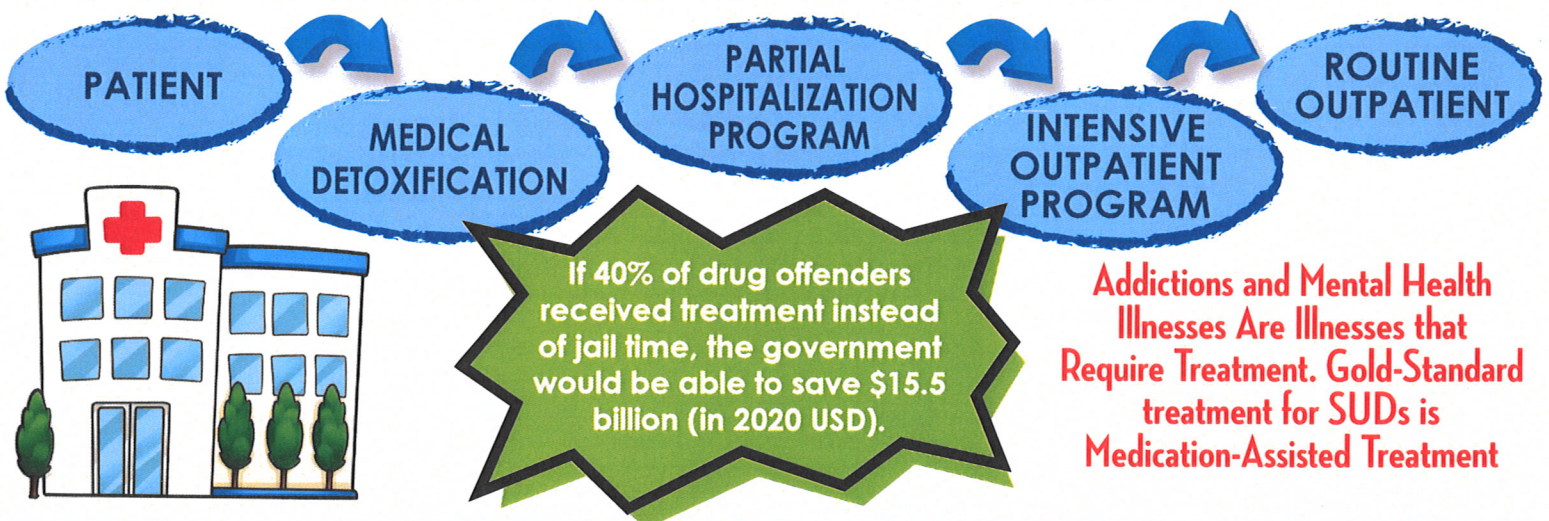
## Perpetuating the Incarceration Cycle

- An estimated 77% of prisoners in the United States are rearrested within five years of release. Of those, 50% are reincarcerated.
- Roughly 85% of the prison population has an active SUD or were incarcerated for a crime involving drugs or drug use.
- Less than 66% of inmates with mental illness receive treatment while incarcerated.
- Inmates with opioid use disorder have a higher risk of overdose following incarceration.



NEW MEXICO HAS THE SIXTH HIGHEST RECIDIVISM RATE IN THE COUNTRY.

Favorable ROI (26%) For Investing In Hospital-based Mental Health Services, Rather Than Prison-Or Jail-Based Services





# Sierra Vista Hospital and Clinics







SIERRA VISTA HOSPITAL  
AND CLINICS

# New Facility Now Open!

*Turning Healthcare around in Sierra County*



575-894-2111 ♥ 800 East 9th Avenue ♥ Truth or Consequences

See Facebook for Entrance Map

Proprietary & Confidential





**Frank Corcoran CEO, BSN, MHA**



## **Background**

- **Registered Nurse since 1991**
- **Graduate of Louisiana State University**
- **Healthcare Leadership in Academic System, Large Health Systems, Community Hospitals, and Turnaround Projects**
- **SVH Turnaround 2018-2019**
- **SVH CEO September 2021-Present**



# Sierra Vista Hospital and Clinics

## Services

- Critical Access Hospital serving approximately 11,000 Residents in Sierra County
- Emergency
- 11 Inpatient Acute Care/Swing Beds
- Diagnostic Services
  - Lab
  - Radiology
  - Physical Therapy, Occupational Therapy, Speech Therapy
- Rural Health Clinic
  - Adult Health
  - Behavioral Health
- Tele-Health Services starting in May 2022
  - Neurology
  - Psychiatry



### Additional Services Planned for 2022-2023

- **Surigicalist Program – General Surgery**
- **Pain Managment**
- **Cardiology**
- **Orthopedics**
- **Wound Care**
- **Behavioral Health (pending funding)**



## Behavioral Health Care Services

### ROI Analysis Favors Care in Hospital-Based Systems

- Favorable ROI (26%) for investing in hospital-based mental
- Average annual Federal inmate custody and reentry costs in FY2020 were \$39,158 and \$35,663, respectively.
- Average treatment for mental and/or substance use disorder inpatient stay in 2020 USD was \$7,656.
- Average annual methadone treatment with psychosocial and medical support services (assumes daily visits) in 2020 USD was \$7,065.

*“Jails and prisons are not created to be de facto mental health hospitals” (Fuller et al., 2010)*



**Mental Health Programs are Less Expensive and More Effective than Incarceration**



## Proposal

### Offer clinical best practices for behavioral health continuum of care services

- Establish a Psychiatric Facility to meet the Needs of Sierra County
  - Medical-Detox Beds and Medication-Assisted Therapy (MAT)
  - Partial Hospitalization Program (PHP) services
  - Intensive Outpatient Program (IOP)
- Collaborate with Mesilla Valley Hospital in Las Cruces, which has an inpatient psychiatric facility
- Leverage evidence-based models of coordinated clinical psychiatric care





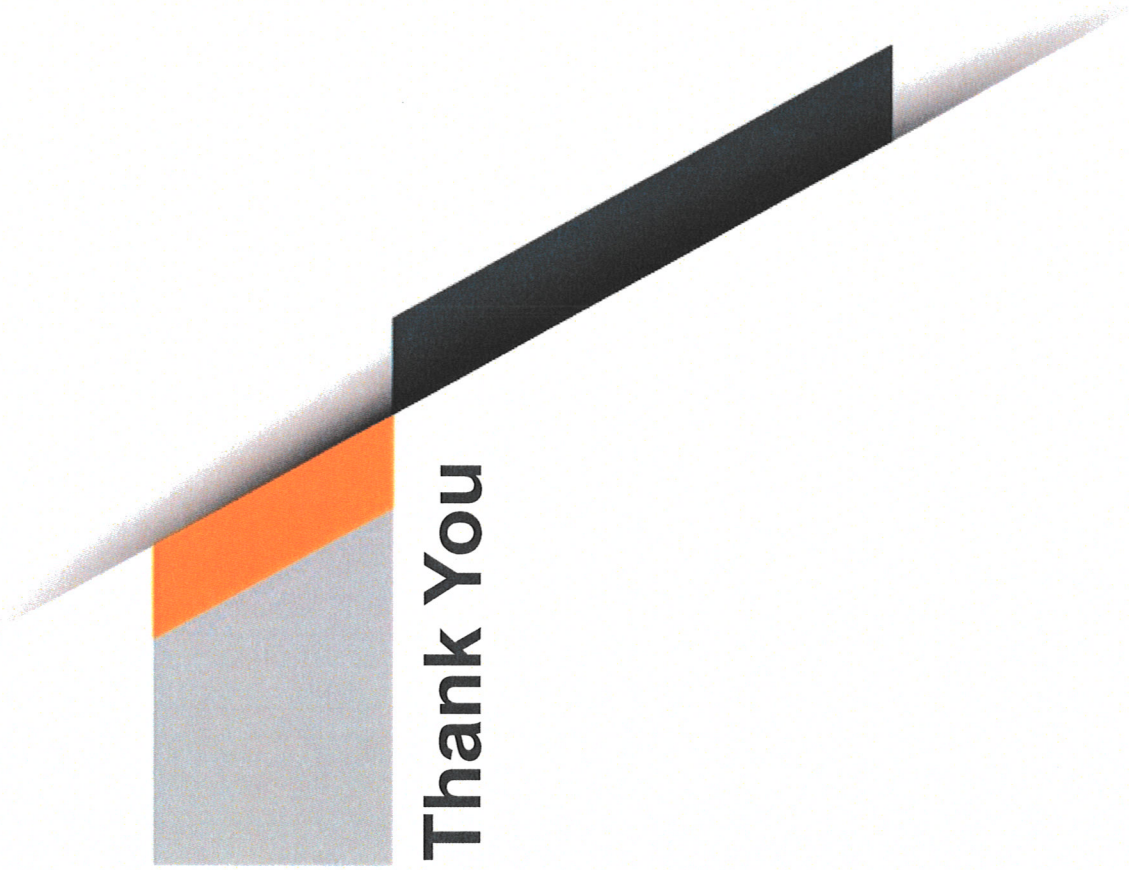
# Proposal



## Facility Design







**Thank You**



## References



- **Slide 6**

- *Substance Abuse and America's Prison Population*. (2012, February). Partnership to End Addiction. <https://drugfree.org/reports/behind-bars-ii-substance-abuse-and-americas-prison-population/>
- *Criminal Justice DrugFacts* (Advancing Addiction Science). (2020). National Institute for Drug Abuse. <https://www.drugabuse.gov/publications/drugfacts/criminal-justice>
- Benecchi, L. (2021). *Recidivism Imprisons American Progress* [Harvard Political Review]. Harvard. <https://harvardpolitics.com/recidivism-american-progress/>
- Ring, K., & Gill, M. (2017). *Using Time to Reduce Crime: Federal Prisoner Survey Results Show Ways to Reduce Recidivism*. Families Against Mandatory Minimums. [https://www.prisonpolicy.org/scans/famm/Prison-Report\\_May-31\\_Final.pdf](https://www.prisonpolicy.org/scans/famm/Prison-Report_May-31_Final.pdf)



Ariel Dougherty addressed the Commission with comments related to various comments. (Complete copy attached hereto and made a part hereof).

Larry Mullenax addressed the Commission with comments related to:

- (1) He is a tenant at the Airport. He is on the Airport Advisory Board, and he is the president of the local chapter of the Experimental Aircraft Association. The EAA agreement is an action item on the agenda.
- (2) The moral is very low at the Airport. At the January Airport Advisory Board Meeting, the City Manager told the board that the pilots were the problem at the Airport because they are not following the rules, and with Mr. VanGelder getting an eviction notice, that has put them in a tight situation because they are very hesitant to want to do anything under those circumstances.
- (3) One of the other members of the EAA, Mr. Davis, is a Public Affairs Officer for the Border Patrol, and he put together a proposal of things that he recommended for changes at the Airport, mainly to improve communications and operations. He didn't know the rules and he didn't submit it through the Airport Advisory Board. He went straight to the Airport Manager Chad.

Linda Alexander addressed the Commission with comments related to:

- (1) RTC which is a Motorola partner, and they came to the area to talk about public safety and help communities search for grants for that purpose.

#### **E. REPORTS:**

**City Manager Swingle reported the following:**

- We still have a number of vacancies on the boards. We still have vacancies on various city boards. We have two vacancies for the Airport Advisory Board. We have five vacancies on the Golf Course Advisory Board. We have two vacancies on the Lodgers Tax Advisory Board. We have two vacancies on the Impact Fee Advisory Board, and we have two vacancies on the Planning & Zoning Commission.
- He gave kudos to Tammy Gardner for assisting and coordinating the Commission Retreat. He also gave kudos to the city staff and the City Commission. It was an opportunity for everyone to let their hair down and speak frankly. It was a very good event. He is working on the findings from the retreat and he should have them available for the Commission at the next Commission meeting. The report will include the action items that need to be done from the strengths, weaknesses, opportunities and the threats.
- We still continue to have water leaks through the city, and we will continue to have water leaks due to the condition of the infrastructure. It did not happen in a short amount of time to deteriorate and it will take some time and patience to get it fixed. Staff will get to the leaks as soon as they can, but we do have to prioritize the larger water leaks because they take precedence over trickling water leaks.

Truth or Consequences City Commission Meeting – April 27, 2022  
Public Comment – Ariel Dougherty

Greetings, Commissioners. This year, 2022, I celebrate the 50<sup>th</sup> anniversary of an organization I co-founded in 1972. Today that organization is the globe's largest distributor of women directed films. Such success exemplifies a fiscal savvy in balancing budgets, good fund raising skills, and making sacrifices but also having vision that earned income should be an integral part of the organization's revenue stream.

I bring a similar kind of vision and fiscal acumen to everything I do. I stand here before you with some vision about concerns for my and my fellow citizen's public welfare. That you blanket my standing here as your largest threat is deeply problematic. You use the term “cave people” as a scapegoat against those who speak out. That the failing infrastucture or the possibility of bankruptcy looming are not your major worries astounds me. Your job as Commissioners is to create a way to incorporate my and other citizen's input into your governance. Do not leap to raising utility rates or property taxes throwing the burden of decades of fiscal mismanagement on me and fellow citizens, ~~You~~ and city workers need to make sacrifices and better fiscal decisions. And listen. Cut back.

The promised magic of modernization through the AMI meters, of which the Commission was warned and yet approved over a million dollars, is presently a nightmare. Who is a larger billing headache me or AMI customers? Who gets to whisper in your or the Manager's ear: “build a bridge”, “sell the electric system”, “approve a plat division”, “remove a good paying pilot from a hanger” --all of this without public discussion, transparency or accountability, while those who make perfectly reasonable suggestions here before you at this podium—the very purpose of open government and public commment-- are ignored, be-littled, labeled “cave poeple” and seen as your largest threat.

Commissioners, I urge you, *“If you can't stand the heat, get out of the kitchen.”*

**City Attorney Rubin reported the following:**

- He has been talking about some of the liens that the city has filed, and now we are in a position to try to recoup the expenses that we have been forced to incur through the process. On May 10<sup>th</sup> we will have two foreclosure sales at the Courthouse. They will be for the properties of 724 Van Patten. The judgement we got for that was just under \$15,000. We will be attending the foreclosure sale, and we would have the right to make our own bid should we wish to, to acquire the property or we can wait to see if anyone makes an offer on the property. The other property that is up for sale is at 703 Jicarilla, and the same goes for that property. Since the sale is the day before the next Commission Meeting, he is hoping to be able to give a report on that.
- He addressed the summary plat amendment for the property involving Wyona Street that was presented at the last meeting. He explained we were only discussing reducing the number amount of lots on the property, and we were not discussing the future development of the property. When it was on the agenda it appeared that there was no opposition, and he noted that at the last meeting. He learned after the meeting that there had been a letter from Rick Dumiak where he did express some opposition. He wants to note that did occur. However, after reading Mr. Dumiak's letter, in his (Jay Rubin) legal judgement he does not think that would affect any decision that was made regarding the summary plat amendment on the Commission level 2 weeks ago because his objection had to do with future development on the property and all we were discussing at the last meeting was to reduce the amount of lots on the property.

**City Commission Reports:**

**Commissioner Mitchell reported the following:**

- Fiesta is less than 2 weeks away, and they are planning on having a "Mayor throughout the years" Fiesta float. She is searching for volunteers to help decorate that float as well as other floats. They are also looking for people to help out with other things pertaining to Fiesta. If anyone is interested, please contact Fiesta Chairman Nick Williams, Commissioner Hechler, or herself.

**Commissioner Fahl reported the following:**

- She Thanked City Manager Swingle for sending them a report about the public arts board. She thought it was very interesting, and she wants to attend some of their meetings.
- She reached out to Sierra Soil and some others regarding safety issues, and when she gets enough information she would like to put it on the agenda for discussion.

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

- He sometimes at a loss for words with the incredible generosity that this community has in support of Fiesta. We have also had lots of support from those outside the community. They try to spend the money they get for Fiesta locally to help out our local businesses. He has received several thankyou's from members

of the community that they have gone to for different things. The pandemic really affected our small businesses, so he would like people to do less “keister shopping” from home and go out and support our local small businesses.

**Commissioner Harrelson reported the following:**

- The high school Tennis Team will be holding a youth camp this summer so if you have children, and they are interested in something to do this summer they can attend the camp. She would like to see us coordinate something similar around youth golf.

**Mayor Forrister reported the following:**

- She also thanked Tammy Gardner and everyone who put in time to make our retreat successful. It is a neat thing when Commissioners can sit down with senior staff and have some great discussions so it makes her sad and upset that we hear that our staff needs to make sacrifices. We heard at the retreat that they are making lots of sacrifices. They are working long hours with minimal equipment for very minimum wage, and it is our duty to figure out ways to raise their salaries so that we can recruit and retain people who are qualified to work here.
- She looks forward to Fiesta.

**F. CONSENT CALENDAR:**

1. **City Commission Regular Minutes, April 13, 2022**
2. **Acknowledge Regular Public Utility Advisory Board Minutes, March 21, 2022**
3. **Subrecipient FY 21/22 3rd Quarter Reports**

**Commissioner Fahl moved to approve the Consent Calendar as submitted. Commission Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

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

1. **Discussion/Action: Resolution No. 52 21/22 Approval of Annual Audit:**

Chris Garner, Pattillo, Brown & Hill, LLP gave a review of the 2020/2021 audit results. (Complete copy attached hereto and made a part hereof).

59:24 Mayor Pro-Tem Hechler asked if this is the first time that we have

**Commissioner Fahl moved to approve Resolution No. 52 21/22 for the Annual Audit. Mayor Pro-Tem Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**





**PATILLO, BROWN & HILL, L.L.P.**  
Certified Public Accountants & Business Consultants



# City of Truth or Consequences

## 2021 Audit Results

April 27, 2022



# Our Responsibility under U.S. and Government Auditing Standards

As stated in our engagement letter, our responsibility, as described by professional standards, is to form and **express an opinion** about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities.

Our responsibility is to plan and perform the audit in accordance with generally accepted auditing standards issued by the AICPA and the Comptroller General of the United States, and to design the audit to obtain **reasonable, rather than absolute, assurance** about whether the financial statements are free of material misstatement.

Our audit of financial statements includes **consideration of internal control** over financial reporting as a basis for designing audit procedures **but not for the purpose of expressing an opinion** on the effectiveness of the entity's internal control over financial reporting. Accordingly, we considered the entity's internal control for the purpose of determining our audit procedures and not to provide assurance concerning such internal control.

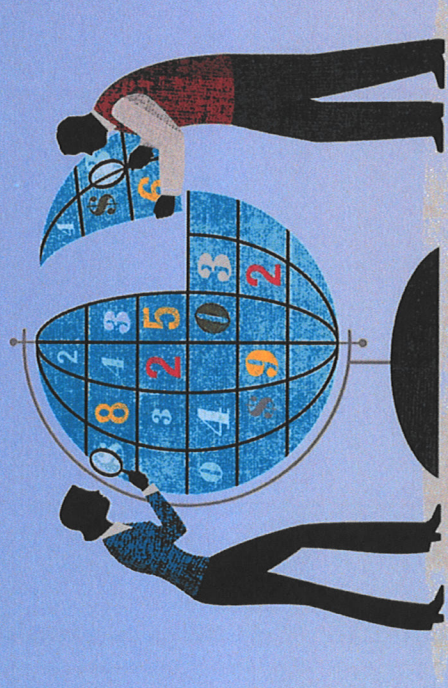
We are also responsible for communicating significant **matters related to the financial statement audit** that, in our professional judgment, are relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.



# Auditor's Report on the Financial Statements

## Unmodified Opinion – “Clean Opinion”

- Financial Statements are presented *fairly* in accordance with accounting principles generally accepted in the United States of America.





# Communication with Governing Body

## *Matters to Be Communicated*

### Difficulties Encountered in Performing the Audit

- The Council should be informed of any significant difficulties encountered in dealing with management related to the performance of the audit.

## *PBH's Comments*

**No difficulties encountered during our audit**



# Communication with Governing Body

## *Matters to Be Communicated*

**Significant Audit Adjustments and Unadjusted Differences Considered by Management to be Immaterial**

- The Council should be informed of all significant audit adjustments arising from the audit. Consideration should be given to whether an adjustment is indicative of a significant deficiency or a material weakness in the City's internal control over financial reporting, or in its process for reporting interim financial information, that could cause future financial statements to be materially misstated. the Council should also be informed of uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented that were determined by management to be immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

## *PBH's Comments*

**Cash to accrual adjustments**

**None**



# Communication with Governing Body

## *Matters to Be Communicated*

### Disagreements With Management

- Disagreements with management, whether or not satisfactorily resolved, about matters that individually or in the aggregate could be significant to the City's financial statements, or the auditor's report.

## *PBH's Comments*

**We had no disagreement with management.**



# Communication with Governing Body

## *Matters to Be Communicated*

Management's consultation with other accountants

- In some cases, management may decide to consult about auditing and accounting matters, If management has consulted with other accountants about an auditing and accounting matter that involves application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts.

## *PBH's Comments*

**We are not aware of any significant accounting or auditing matters for which management consulted with other accountants.**



# Resolved Prior Year Findings

- 2019-001 Payroll Disbursement
- 2020-002 Cash Disbursements



# Current Year Findings

- 2021 – Lodgers Tax





PATILLO, BROWN & HILL, L.L.P.  
Certified Public Accountants & Business Consultants

*Thank you!*

**2. Discussion/Action: Resolution No. 55 21/22 Directing Law Enforcement personnel employed by the City of Truth or Consequences Police Department to utilize body worn cameras pursuant to NMSA 29-1-18:**

Victor Rodriguez, Chief of Police that this is nothing new. The Police Department has used body cameras before the law went into effect in 2020. This is really a formality because we are looking at trying to get some possible reimbursement through the New Mexico Self Insurers Fund for the purchase of our body cameras, and one of their requirements is that we have a resolution for it. We've had a policy, but this gave him a good opportunity to go in and revise the policy. The only thing he would like to bring to attention is an oversight they noticed when copying the policy over for the agenda. They need to add an important disciplinary action section. The language will be added to the policy if approved by the Commission. The added section reads as follows:

- *A: Peace officers who fail to comply with the policies and procedures outlined above shall be presumed to have acted in bad faith and shall be deemed liable for the independent tort of negligent spoliation of evidence or the independent tort of intentional spoliation of evidence.*
- *B: And subject to department disciplinary procedures to include termination.*

**Mayor Pro-Tem Hechler moved to approve Resolution No. 55 21/22 Directing Law Enforcement personnel employed by the City of Truth or Consequences Police Department to utilize body worn cameras pursuant to NMSA 29-1-18. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**H. NEW BUSINESS:**

**1. Discussion/Review: Review of revenue reports as part of the Budget Process:**

Carol Kirkpatrick, Finance Director reviewed the revenue reports with the Commission. (Complete copy attached hereto and made a part hereof).

**2. Discussion/Action: Review and approval of Memorandum of Understanding (MOU) between the United States Department of Veterans Affairs Healthcare System and the Truth or Consequences Police Department:**

Victor Rodriguez, Chief of Police explained that this is a Memorandum of Understanding between the United States Department of Veterans Affairs-New Mexico Veterans Affairs Healthcare System and the Truth or Consequences Police Department. He received this in the mail from the Chief of Police for Veteran Affairs for Ben Archer which is their facility here. This agreement is just saying that we would handle all of their law enforcement services at that facility and they will provide any assistance as needed.

**REVENUE INFORMATION  
AS OF MARCH 31, 2022**

**GENERAL FUND REVENUE HISTORY**

**MAIN REVENUE SOURCES ONLY**

- \* 3 Year Actual Revenue History
- \* Current Year Information With Amount Budgeted and Amount Received to Date
- \* Next Year's Draft Estimated Revenue

**ENTERPRISE FUNDS REVENUE HISTORY**

- \* 3 Year Actual Revenue History
- \* Current Year Information With Amount Budgeted, Amount Received, and % Received to Date
- \* Next Year's Draft Estimated Revenue and Comparison of 2022-23 to 2021-22 Budget

**SPECIAL REVENUE FUNDS REVENUE HISTORY**

- \* 3 Year Actual Revenue History
- \* Current Year Information With Amount Budgeted, Amount Received, and % Received to Date
- \* Next Year's Draft Estimated Revenue

**GROSS RECEIPTS TAX**

- \* Gross Receipts Tax Municipal Local Options (Breakout of Taxes and Ordinances)
- \* Detail of Gross Receipts Tax Received



<b>GENERAL FUND REVENUE HISTORY</b>
<b>MAIN REVENUE SOURCES</b>

[illegible]



ENTERPRISE FUNDS REVENUE HISTORY										
3 Year Actual Revenue History	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Comparison	Comparison
Current Year Information With Amount Budgeted, Amount Received, and % Received to Date	2018-19	2019-20	2020-21						2022-23 Estimated	% Change
Next Year's Draft Estimated Revenue and Comparison of 2022-23 to 2021-22 Budget	Actual	Actual	Actual						Budget to 2021-22 Budget	
AIRPORT										
GOVT GROSS RECEIPTS	\$ 3,960	\$ 5,652	\$ 4,180	\$ 5,500	\$ 5,305	96.45%	\$ 6,000	\$ 500	9.09%	
FEDERAL GRANTS (ONLY BUDGET WHEN REC)				\$ 22,000	\$ 22,000	100.00%	\$ -	\$ (22,000)	-100.00%	
HANGAR RENTALS	\$ 41,400	\$ 28,298	\$ 37,140	\$ 35,000	\$ 22,370	63.91%	\$ 35,000	\$ -	0.00%	
LEASE AGREEMENT	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%	\$ -	\$ -	0.00%	
RENTS/ROYALTIES	\$ 1,925	\$ 1,400	\$ 1,525	\$ 1,500	\$ 10,000	666.67%	\$ 1,500	\$ -	0.00%	
T HANGAR RENTAL	\$ 2,110	\$ 2,430	\$ 10,205	\$ 9,000	\$ 1,000	11.11%	\$ 9,400	\$ 400	4.44%	
AVIATION FUEL SALES	\$ 71,613	\$ 63,989	\$ 56,646	\$ 65,000	\$ 40,850	62.85%	\$ 65,000	\$ -	0.00%	
OIL SALES	\$ 137	\$ 37	\$ 301	\$ 200	\$ 180	90.00%	\$ 200	\$ -	0.00%	
JET FUEL SALES	\$ 86,573	\$ 95,369	\$ 80,363	\$ 85,000	\$ 132,355	155.71%	\$ 100,000	\$ 15,000	17.65%	
INVESTMENT INCOME	\$ 17	\$ 28	\$ 32	\$ 25	\$ 30	120.00%	\$ 35	\$ 10	40.00%	
INSURANCE/OTHER REIMBURSEMENTS	\$ -	\$ -	\$ 19,705	\$ 4,870	\$ 4,870	100.00%	\$ -	\$ -	-	
TOTAL REVENUE	\$ 207,735	\$ 197,203	\$ 249,097	\$ 228,095	\$ 238,960	104.76%	\$ 217,135	\$ (6,090)	-2.67%	
CEMETERY										
OTHER CHARGES FOR SERVICES	\$ 9,710	\$ 8,530	\$ 10,130	\$ 8,500	\$ 16,865	198.41%	\$ 10,000	\$ 1,500	17.65%	
INVESTMENT INCOME	\$ 21	\$ 20	\$ 20	\$ 20	\$ 16	80.00%	\$ 20	\$ -	0.00%	
TOTAL REVENUE	\$ 9,731	\$ 8,550	\$ 10,150	\$ 8,520	\$ 16,881	198.13%	\$ 10,020	\$ 1,500	17.61%	
ELECTRIC DIVISION										
GROSS RECEIPTS-YD LIGHTS	\$ 853	\$ 812	\$ 840	\$ 933	\$ 638	68.38%	\$ 833	\$ (100)	-10.72%	
GROSS RECEIPTS-ELECTRIC SERVICES	\$ 428,325	\$ 418,465	\$ 432,221	\$ 478,667	\$ 329,551	68.85%	\$ 421,560	\$ (57,107)	-11.93%	
UTILITY SERVICES YARD LIGHT	\$ 19,339	\$ 18,976	\$ 19,283	\$ 18,873	\$ 14,161	75.03%	\$ 18,895	\$ 22	0.12%	
UTILITY SERVICES	\$ 6,274,034	\$ 6,247,551	\$ 6,530,768	\$ 6,800,000	\$ 4,848,078	71.30%	\$ 6,181,346	\$ (618,654)	-9.10%	
UTILITY SERVICES CONNECTIONS	\$ 16,717	\$ 15,562	\$ 14,667	\$ 21,200	\$ 13,543	63.88%	\$ 17,323	\$ (3,877)	-18.29%	
MERCHANDISE & JOBBING	\$ 35,214	\$ 11,571	\$ 16,770	\$ 20,000	\$ 9,493	47.47%	\$ 12,277	\$ (7,723)	-38.62%	
NON-PAYMENT PENALTIES	\$ 5,153	\$ 4,480	\$ 8,142	\$ 6,000	\$ 5,928	98.80%	\$ 9,670	\$ 3,670	61.17%	
NM STO INVESTMENT INCOME			\$ 1,155	\$ 120	\$ 16	13.33%	\$ 117	\$ (3)	-2.50%	
SURPLUS AUCTION PROCEEDS				\$ -	\$ 1,456	#DIV/0!	\$ -	\$ -	0.00%	
INTEREST			\$ 1,814	\$ 439	\$ -	0.00%	\$ 439	\$ -	0.00%	
MISC INCOME	\$ 10,678		\$ -	\$ 1,500	\$ -	0.00%	\$ -	\$ (1,500)	-100.00%	
MIS. (POLE RENTALS, ETC.) - ELECTRIC	\$ 12,785	\$ 18,606	\$ 33,568	\$ 25,000	\$ 33,629	134.52%	\$ 36,908	\$ 11,908	47.63%	
TOTAL REVENUE	\$ 6,803,098	\$ 6,736,023	\$ 7,059,228	\$ 7,372,732	\$ 5,256,493	71.30%	\$ 6,699,368	\$ (673,364)	-9.13%	







3 Year Actual Revenue History		Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Comparison
Current Year Information With Amount Budgeted, Amount Received, and % Received to Date		2018-19		2019-20		2020-21		2021-22		2022-23	
Next Year's Draft Estimated Revenue and Comparison of 2022-23 to 2021-22 Budget		Actual		Actual		Actual		4/15/2022 Budgeted Revenue		Draft Estimated Revenue	
WATER DIVISION										4.00%	
GROSS RECEIPTS-WA		\$ 39,327	\$ 38,432	\$ 59,826	\$ 62,819	\$ 45,629	\$ 72.64%	\$ 65,332	Est. Increase	\$ 2,513	4.00%
UTILITY SERVICES		\$ 884,756	\$ 856,850	\$ 1,344,131	\$ 1,411,338	\$ 1,028,996	\$ 72.91%	\$ 1,467,792	\$ 56,454	\$ 408	4.00%
UTILITY SERVICES CONNECTIONS		\$ 11,637	\$ 11,091	\$ 9,716	\$ 10,202	\$ 8,515	\$ 83.46%	\$ 10,610	\$ 617	\$ 5,000	4.00%
WATER TAP FEES		\$ 2,967	\$ 7,528	\$ 5,104	\$ 15,432	\$ 25,098	\$ 162.64%	\$ 16,049	\$ 4,825	\$ 186	100.00%
MERCHANDISE & JOBBING		\$ 3,093	\$ 283	\$ -	\$ -	\$ 7,048	#DIV/0!	\$ 5,000	\$ -	\$ -	4.00%
NON-PAYMENT PENALTIES		\$ 2,937	\$ 3,095	\$ 4,418	\$ 4,639	\$ 5,218	\$ 112.48%	\$ 4,825	\$ 65,177	\$ -	4.33%
MISC.		\$ 613	\$ -	\$ -	\$ -	\$ -					
TOTAL REVENUE		\$ 945,330	\$ 917,279	\$ 1,423,195	\$ 1,504,430	\$ 1,120,504	74.48%	\$ 1,569,607			
WASTEWATER DIVISION											
GROSS RECEIPTS-SW		\$ 47,842	\$ 46,877	\$ 48,362	\$ 55,125	\$ 36,105	65.50%	\$ 57,330	Est. Increase	\$ 2,205	4.00%
UTILITY SERVICES		\$ 1,052,100	\$ 1,028,980	\$ 1,075,898	\$ 1,102,500	\$ 808,757	73.36%	\$ 1,146,600	\$ 44,100	\$ 160	4.00%
SEWER TAP FEES		\$ 5,400	\$ 1,947	\$ 3,492	\$ 4,000	\$ 8,171	204.28%	\$ 4,160	\$ 120	\$ -	4.00%
NON-PAYMENT PENALTIES		\$ 2,319	\$ 9,450	\$ 3,662	\$ 3,000	\$ 3,906	130.20%	\$ 3,120	\$ -	\$ -	0.00%
SURPLUS AUCTION PROCEEDS					\$ -	\$ 3,515	#DIV/0!	\$ -	\$ -	\$ -	0.00%
PENDING REIMBURSEMENT-GRANTS				\$ 83,600	\$ -	\$ -		\$ -	\$ -	\$ -	0.00%
TOTAL REVENUE		\$ 1,107,661	\$ 1,087,254	\$ 1,215,014	\$ 1,164,625	\$ 860,454	73.88%	\$ 1,211,210	\$ 46,585	\$ -	4.00%
TOTAL ENTERPRISE REVENUE		\$ 11,270,262	\$ 11,220,691	\$ 12,389,942	\$ 12,676,673	\$ 9,461,527	74.64%	\$ 12,266,833	\$ (404,970)		-3.19%



SPECIAL REVENUE FUNDS						
	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year
	2018-19	2019-20	2020-21	2021-22	2021-22	2022-23
	Actual	Actual	Actual	Budgeted	Actual	Draft Estimated Revenues
<b>201 CORRECTION</b>					3/31/2022	3/31/2022
CORRECTION FEES	7,265	4,239	2,449	4,000	4,420	5,000
DWI PREVENTION FEES	394	91	275	-	-	-
JUDICIAL EDUCATION FEES	1,076	636	360	500	660	600
LABORATORY FEES	520	114	235	-	-	-
COURT AUTOMATION FEES	2,151	1,262	728	1,000	1,320	1,400
<b>TOTAL REVENUE</b>	<b>11,406</b>	<b>6,342</b>	<b>4,047</b>	<b>5,500</b>	<b>6,400</b>	<b>7,000</b>
<b>209 FIRE DEPARTMENT</b>						
DONATIONS - WALMART FOUNDATION	-					
STATE - FIRE ALLOTMENT	296,318	312,200	326,587	308,824	308,824	308,824
INTEREST INCOME	658	881	1,050	500	463	500
GRANT COUNCIL-REVENUE	79,819	-	-	300,000	300,000	-
<b>TOTAL REVENUE</b>	<b>376,795</b>	<b>313,081</b>	<b>327,637</b>	<b>609,324</b>	<b>609,287</b>	<b>309,324</b>
<b>211 LAW ENFORCEMENT PROTECTION FUND</b>						
STATE ALLOTMENT	25,400	27,800	26,000	26,000	26,000	57,000
<b>TOTAL REVENUE</b>	<b>25,400</b>	<b>27,800</b>	<b>26,000</b>	<b>26,000</b>	<b>26,000</b>	<b>57,000</b>
<b>214 LODGERS' TAX ACT</b>						
PROMOTION/ADVERTISING	184,851	166,413	150,065	150,000	158,374	168,000
NON-PROMOTION (40%) LODGER'S TAX	123,234	110,905	100,043	100,000	105,583	110,000
STATE ADVERTISING GRANT	-	5,280	-	-	-	-
LATE PENALTIES	1,305	100	899	500	824	850
INTEREST INCOME	317	429	448	300	427	500
1% CONVENTION CENTER FEE	61,558	56,303	50,027	50,000	52,765	52,000
<b>TOTAL REVENUE</b>	<b>371,265</b>	<b>339,429</b>	<b>301,482</b>	<b>300,800</b>	<b>317,973</b>	<b>331,350</b>







	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year	Fiscal Year
	2018-19	2019-20	2020-21	2021-22	2021-22	2021-22	2022-23
	Actual	Actual	Actual	Budgeted	Actual	% Received	Draft Estimated Revenues
<b>295 MUNICIPAL POOL</b>					3/31/2022	3/31/2022	
GRT	785	391	422	700	378	54.00%	700
SWIMMING POOL PROCEEDS	14,904	7,428	8,012	5,000	7,188	143.76%	7,000
POOL DEPOSIT/RENTAL	808	1,250	1,460	800	2,390	298.75%	1,000
MISCELLANEOUS REVENUE	1,492	762	-	-	-	0.00%	
<b>TOTAL REVENUE</b>	<b>17,989</b>	<b>9,831</b>	<b>9,894</b>	<b>6,500</b>	<b>9,956</b>	<b>153.17%</b>	<b>8,700</b>
<b>296 POLICE DEPARTMENT GRT FUND</b>							
1/4% MGRT (POLICE)	336,390	354,257	361,494	300,000	304,022	101.34%	400,000
FEDERAL GRANTS/LOANS	89,500	97,877	-	-	-	0.00%	-
USDA GRANTS	-	-	50,000	-	-	0.00%	-
INTEREST INCOME	194	199	548	200	666	333.00%	700
SURPLUS AUCTION PROCEEDS	-	-	-	-	1,520	0.00%	-
INSURANCE RECOVERY	-	-	-	17,872	17,872	100.00%	-
<b>TOTAL REVENUE</b>	<b>484,315</b>	<b>452,497</b>	<b>412,042</b>	<b>318,072</b>	<b>324,080</b>	<b>101.89%</b>	<b>400,700</b>



# GROSS RECEIPT TAX MUNICIPAL LOCAL OPTIONS

## MUNICIPAL LOCAL OPTIONS

1.50%															+ 0.125%															+ 0.0625%															= 1.6875%																																																																																																																																																					
																														Municipal Infrastructure Gross Receipts Tax Repealed															Municipal Env. Svcs. GRT Repealed															TOTAL RATES																																																																																																																																						
Total															Total															Total															Total															City Imposed Rates															County Imposed Rates															Total Tax Rate																																																																																																								
0.75%															0.25%															0.25%															0.25%															0.125%															0.0625%															1.6875%															1.6875%															1.6875%																																																																										
0.25% 1/1981 0.125% 1/1982 0.125% 7/1987 0.25%															0.25% 1/1995 0.25% 1/1980 0.25%															0.25% 1/2012 0.125% 1/2012 0.125%															0.25% 1/1991 0.0625% 7/1992 0.0625%															0.0625% 7/1991 0.0625%															1.6875%															1.6875%															8.50%																																																																																									
GRT Revenue	650 Municipal General															650 Municipal General															650 Municipal General															650 Municipal General															645 Muni Share General Municipal or Infrastructure															645 Muni Share General Municipal or Infrastructure															630 Municipal Environment																																																																																																							
	292															296															296															347															454-A-98 (Amending 416 94)															Streets															Public Safety															Public Safety															Public Safety															376															1/16 of 1 percent GRT																														for the acquisition, construction, operation and maintenance of solid waste facilities, water facilities, wastewater facilities, sewer systems and related facilities													
Purpose Ordinance	% of 1 percent GRT for the General Fund															% of 1 percent GRT for the General Fund															% of 1 percent GRT for the General Fund															% of 1 percent GRT for the General Fund															% of 1 percent GRT for the General Fund															1/8 <sup>th</sup> of 1 percent GRT for general purposes OR the infrastructure funds															1/8 <sup>th</sup> of 1 percent GRT for general purposes OR the infrastructure funds															1/16 of 1 percent GRT																																																																																								
	To be deposited into the General Fund of the City of Truth or Consequences															To be deposited into the General Fund of the City of Truth or Consequences															To be deposited into the General Fund of the City of Truth or Consequences															To be deposited into the General Fund of the City of Truth or Consequences															To be deposited into the General Fund of the City of Truth or Consequences															1/8 <sup>th</sup> of 1 percent GRT for general purposes OR the infrastructure funds															1/8 <sup>th</sup> of 1 percent GRT for general purposes OR the infrastructure funds																																																																																																							



DETAIL OF GROSS RECEIPTS TAX RECEIVED						
GROSS RECEIPTS TAX	2018-19	2019-20	2020-21	2021-22	TOTAL	% of TTL GRT 4 YR AVG
Code 630 Municipal Environment	86,127	88,587	90,333	101,546	366,593	2.13%
Code 645 Muni-Infrastructure (or General)	172,257	177,180	180,811	207,095	737,343	4.28%
Code 650 Municipal GRT (1.5%)	2,066,556	2,125,544	2,168,960	2,467,620	8,828,680	51.25%
Code 690 Muni Share - State GRT	1,704,138	1,748,814	1,797,357	2,043,798	7,294,107	42.34%
	<u>1.500%</u>					
	<u>1.6875%</u>					
	1.225%					
TOTAL GROSS RECEIPTS TAX RECEIVED	=	4,029,078	4,140,126	4,237,461	4,820,059	17,226,723
						4,306,681



There is nothing financial about it. We would still respond even if we didn't have this agreement in place.

**Commissioner Mitchell moved to approve the Memorandum of Understanding (MOU) between the United States Department of Veterans Affairs Healthcare System and the Truth or Consequences Police Department. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**3. Discussion/Action: State of New Mexico Department of Economic Development Agreement for the T or C Great Blocks Foch Street Improvements:**

City Manager Swingle explained that this is for the major project on Foch Street that was driven by Main Street. Before you is an agreement for \$320,000 for the project, and there will be another one for \$1 million dollars that will be submitted as well. In the packet it shows the project and project cost. It looks like the project costs are going to exceed what MainStreet T or C has been able to obtain so we are going to go out to bid for an RFP and get some costs, and from that point Carrie, the President of Main Street T or C will go out and try to solicit the additional funding. It has been on and off whether the city has matching fund responsibilities. Last they've been told is that our MSD Project in the downtown area which is several million dollars, will suffice for the match funding for this project. We are watching that very closely because initially the city put in around \$20,000 for design for the project, and we have not funded any money other than that, and we are certainly in no position to put large quantities of money in matching funding into this project. This is a reimbursable grant so as the expenses are incurred, we will submit for reimbursement from the state on a monthly basis or as the invoices are generated. He also explained that this project may begin next fiscal year.

**Commissioner Mitchell moved to approve the State of New Mexico Department of Economic Development Agreement for the T or C Great Blocks Foch Street Improvements. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**4. Discussion/Action: Approval of Landscape Architectural Services Proposal with MRWM:**

City Manager Swingle explained that MRWM are the architects that designed the Foch Street Project. When the original project was really thought through and the funding requirements were obtained for it, Main Street T or C thought that the city would take care of construction management and the procurement, but nobody realized the cost associated with the redesign. The project was much more than what we had in revenue so they reduced the size of scope of the project, and that requires a re-design of the project. If the contract is approved today with MRWM it will allow them to facilitate the



re-design changes, draft the procurement and go through the procurement process for us, as well as the construction management for the project. It is for approximately \$59,000.

**Commissioner Fahl moved to approve the Landscape Architectural Services Proposal with MRWM. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**5. Discussion/Action: Approval of the Experimental Aircraft Association (EAA) Agreement:**

City Manager Swingle explained that the Experimental Aircraft Association (EAA) is an entity that the city has traditionally donated a hangar to for the benefit of the EAA and the community. The agreement is expired, and there was no public benefit or interest drafted into the prior agreement. We just donated a hangar every year, and we are not allowed to do that. There has to be a public benefit or interest so the EAA gave a presentation to the Airport Advisory Board at the last meeting discussing what the public benefit was to the community. On page two of the agreement it states that:

- *The Association will develop and submit a plan to the Airport Advisory Board to construct camp sites at the airport for transient pilots. Camp sites will provide additional incentive for pilots to refuel at the airport.*
- *The Association will establish a Young Eagle Flight Program for youths ages 8-17.*
- The Association will host a community fly-in event at the airport.

He explained that those are deliverable benefits to the community. This is an annual agreement and we will revise the deliverables with each year's condition of the agreement. Staff's recommendation is to approve this agreement because it is good for the EAA, the Airport, and the Community.

Commissioner Mitchell stated that item #3 says that the agreement can be renewed up to 3 additional years. Is that saying that we can agree to do one year or 3 years?

City Manager Swingle explained that it can go up to 3 years, but it is on an annual renewal so the Commission can renew it in 1 year should you choose to do that.

Commissioner Harrelson asked what sort of things they have done thus far involving the youth.

City Manager Swingle stated that they have not introduced the eagles program at this point. They are going to. It is something that they have wanted to do for some time, and now it is part of their plan to accomplish that this next year.

**Mayor Pro-Tem Hechler moved to approve the Experimental Aircraft Association (EAA) Agreement. Commissioner Harrelson seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**



**6. Discussion/Action: Approval of Extended Contract with RLC Services, LLC, DBA: Lynn's Landscape:**

Carol Kirkpatrick, Finance Director explained that we went out for a request for proposal for this service, and Lynn' Landscape was awarded the RFP. We have opportunity to extend the contract for 4 years. She believe this is the 3<sup>rd</sup> year extension, and we are asking to extend this contract for one more year.

**Commissioner Fahl moved to approve the Extended Contract with RLC Services, LLC, DBA: Lynn's Landscape. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**I. EXECUTIVE SESSION:**

- 1. Threatened & Pending Litigation (Chuck VanGelder) pursuant to 10-15-1(H.7).**
- 2. Threatened & Pending Litigation (George Henson) pursuant to 10-15-1(H.7).**

**Mayor Pro-Tem Hechler made a motion to go into executive session at 11:10 a.m. to discuss Threatened & Pending Litigation (Chuck VanGelder) pursuant to 10-15-1(H.7) and Threatened & Pending Litigation (George Henson) pursuant to 10-15-1(H.7). Commissioner Fahl seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.**

Mayor Forrister reconvened the meeting in open session at 11:30 a.m.

**Mayor Pro-Tem Hechler certified that only matters pertaining to Threatened & Pending Litigation (Chuck VanGelder) pursuant to 10-15-1(H.7) and Threatened & Pending Litigation (George Henson) pursuant to 10-15-1(H.7) was discussed in Executive Session.**

**J. RETURN TO REGULAR SESSION; ACTION (if any):**

- 1. Threatened & Pending Litigation (Chuck VanGelder) pursuant to 10-15-1(H.7).**

**Mayor Pro-Tem Hechler made a motion to ask City Attorney Rubin to proceed as instructed. Commissioner Mitchell seconded the motion. Motion carried unanimously.**

- 2. Threatened & Pending Litigation (George Henson) pursuant to 10-15-1(H.7).**

**No Action was taken.**



CITY COMMISSION APRIL 27, 2022 REGULAR MEETING MINUTES

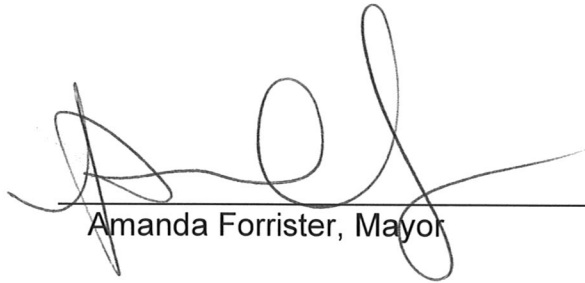
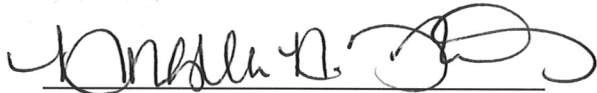
**J. ADJOURNMENT:**

**Mayor Forrister adjourned the meeting at 11:34 a.m.**

**Passed and Approved this 11<sup>th</sup> day of May, 2022.**



ATTEST:

  
Amanda Forrister, Mayor  
Angela A. Torres, CMC, City Clerk