



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: June 8, 2022

Agenda Item #: F.2

SUBJECT: City Commission Regular Minutes, May 25, 2022
DEPARTMENT: City Clerk's Office
DATE SUBMITTED: June 3, 2022
SUBMITTED BY: Angela A. Torres, Clerk-Treasurer
WHO WILL PRESENT THE ITEM: Consent Calendar

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 6-08-2022

**CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
WEDNESDAY, MAY 25, 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, and asked that everyone please keep all the firefighters and everyone dealing with the fire going on in their thoughts and prayers. We are now the 2nd priority in the United States for this fire.

Police Chief Rodriguez also asked that we keep the students and teachers who lost their lives in the school shooting in Texas.

3. PLEDGE OF ALLEGIANCE:

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

4. APPROVAL OF AGENDA:

Mayor Pro-Tem Hechler moved to approve the agenda with the following changes; Remove item C; move item H4 after the Consent Calendar, and move items I8 through items I11 immediately after G1. Commissioner Fahl seconded

the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

C. PRESENTATIONS:

1. Presentation of City of Truth or Consequences Employee Service Anniversary Awards:

Item was removed from the agenda.

D. PUBLIC COMMENT (3 Minute Rule Applies):

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

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

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

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

George Henson addressed the Commission with comments related to:

- (1) He has been working hard to accomplish what the city has asked for in regards to his property.

Carmen Trujillo addressed the Commission with comments related to:

- (1) She heard that the city is going to charge the Swim Team \$4,000 to use the city pool. The Swim Team is a wonderful program for the kids in our community, so she hopes that the city can reduce the fee for the Swim Team to use the pool.

Lynn and Jerome Gray submitted comments to the Clerk. (Complete copy attached hereto and made a part hereof).

Martin Mijal submitted comments to the Clerk. (Complete copy attached hereto and made a part hereof).

E. REPORTS:

City Manager Swingle reported the following:

- We still have vacancies on various advisory 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 three vacancies on the Planning & Zoning Commission. We have received applications for the

**PUBLIC COMMENTS FOR Truth or Consequences City Commission Meeting/Hearing 25 May 2022
by Diane Gunning, 709 Wyona St, Truth or Consequences, NM 87901**

Topics:

- 1) The Survey for neighborhood input regarding support for the art installation on the private property of George Henson, 731 Wyona St, which I wrote, that was mistakenly turned in as part of his court case against the City of T or C for their demands that he remove the portion of his art installation which is on City property, which has been represented by the City Lawyer as negatively affecting the suitability of approval of Rick Dumiak, a signer of the survey, for a seat on the Planning and Zoning Commission.
- 2) The request for variance to City Ordinance Code 15-15 A.1.b. for the requirement for BLOCK 30 Palomas Hot Springs Townsite to have "direct, legal, unobstructed access to an existing City maintained street", which it does not have.

Good Morning Esteemed City Commission Members and City Representatives,

As I mentioned in the 19 May 2022 Planning and Zoning meeting, and was not allowed to say in the 11 May 2022 City Commission meeting, the Survey that the City Lawyer used to malign Rick Dumiak with was written by me. I gave it to George Henson to begin gathering names of neighbors and visitors to his property at 731 Wyona St to show that his collection of found objects is not objectionable to many people. George misunderstood the purpose of the survey and when it had only about 15 names on it, he turned it in as part of a lawsuit with the City. The City has ordered George to remove his found objects from City property, because construction is planned at the end of Wyona St. This survey specifically mentions only private property, not property belonging to the City, yet the City Lawyer tried to make the case that Rick is not fit to have a seat on the Planning and Zoning board because by signing this survey, he has shown his willingness to go against the City in the lawsuit being heard later today, thereby possibly causing the City financial harm. Nothing could be further from the truth.

Rick is a dedicated and knowledgeable candidate for a seat on the Planning and Zoning Commission. He is a firm supporter of the codes, and is in fact the person who spoke up at the 7 April Planning and Zoning Meeting to point out that the request to replat Block 30, which is also being voted on today, is against the code. He did not state personal opinion or desire, or an appreciation of art for his opposition to this summary plat amendment, he quoted the code.

The code states that a summary plat amendment requires the lots to have "direct, legal, unobstructed access to an existing City maintained street." BLOCK 30 is an island in the midst of the City drainage plain, which becomes flooded and swamp-like when it rains heavily. There is **NO ACCESS** to a paved City Street. The landowner, Nathan Stephens, knew this when he purchased the property. He claims he thought he could use the dirt road that connects to Van Patten St. He was wrong. The dirt road crosses

property belonging to other individuals and has a gas pipeline at the side and he cannot just pave this road.

So because he did not do his research beforehand, after the fact he wants to connect his property to Wyona St, a dead end street, with a bridge. He stated at the Planning and Zoning hearing on 19 May 2022 that he plans to build this bridge going up over the dirt berm at the end of Wyona St to his property in order to build his development of 24 condos. This dirt berm rises at least 4 or 5 ft above street level. The road regrading necessary to create this bridge will obstruct access to certainly George Henson's house and possibly the other two nearest homes.

He also stated that this bridge would be no problem because he owns property next to the drainage ditch on Van Patten St and it has never flooded in 12 years.

However, look at a map. His property at 825 Van Patten St is not "next to the **concrete ditch**". At the very closest the front of the building it is about 25 ft from the edge of the concrete ditch. At the back of the building it is about 48 ft from the concrete ditch.

Furthermore, the drainage ditch at this point **IS** a concrete ditch, with **concrete sides**, and measures about 15 ft across.

The drainage ditch at Wyona St is not a concrete ditch. Its sides are made up of dirt and rocks, part of which is the aforementioned dirt berm at the end of Wyona St! George Henson's property at 731 Wyona St is exactly next to and in line with that dirt berm! He is ZERO ft away from the drainage ditch!

The drainage ditch at this point is about 40 ft across to the edge of the dirt road. It is about 90 ft at this point to the edge of Nathan's property that he intends to begin building on. The ditch widens even more into a flat drainage plain beyond Nathan's BLOCK 30.

We neighbors on Wyona St, on BLOCK 26 between the intersection of Post St and the dead end, are all vehemently against this proposed development in the drainage plain. We have not complained about the development of the entire block of 16 lots directly across the street from us, other than to complain about the large amounts of dust that blows into our homes due to the stripping of vegetation from the lot. This is normal development on a paved street with access to City water and sewer lines.

However, BLOCK 30 floats like an island in the midst of the drainage plain. It will be like a **tumor** that must create its own blood vessels to support its growth. A tumor does not have the interests of the body in mind, only its own. It saps the strength and resources of the body for its own purposes. It is a parasite that taxes the surrounding area by its uncontrolled growth.

Why is the City of T or C, the body, so anxious to let this tumor in to begin feeding and growing? It should be stopped now before a chain of events occur to keep it growing. Next it is going to need access to Post St in order to connect with the rest of the "body". It will need another variance to do so because

at bare minimum the center of the required emergency vehicle turnaround will be more than 545 feet from the intersection when the maximum distance allowed is 500 ft.

The City could stop this now, nip it in the bud. It could save the developer money down the line when by all rights the engineers and Flood Control department put an end to his plans, or when heavy rains flood his area and interfere with his building. It could save the City money down the line when it will be responsible for maintaining this bridge, and for the potential flooding issues that will be created.

Growth in itself is not bad. Growth in the wrong spot, of the wrong size, IS bad. Please stop it now before things go any further.

Thank you,

Diane Gunning

TorC City Clerk

From: Martin Mijal <martinmijal@yahoo.com>
Sent: Wednesday, May 25, 2022 7:34 AM
To: TorC City Clerk
Subject: comment to city council 25 May 2022

Dear City Council

The P & Z approved by a vote of 2 to 1 to let the City build a bridge & pave a street so Nathaniel Stevens can build his 24 mini-condos & 48 parking spaces in the area west of the Monsoon Drainage Canal on Wyona Street that is currently undeveloped.

This is an unreasonable increase in traffic which is against the code. Please over-ride the P & Z and do not let this gross increase in traffic overwhelm our tiny residential street not designed for such a large volume of cars & trucks.

I know this is a complicated issue & the future of our city's Air B&B's will make a large impact on our traffic patterns, infrastructure demands, & taking away housing from many of our impoverished citizens.

Martin MIJAL 721 Wyona Street

25 May 2022 Truth or Consequences City Commission Meeting

Good Morning,

Diane Gunning, 709 Wyona Street

At the 11 May Commission meeting, during the consideration of Rick Dumiak for a seat on the Planning and Zoning Board, the City Lawyer questioned the suitability of Rick for the position as Rick had signed a Survey that I had written in support of the found object art installation of George Henson on George's private property on Wyona St.

The City Lawyer feared that this meant that Rick would stand against the City on the lawsuit between George Henson and the City that is to be heard later today, regarding found objects that George had arranged on the dirt berm and easement at the dead end of Wyona St, and possibly cause the City a financial loss thereby.

could

Besides being a misrepresentation of the facts, this was an attack on Rick Dumiak's integrity and he deserves an apology from the City. Besides being knowledgeable and qualified for a seat on the P & Z board, Rick is an honest person who loves the City and would totally work on its behalf. He would do so by exercising impartial judgement and solid adherence to the City Ordinance Codes. Perhaps this is the real issue for the City.

Rick

He is the one who pointed out at the 7 April Planning and Zoning meeting that the summary plat amendment request for Nathan Stephen's BLOCK 30 was illegal as the land did not fill the requirement of having "direct, legal, unobstructed access to an existing City maintained street". A variance for this requirement is up for vote here later today.

The residents of the dead end block of Wyona Street have not protested other development on our street, even the development of the 16 lots on the entire side of street across from us.

However we are totally against the plan to build the amount of 24 homes on the 11 lots that Nathan wants to develop and the bridge that he plans to build at the end of our street as sole access to these homes. The City has already stated its total desire to see this development and bridge happen.

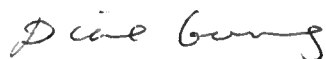
The variance will allow 24 homes and 48 parking spots to be built in the middle of the City drainage plain.

1. This will increase traffic on our street astronomically.
2. Roofs and hardscape will cause additional runoff in the drainage plain
3. Already overtaxed water and sewer lines will have to be extended
4. The re-grading for the bridge will block and possibly damage homes on Wyona St
5. The development will need a cul de sac emergency vehicle turnaround that will be well over the code limit of 500 ft from the intersection with Post St
6. The bridge will promote flooding on Wyona St
7. This development would open the way for more development in the drainage plain that could also use our street for access, more traffic, more problems in the drainage plain and on our street

This development will be like a tumor growing in a place it should not be that is creating its own blood vessels to sap the life force of the body. A tumor does not live for the benefit of the body, it lives for itself and its own purposes.

Please stop this unnatural and unhealthy growth, nip it in the bud now before the developer wastes more time and money, and before the City becomes liable for a costly mistake.

Thank you,



Diane Gunning

Fwd: City of TorC Commission Meeting Help

From: Yarrow (yamsz26@yahoo.com)

To: dankart71@gmail.com

Date: Tuesday, May 24, 2022, 07:25 AM MDT

Yarrow Dankert

Begin forwarded message:

From: "Destiny Mitchell (via SwimTopia)" <noreply@sierracountytiger sharks@swimtopia.net>
Date: May 23, 2022 at 9:05:52 PM MDT
To: Yarrow Dankert <yamsz26@yahoo.com>
Subject: City of TorC Commission Meeting Help
Reply-To: Destiny Mitchell <destinydawn14@hotmail.com>

Dear Swim Team Parents and Members,

I wanted to give a brief history of our swim team sponsorships, in relation to the upcoming City of TorC commission meeting regarding pool rental fees taking place this Wednesday. I would like to urge any and all swim team family members to attend, or write letters to support our organization if possible.

The Sierra County Swim Team began in 1986 with a handful of parents, two handfuls of children, and retired Olympic Coach CJ "Russ" Johnson. From 1986-1993 the swim team was not charged to use the facility, was not required to have their own lifeguards or insurance, and all swim team members got free admission to the pool. In 1994, the swim team joined the Sundance Aquatic Association, a seasonal competitive league out of Albuquerque, encompassing over 16 teams across the state including Belen, Socorro, Las Lunas, Deming, Silver City and TorC. We changed our name to the TorC TigerSharks around 1995, and have since

continued to represent the City of TorC, every year, for the past 22 years, at all of the swim meets and the SAA State Championships each July (sans 2020).

The TorC TigerSharks are a "wet-walking-billboard" for the City of Truth or Consequences, and have been responsible for numerous 'word of mouth' tourists from up north to travel to our special community. Somewhere around 2005, the City of TorC began charging pool entrance fees per swimmers, something not done in the past, and the team shrank in size because of this. Somewhere around 2015, the City of TorC began charging pool rental fees to the swim team, in order to offset the cost of their practices, as City Employees were required to be present to lifeguard during their allotted time. From 2015-2017, the swim team worked under a rental agreement which would allow them to swim year around for \$50 per week in the summer May 1st-July 31st. After Coach Destiny left City of TorC employ, the team was negotiated and contracted to continue to pay the \$50.00 per week as per the previous agreement. However, in 2021, that all changed. During 2018-2021, the swim team supplied their own lifeguards at their own cost mind you.

The previous administration at the pool did not quite understand about private program contracts, those entered into by such entities as the NM State Parks, Apple Tree Day Care, Tresco Tots, Sierra County Swim Team, local Physical Therapists, or the Club of Sierra County. City employees and admin, attempting to "streamline" the pool rental agreements, set the pool rental fees at \$50 PER HOUR for any and all rentals. The Swim Team understands that they need to have some buy in to the City of TorC pool, and have paid the previous \$50 per week for 2018 and 2019 (~\$400), and came up with a negotiated cost for 2021 @ \$850 per season, but they are now being asked to pay \$50 PER HOUR to use the facility for practices. This would work out to an estimated \$4,000 to use the City of TorC swimming pool for the 2022

season. We went from nothing, to \$400, to \$850, to \$4,000 faster than you can say "UNFAIR!"

It is up to your City of TorC commissioners, (sans Destiny) to vote this Wednesday on exactly how much money needs to be floated upon the backs of our youth. It already costs more to join the swim team than any other youth program, because of insurance, uniforms, accessories, and registration fees. Why are we placing these debts on an already indebted team? What will happen to other youth programs such as Appletree or The Sierra Club? Will they have to go somewhere else to swim this summer? Will the swim team have to find another pool to practice in because the rates are too much? These are quality of life issues. Once upon a time we were sponsored by the City of TorC, we were encouraged, and we were supported. As of this current year, we are not. These are things we need to think about for the future of our team.

I urge our swim team parents to speak out at this Wednesday City Commission meeting, and at the bare minimum, to question why this specific youth organization is being charged extravagantly more than any other youth program in the City? What does little league pay for its season? What about Soccer? Softball? Gymkhana? HS Tennis Club? Golf Club? Are any other of these youth organizations being gouged at the \$50 per hour rate that the Swim Team is attempted to be subjected to? I don't have those answers.

At this point in time, we cannot afford to transfer rental fees on to the parents, and we would have to sell a heck of a lot of cupcakes or wash a heck of a lot of cars to meet the proposed rental fee agreements. Couple that with the fact that we will be required to supply our own lifeguards, (certified and volunteers), supply our own insurance of said lifeguards and volunteers, and provide "free" swim lessons to the community, from the ONE certified swim coach in the area, who normally charges \$50 per month per student, causing

her to lose even further revenue in order to conform to their "discounted" rate, is ludicrous.

I don't know how the commissioners will vote on Wednesday, but I do know that the TorC TigerSharks are taking a major hit when it comes to proposed rental fees. I know that myself, personally, will have to seek other work and compensation to maneuver through these changes. And I do not wish to transfer the costs of these fees to the parents, and will do everything in my power not to incur further costs to the team, but there may potentially be a further "rental" fee transferred to our parents if this "agreement" goes through.

I hope that you all will attempt to help us this coming Wednesday, May 25, 2022, 9:00 AM. Parents can speak at public comment about these issues, and/or any other issues they see, such as lack of chairs, lack of shade, lack of support, etc. I have been doing this for 20+ years, and never have we had such issues regarding the swim team. I thank you for your support in this, and I am sorry for the short notice. Viva La Swim Team! We've made so much progress thus far, I hope we can continue! :)

Sincerely,
Coach Destiny

*Stop trying
scoreboard
maneuver to
maneuver to
propose
maneuver*

You received this message because of your affiliation with [Sierra County Tiger Sharks](#).
Download the [SwimTopia Mobile App](#) on the [App Store](#) or [Google Play](#).

RON PACOUREK 575-740-4747

OVER CHARGING EVERY T or C WATER CUSTOMER

In reference to Ordinance 712 the city's utility's have been over charging every water customer since after Oct 2021 When Mr Swingle announce the increase 5.4% based on CPI. The ordinance was not implement as written

Read the heart of the ordinance 712.

I have tried three times to have ordinance 712 put on the PUAB agenda to clarity The verbiage and amend it so it would not be misinterpreted when implemented. But have been denied all three times.

So I went to manager Swingle with this issue of this ordinance being implemented incorrectly that the RATES should be increased by the CPI NOT the base customer charge is a fee a set price not a calculated rate.

Mr.Swingle and I met three times about this issue he said he would look into it and talk to city attorney Ruben and after months I have not got any resolution .

So I'm bringing this issue to the city commissioners who represent us to fix this over charge to all the water customers.

July is coming up and the inflation is about 8.3 and or going to be higher.

FEES and RATES There so many discrepancies in our ordinances. for example

Municipal code 14-79 in ordinance 498 (sewer rates) Each July and every year hereafter, the FEES shall be subject to be adjusted automatically to reflect a five percent increase.

Municipal code 11-14.1 FEES in ordinance 648 (solid waste) Each July of every year hear after the FEES shall be adjusted automatically to reflect a five-percent increase.

T or C price sheet does not reflect these words FEE or RATE only the word charge. Banks have Deposit Rates, Loan Rates; overdraft, late, certified check. FEES.

The other utility company in T or C is the New Mexico Gas Co. on there price sheet only has FEES and RATES on it, no were is the word CHARGE on it.

T or C utility's need to come into the 21st century business world.

CITY OF TRUTH OR CONSEQUENCES

ORDINANCE 712

**AN ORDINANCE AMENDING THE CITY OF TRUTH OR CONSEQUENCES
MUNICIPAL CODE OF ORDINANCES, BY AMENDING SECTION 14-38 OF THE
CODE PERTAINING TO WATER RATES - GENERALLY**

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

Section one. That section 14-38 of the Code of Ordinances of the City of Truth or
Consequences be amended so that such section shall read as follows:

SEC. 14-38. - WATER RATES—GENERALLY.

(a) *Rates to residential and commercial customers within the City limits and the Village of
Williamsburg.* The rates for water are as follows:

Base Customer charge: FEE	\$15.50 per month (includes first 2,000 gallons)
Usage charge: RATE	
2,001-7,000 gallons	\$2.71 per each 1,000 gallons
7,001-15,000 gallons	\$3.07 per each 1,000 gallons
15,001-29,000 gallons	\$3.45 per each 1,000 gallons
29,001-50,000 gallons	\$3.88 per each 1,000 gallons
In excess of 50,000 gallons	\$4.33 per each 1,000 gallons

There shall be an annual increase equivalent to the CPI (Consumer Price Index) in all of the
above rates with the first increase commencing on July 1, 2021, **AND REVIEWED EVERY 3 YEARS**

- (b) *Meters required.* The Governing Body shall require consumers to install water meters with
the exception of services installed for fire suppression.
- (c) *Shortage of water.* When there is a shortage of water supply of the City, the Governing
Body reserves the right to control the manner of use and time of use by consumers of water
supplied to them by the system, and to make such rules and regulations therefore by
proclamation of the Governing Body. Any consumer taking or using water contrary to such

regulations and rules, as may be promulgated in such proclamation, shall be deemed guilty of a misdemeanor.

- (d) *Rates to consumers outside the City limits.* Rates charged to consumers outside the City limits are the same as those rates set forth in section 14-38(a), Water rates—Generally.
- (1) *Reference:* As provided in section 14-28(b) Service—Applications; extension: All requests and proposals to supply water to consumers outside the City limits and all proposed water system plans, designs, and specifications to deliver water beyond the City limits require prior approval by the City Commission.
- (2) *Reference:* As provided in section 14-28(a) Service—Applications; extension: Applicants who wish to have water supplied beyond the City limits shall be responsible for "payment for necessary line extensions."

The City reserves the right to deny applications and requests to supply water beyond the corporate limits of the City when in the opinion of the City Manager and by vote of the City Commission such requests would impair the supply of water to existing customers located within the corporate limits of the City.

- (e) *Industrial fire plug meter.* The minimum monthly charge shall be \$91.91, which shall entitle the consumer up to 50,000 gallons per month. The second 50,000 gallons consumed shall be charged at the rate of \$1.84 per 1,000 gallons. The third 50,000 gallons consumed shall be charged at the rate of \$2.02 per 1,000 gallons. All water consumed in excess of 200,000 gallons per month shall be charged at the rate of \$2.22 per 1,000 gallons.
- (f) *Effluent water/recycled water.* The charge shall be \$1.35 per 1,000 gallons. If a meter is used, the minimum monthly charge shall be \$25.00 plus actual usage.

(Code 1962, § 3-3-12; Ord. No. 371, 5-14-90; Ord. No. 387, 11-12-91; Ord. No. 405, 2-8-93; Ord. No. 411, 1-10-94, Ord. No. 459, § 1, 7-13-98; Ord. No. 475, § 1, 7-24-00; Ord. No. 491, § 1, 3-26-01; Ord. No. 497, §§ 1, 2, 7-9-01; Ord. No. 521, § 1, 10-16-02; Ord. No. 526, § 1, 5-27-03; Ord. No. 530, § 1, 8-25-03; Ord. No. 572, 6-20-07)

Section two. Subsections 14(b) – 14 (f) shall remain in full force and effect.

Section three. Effective date: The provisions of this Amended Ordinance shall become effective April 1, 2020.

PASSED, APPROVED, and ADOPTED by the GOVERNING BODY of the CITY OF TRUTH OR CONSEQUENCES this 26th day of February, 2020.

Sandra Whitehead

SANDRA WHITEHEAD - Mayor



Angela Torres

ANGELA TORRES - Interim City Clerk

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF THE APPLICATION)
OF NEW MEXICO GAS COMPANY, INC.)
FOR APPROVAL OF REVISIONS TO ITS)
RATES, RULES, AND CHARGES PURSUANT)
TO ADVICE NOTICE NO. 87)
)
NEW MEXICO GAS COMPANY, INC.)
Applicant.)

Case No. 21-00267-UT

NOTICE TO NMGC CUSTOMERS

New Mexico Gas Company, Inc. (“NMGC” or “Company”) is providing the following information to you regarding NMGC’s request to change the rates it charges for delivering natural gas to your home and business as required by the New Mexico Public Regulation Commission (“NMPRC or Commission”). This notice is being given to you for your information and describes the process the NMPRC uses to consider NMGC’s rate change request. No action is required on your part unless you would like to participate in this process.

The information below outlines the rate changes that could take place for delivering natural gas to your home or business. The changes requested may affect all customer classes. You are welcome to review documents related to the filing or attend the hearing on the filing itself.

Please keep in mind that the cost of the natural gas you use will continue to be billed to you with no mark-up. According to NMGC, this rate request is for an increase to the cost of service which includes the “Monthly Access Fee” and does not affect the cost of the natural gas provided to you.

On December 13, 2021, NMGC filed a request with the Commission to amend its rate schedules and change its rates for delivering natural gas services to your home and business. NMGC is requesting total additional base rate revenues of \$40.7 million, which if approved, would be an increase of approximately 20.8% above its current operating revenues.

Examples of the anticipated residential bills at various gas consumption levels, assuming that the new proposed rates NMGC are approved, but excluding applicable fees and taxes, are shown below in Table 1.

Table 1 - Anticipated Residential Bills by Consumption level.

ANTICIPATED MONTHLY RESIDENTIAL BILL	\$ PER THERM	0 THERMS	50 TERMS	100 THERMS	200 THERMS	300 THERMS
Monthly Access Fee	\$ 4.25	\$ 14.25	\$ 14.25	\$ 14.25	\$ 14.25	\$ 14.25
Transmission Rate	\$ 0.1207	\$ 0.00	\$ 6.04	\$ 12.07	\$ 24.14	\$ 36.21
Distribution Rate	\$ 0.1661	\$ 0.00	\$ 8.31	\$ 16.61	\$ 33.22	\$ 49.83
Cost of Gas*	\$ 0.5822	\$ 0.00	\$ 12.75	\$ 25.50	\$ 51.00	\$ 76.50
Other Fees and Taxes**		\$ 1.67	\$ 7.15	\$ 12.63	\$ 23.58	\$ 34.54
Residential Total Proposed Monthly Bill		\$ 15.92	\$ 64.85	\$ 113.78	\$ 211.63	\$ 309.49
Residential Current Monthly Bill		\$ 13.42	\$ 59.39	\$ 105.37	\$ 197.31	\$ 289.26

*For illustration purposes, this is the forecasted weighted average Cost of Gas for the 2023 Future Test Year in the rate case. NMGC passes through the direct costs of gas on to you with no mark-up.

**Includes other applicable fees and taxes for residential customers.

Currently, the average residential therm-use ranges from a low of 14 therms in August to a high of 127 therms in January. If NMGC's proposed new residential rates are approved, the monthly bill for an average residential customer using 53 therms of gas a month would increase \$5.63 reflecting a 9.1% increase over 2021 residential rates, if the cost of gas portion of the bill does not change.

Below are the present and proposed rate components for each customer rate class for which an increase is proposed. These rates are included as portions of the lines labeled "Distribution", "Transmission", and "Access Fee" on your bill. Also, on your bill, your particular customer rate class is listed above the line on your bill that reads "Cost of Gas."

Table 2 - Present and Proposed Rate Changes by Rate Class

CUSTOMER RATE CLASS	RATE COMPONENT	PRESENT RATE	PROPOSED RATE	PERCENT CHANGE
Residential Rate No. 10	Monthly Access Fee	\$ 12.00	\$ 14.25	18.8%
	Transmission (\$/Therm)	\$ 0.0675	\$ 0.1207	78.8%
	Distribution (\$/Therm)	\$ 0.1661	\$ 0.1661	0.0%
Total Percentage Change				20.5%
Irrigation Service Rate No. 30	Monthly Access Fee	\$ 34.80	\$ 36.40	4.6%
	Transmission (\$/Therm)	\$ 0.0381	\$ 0.0354	-7.1%
	Distribution (\$/Therm)	\$ 0.0376	\$ 0.0376	0.0%
Total Percentage Change				0.0%
Water and Sewage Pumping Rate No. 31	Monthly Access Fee (<200,000 Therms/Year)	\$ 101.90	\$ 107.00	5.0%
	Monthly Access Fee (>200,000 Therms/Year)	\$ 175.00	\$ 175.00	0.0%
	Transmission (\$/Therm)	\$ 0.0439	\$ 0.0432	-1.6%
	Distribution (\$/Therm)	\$ 0.0462	\$ 0.0415	-10.2%
Total Percentage Change				0.0%
Cogeneration Rate No. 35	Monthly Access Fee (<450,000 Therms/Year)	\$ 55.00	\$ 55.00	0.0%
	Monthly Access Fee (>450,000 Therms/Year)	\$ 350.00	\$ 350.00	0.0%
	Transmission (\$/Therm)	\$ 0.0337	\$ 0.0342	1.4%
	Distribution (\$/Therm)	\$ 0.0786	\$ 0.0454	-42.2%
Total Percentage Change				0.0%
Gas Airconditioning Rate No. 37	Monthly Access Fee	\$ 19.40	\$ 23.00	18.6%
	Transmission (\$/Therm)	0.0259	\$ 0.0259	0.0%
	Distribution (\$/Therm)	\$ 0.0340	\$ 0.0431	26.8%
Total Percentage Change				26.0%
Compressed Natural Gas Vehicle Fuel Rate No. 39	Distribution (\$/Therm)	\$ 0.0514	\$ 0.0648	26.1%
Total Percentage Change				26.1%
Small Volume - General Service Rate No. 54	Monthly Access Fee	\$ 23.50	\$ 27.75	18.1%
	Transmission (\$/Therm)	\$ 0.0737	\$ 0.1074	45.7%
	Distribution (\$/Therm)	\$ 0.0788	\$ 0.0788	0.0%
Total Percentage Change				20.5%
Medium Volume - General Service Rate No. 56	Monthly Access Fee	\$ 109.00	\$ 130.00	19.3%
	Transmission (\$/Therm)	\$ 0.0564	\$ 0.0708	25.5%
	Distribution (\$/Therm)	\$ 0.0521	\$ 0.0661	26.9%
Total Percentage Change				26.0%
Large Volume - General Service Rate No. 58	Monthly Access Fee	\$ 1,240.00	\$ 1,475.00	19.0%
	Transmission (\$/Therm)	\$ 0.0492	\$ 0.0492	0.0%
	Distribution (\$/Therm)	\$ 0.0404	\$ 0.0799	97.8%
Total Percentage Change				26.0%
Sale for Resale Rate No. 61	Monthly Access Fee	\$ 2,000.00	\$ 2,000.00	0.0%
	Transmission (\$/Therm)	\$ 0.0270	\$ 0.0382	41.5%
Total Percentage Change				26.0%

CUSTOMER RATE CLASS	RATE COMPONENT	PRESENT RATE	PROPOSED RATE	PERCENT CHANGE
Non-NMGC End Use Rate No. 70 Total Percentage Change	Transmission (\$/Therm)	\$ 0.0202	\$ 0.0254	25.7% 25.7%
Compressor Fuel Rate No. 72 Total Percentage Change	Monthly Access Fee Transmission (\$/Therm)	\$ 0.00 \$ 0.00	\$ 250.00 \$ 0.0251	N/A
District Energy System Service Rate No. 114 Total Percentage Change	Monthly Access Fee Transmission (\$/Therm) Distribution (\$/Therm)	\$ 1,250.00 \$ 0.0356 \$ 0.0342	\$ 1,475.00 \$ 0.0461 \$ 0.0420	18.0% 29.5% 22.8% 26.1%
Transportation to Ciniza Refinery Rate No. 819	Proposed Cancellation			

The rate changes by customer class identified above are for informational purposes only, and the final rate design approved may vary the rates ultimately charged to each customer class and for each consumption level.

NMGC's proposed new rates are based on a Base Year Period measured from July 1, 2020 through June 30, 2021, and a Future Test Year measured from January 1, 2023 through December 31, 2023.

NMGC is requesting a return on common equity of 10.1%, and a weighted average cost of capital of 6.89%.

NMGC is proposing changes to its rate design to include an integrity management cost recovery mechanism, a new proposed rate for customers operating compressor facilities, a modification to its Rate No. 39 to facilitate the development of compressed natural gas stations and vehicles usage in the State and increases in access fees for certain rate classes.

New Mexico Gross Receipts Tax and any applicable franchise fees charged by governmental entities will remain as a separate line item on your bill and are not part of NMGC's revenue request in this case.

On January 5, 2022, the Commission issued an Initial Order suspending NMGC's proposed rates for a period of nine months starting January 12, 2022 and appointing the undersigned to preside over the proceeding and issue a recommended decision.

NMGC's application has been assigned Case No. 21-00267-UT by the Commission and inquiries should refer to that case number.

The present procedural schedule for this case is as follows:

- a. Any person desiring to intervene in the proceeding must file a motion to intervene by April 4, 2022, pursuant to 1.2.2.23 NMAC. All motions for leave to intervene shall be served on all existing parties and prospective intervenors of record.
- b. Staff shall, and any intervenors may, file testimony shall by May 25, 2022.
- c. Any stipulation and supporting documents pursuant to 1.2.2.20 NMAC including the reconciliation statement containing the information listed in 1.2.2.36(F) NMAC may be filed on or before June 7, 2022. Any stipulation shall, at a minimum, identify the following cost of service components to apply following issuance of a final order: depreciation rates; return on equity; tax unadjusted weighted average cost of capital; and annual amortization amount for each amortized item in the cost of service.
- d. Opposition to any stipulation shall be filed by June 13, 2022.
- e. Rebuttal testimony or in the alternative, testimony in support of a stipulation shall be filed by June 15, 2022.
- f. Testimony in opposition to any stipulation shall be filed by June 22, 2022.
- g. A prehearing conference will be held on June 24, 2022, at 9:30 A.M. via the Zoom platform.
- h. A public hearing to hear and receive testimony, exhibits, arguments is set to commence at 9:00 A.M. on June 27, 2022, and continue thereafter, if necessary, on June 28-30, and July 5-8, 2022. The hearing will take place via the Zoom platform in whole or in part depending on potential Covid restrictions, guidelines, or safety concerns, and/or space considerations in the Commission offices. Participation in the evidentiary hearing shall be limited to party-participants (i.e., counsel, witnesses, and other representatives of the parties), and the Commissioners. Interested persons may view the evidentiary hearing via a livestream on YouTube provided on the Commission's website at <http://www.nmprc.state.nm.us/>

The procedural dates and requirements of this case are subject to further order of the Commission or Hearing Examiner. The Commission's Rules of Procedure, §§1.2.2.1 NMAC, et seq., shall apply to this case except as modified by order. A copy of the Rules may be obtained from the offices of the Commission or at <http://www.srca.nm.gov/parts/title01/01.002.0002.html>.

Interested persons may examine NMGC's Application, and all other documents filed in this case, together with any exhibits and related papers at NMGC offices located at 7120 Wyoming Boulevard, NE, Albuquerque, New Mexico 87109, 1-888-664-2716 or online at NMGC's website at nmgco.com/en/regulatory_filings or at the Commission's website online at <http://nmprc.state.nm.us> under "Case Lookup EdoCKET."

Interested persons who are not affiliated with a party may make written or oral comments without becoming intervenors. Oral comments will be entertained only at the 9:00 A.M. start of the hearing on June 27, 2022 and will be limited to three minutes. Persons interested in providing public comment must request a Zoom invitation by e-mailing Ana Kippenbrock at ana.kippenbrock@state.nm.us by no later than 3:00 pm MT on June 24, 2022. Interested persons may also send written comments, which shall reference NMPRC Case No. 21-00267-UT, to the Commission at prc.records@state.nm.us. Such comments will not be considered as evidence in this case. Anyone filing pleadings, documents or testimony in this case shall, until further notice, comply with the Commission's electronic filing policy, as amended from time to time. This includes filings in .pdf format, with electronic signatures, sent to the Records Bureau's email address, as set out on the Commission's website, at: prc.records@state.nm.us within regular business hours of the due date, in order to be considered timely filed. Parties shall serve a copy on all parties of record and Staff. All filings shall be emailed on the date they are filed with the Commission. In addition, all filings shall be emailed to the Hearing Examiner on the date filed at elizabeth.hurst@state.nm.us. Such emailing shall include the Word or other native version of the filing (e.g., Excel or Power Point) if created in such format.

ANY PERSON WITH A DISABILITY REQUIRING SPECIAL ASSISTANCE IN ORDER TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE COMMISSION AT LEAST 24 HOURS PRIOR TO THE COMMENCEMENT OF THE HEARING.

I S S U E D at Santa Fe, New Mexico this 27th day of January 2022.

NEW MEXICO PUBLIC REGULATION COMMISSION

/s/Elizabeth C. Hurst

**Elizabeth C. Hurst
Hearing Examiner**

Editor's note— Ord. No. 648, adopted Nov. 12, 2013, changed the title of § 11-14 from "Solid waste collection center fees" to "Residential/commercial poly-carts and dumpsters."

Sec. 11-14.1. - [Fees.] MUNICIPAL CODE

(a) Collection fees.

 EXPAND

Number of Pick-ups per Week	Residential Poly-cart (1)	Residential Additional Poly-cart	Residential Dumpster	Basic Commercial Poly-cart (1)	Basic Commercial Additional Poly-cart	Commercial Dumpster (Small)
1	\$22.37	\$11.18	\$44.85	\$32.37	\$16.18	
2	N/A	N/A	N/A	N/A	N/A	
3	N/A	N/A	N/A	N/A	N/A	
4	N/A	N/A	N/A	N/A	N/A	
5	N/A	N/A	N/A	N/A	N/A	
6	N/A	N/A	N/A	N/A	N/A	

N/A = Not applicable/not available

 EXPAND

Replacement poly-cart	\$60.00
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Each July of every year hereafter the fees shall be adjusted automatically to reflect a five-percent increase.

Sec. 14-79.- Service charges.

CHAPTER 14 - UTILITIES

(a) *Residential use:*

SEWER 14-79-E

ORDINANCE
498

Customer charge, per month \$9.23

Usage charge, per each 1,000 gallons \$3.12

MUNICIPAL CODE

- (1) Residential customers' billable wastewater flows will be calculated by averaging the three lowest of the four months' billings for each December, January, February, and March. Each April, the billable flows for each residential customer will be adjusted based on the average of three of the lowest four prior December, January, February, and March billing months. Where no prior December, January, February, and March billing is available to average for wastewater billing for an individual customer, an average consumption of 5,000 gallons will be used. If actual water consumption during any month is less than the average winter months' consumption, based on the calculations as described above, the wastewater flow billed will be equal to the actual metered water consumption for that month.
- (2) For residences using the hot mineral water dedicated sewer lines and systems, the monthly charge shall be \$10.00.

Each ~~July~~ ^{APRIL} and every year hereafter, the fees shall be subject to be adjusted automatically to reflect a five percent increase.

(b) *Commercial use:*

Customer charge, per month \$9.23

Usage charge, per each 1,000 gallons \$3.12

- (1) The volume for each commercial use shall be based on the monthly water usage.
- (2) From bathhouses using the sewer lines and system, the monthly charge shall be \$30.75.
- (c) *Users within the City limits not using City water.* From all persons, not otherwise provided for in this section, deriving their domestic or commercial water supply from a privately owned source or well not supplied by the City, the monthly service charge shall be \$19.10.
- (d) *Automatic pass through charge.* At any time there is an increase or decrease in production costs or in the cost of electricity or any other form of energy used in the processing of waste passing through the municipal sewer service, such cost adjustments shall be automatically passed on to the customer on a pro rata basis. The City Commission shall make appropriate rate adjustments each year during budget hearings which shall apply for the following year.

City of Truth or Consequences - Rate Sheet

ELECTRIC		CUSTOMER CHARGE	LV1 CHG RATE	.09 PER kwh	.0414 PER kwh (Pass-Through)	ENERGY COST ADJ			
DESCRIPTION		CHARGE FEE	CHG RATE	per kwh		LV2 CHG RATE USE	LV3 CHG RATE USE	LV4 CHG RATE USE	Total .1314
Residential		\$ 8.00	0.1314	per kwh					
City Departments			0.108	per kwh					
City Street Lights			4.750	per light					
Mims Street Lights		\$ 2.12							
Small Commercial 1 Phase		\$ 10.00	0.136	per kwh					
Small Commercial 3 Phase		\$ 12.00	0.136	per kwh					
Large Commercial 1 Phase		\$ 23.25	0.118	per kwh					
Large Commercial 3 Phase		\$ 25.50	0.118	per kwh					
Demad - Large Commercial		\$ 5.57	\$8.00	per kw					
Yard Light									
WATER									
DESCRIPTION		CUSTOMER CHARGE	MIN CHARGE	LV1 CHG RATE USE	LV2 CHG RATE USE	LV3 CHG RATE USE	LV4 CHG RATE USE	LV4 CHG RATE	
Residential		\$ 16.34	\$ 9.91	2001-7000	7001-15000	15001-29000	29001-50	\$ 3.64	\$ 4.09
Commercial		\$ 16.34	\$ 9.91	2001-7000	7001-15000	15001-29000	29001-50	\$ 3.64	\$ 4.09
City Landscaping		\$ 9.91	\$ 9.91	for first 500 gallons	per 1,000 gallons				
Industrial		\$ 16.34	\$ 16.34	2001-7000	7001-15000	15001-29000	29001-50	\$ 3.64	\$ 4.09
WMBG Residential		\$ 16.34	\$ 16.34	2001-7000	7001-15000	15001-29000	29001-50	\$ 3.64	\$ 4.09
WMBG Commercial		\$ 16.34	\$ 16.34	2001-7000	7001-15000	15001-29000	29001-50	\$ 3.64	\$ 4.09
City Water		\$ 16.34	\$ 16.34	2001-7000	7001-15000	15001-29000	29001-50	\$ 3.64	\$ 4.09
Outside City Limits			\$ 16.34	for first 3,000 gallons	per 1,000 gallons				
Effluent Water			\$ 13.35	per 1,000 gallons + \$25.00 if used					
SEWER									
DESCRIPTION		CUSTOMER CHARGE	LV1 CHG RATE						
Commercial		\$ 12.36	\$ 4.18	per 1,000 gallons					
SW Residential Averaged		\$ 12.36	\$ 4.18	per 1,000 gallons					
SW WMBG Commercial		\$ 19.72	\$ 4.18	per 1,000 gallons					
SW WMBG - Residential Average		\$ 19.72	\$ 4.18	per 1,000 gallons					
SW Bathroom Commercial		\$ 41.21							
SW Residential Bathroom		\$ 13.41							
SANITATION									
DESCRIPTION		CUSTOMER CHARGE	FEES						
Residential Poly Cart		\$ 31.47		Dumpster				\$ 63.10	
Commercial Class 1		\$ 63.10		Residential Additional Poly Cart				\$ 15.75	
Commercial Class 2		\$ 100.56		Basic Commercial Poly Cart				\$ 45.55	
Commercial Class 3		\$ 147.30		Commercial Additional Poly Cart				\$ 22.76	
Commercial Class 4		\$ 197.28							
Commercial Class 5		\$ 568.05							

Public comment 5-25-2022

Madam Mayor and City Commissioners
Rick Dumiak
705 Charles
TorC

Please bear with me as I lay out this chain of events and see what you think.....

If you recall at the last city commission meeting on May 11th, my appointment or non appointment to the Planning and Zoning advisory board was tabled based on the advice of our city attorney.

This commission voted to table my appointment or non appointment based on our city attorneys recommendation.

In my opinion this was a violation of my civil rights as my signing of any petition is my right as a citizen of the United States and the petition I signed applied only to private property and not any city property or any legal action between the city or the property with the art work I supported.

However, I would like to back up a bit: my nomination to the Planning and Zoning board took place at the P&Z meeting on April 7th. and was recorded into the meeting minutes. Also on the agenda was a request for a summary plat amendment on parcel 3022079415169 or the property across the drainage ditch on Wyona.

I presented comments to the P&Z advisory board that I believed the plat amendment did not meet the criteria according to Sec 15-15 A2 line b "both lots to be created have direct, legal, unobstructed access to an existing city maintained and paved street with curb gutter and sidewalk. As the property in question failed to meet that standard the plat amendment should have been denied. At the P&Z meeting one of the board members asked if that was true and assistant City Manager Alvarez said that legal had reviewed the amendment and as far as she knew there was no issue.

Now, On April 8th I saw the City Commission agenda for April 13th and noticed my nomination to the P&Z was not on the agenda.

I had assumed my potential appointment to the P&Z would be on the next city commission meetings agenda on April 13th.

Also, In looking over the packet that was publicized on April 8th for the City Commission meeting on April 13th I noticed that the P&Z meeting minutes were incomplete as not only was my nomination to the P&Z included in the meeting minutes, but my written opposition to the plat amendment was also missing.

Now at the April 13th city commission meeting our city attorney stated there was no opposition at the P&Z meeting regarding the plat amendment split and since my written opposition wasn't in the complete P&Z meeting minutes that was an erroneous statement on his part and yet this commission voted to approve the plat split with out all the pertinent information being made available to you.

On April 22nd the agenda for the City Commission meeting on April 27 was publicized and I noticed my nomination for P&Z failed again to make the agenda.

I emailed the city clerk on April 22nd and asked what happened to my nomination? I was told that there was now a second applicant and the decision was made to wait until after the next P&Z meeting to see if the second applicant was nominated. I didn't understand this delay but accepted it even though it seemed wrong as the City manger has frequently called for volunteers to sit on the P&Z so I didn't understand the delay.

On May 6th the agenda for the May 11 City Commission meeting was publicized and under item 15 was my appointment or non appointment to the P&Z advisory board was on the agenda.

At the May 11th City `Commission meeting City Attorney Rueben recommended tabling a vote on my appointment based on a petition I had signed while I was not yet a member of the P&Z.

Based on that chain of events I asked the NM Attorneys Generals Office for an opinion on a possible civil rights violation to my appointment or non appointment being put off based on a petition. The AGs office told me they would be following the outcome of this as they were also concerned about a possible civil rights violation.

Now fast forward back to this morning and I am here to say what would you have done in my position? I do not want to cause the city any more aggravation than every day life brings but we also all have opinions and rights that we expect to be honored.

While I am sorry if my inquiry to the Attorney General has caused any disruption for the city staff, or to the P&Z Advisory Board, I stand by my belief in our basic rights to simply sign a petition in support of art on someones private property with out fear of having my support of the city called in question or my appointment or non appointment to the P&Z tabled.

Now, it was noted that the petition I signed may be part of a suit between the person who's art I supported, it also is important to note that no where in that petition is there any mention of any legal action between the property in question or the City of TorC nor does it say anything about encroachment on city property.

As a side note I would like to point out that at the May 19 P&Z meeting a variance was requested by city staff and was granted on the plat amendment because it failed to meet the criteria in 15-15. *THAT IS BEFORE YOU TODAY AS ITEM E-11.*

It was stated by Assistant city Manager Alvarez that if the property was developed in the future the applicant would be required to meet section 15-15 pertaining to city maintained streets with curbing and gutters.

In my opinion the original application should not have been granted as it failed to meet 15-15.

As an elected and Governing body we as citizens look to you to make decisions regarding our cities future but we also expect you to listen to all concerned parties and base your decisions on facts not assumptions or possibilities.

Thank you
Rick Dumiak

Torres, Angela

From: TorC City Clerk
Sent: Wednesday, May 25, 2022 9:12 AM
To: Torres, Angela
Subject: FW: City Commission Meeting/Hearing Wednesday, 25 May 2022, 9:00am

FYI...

From: ComputerScare@protonmail.com [<mailto:ComputerScare@protonmail.com>]
Sent: Tuesday, May 24, 2022 4:41 PM
To: TorC City Clerk
Subject: City Commission Meeting/Hearing Wednesday, 25 May 2022, 9:00am

PLEASE ADD OUR COMMENTS INTO THE MINUTES:

1-
We oppose any and all proposed variances to Block 30, including (but not limited to): division of the property; access to the property; and especially, the building of the proposed Wyona bridge.

Nathan and the City have failed to show how building in the drainage plain contributes to the Common Good we all seek. We don't want the public to be left holding the bag financially on an expensive boondoggle that floods every couple of years.

2-
We support Rick Dumiak's nomination to P and Z receiving a free and fair discussion.

Rick was incorrectly accused of having a conflict of interest. Rick's considerable expertise will contribute mightily to P and Z. He should not have been maligned as he was at the Council meeting on 14-May-2022.

Sincerely,

Lynn and Jerome Gray
Owners of the property and real estate at 725 Wyona

8640 N. Lucretia Mott Road
McNeal AZ 85617
(575) 313-7799

TorC City Clerk

From: Martin Mijal <martinmijal@yahoo.com>
Sent: Wednesday, May 25, 2022 7:34 AM
To: TorC City Clerk
Subject: comment to city council 25 May 2022

Follow Up Flag: Follow up
Flag Status: Completed

Dear City Council

The P & Z approved by a vote of 2 to 1 to let the City build a bridge & pave a street so Nathaniel Stevens can build his 24 mini-condos & 48 parking spaces in the area west of the Monsoon Drainage Canal on Wyona Street that is currently undeveloped.

This is an unreasonable increase in traffic which is against the code. Please over-ride the P & Z and do not let this gross increase in traffic overwhelm our tiny residential street not designed for such a large volume of cars & trucks.

I know this is a complicated issue & the future of our city's Air B&B's will make a large impact on our traffic patterns, infrastructure demands, & taking away housing from many of our impoverished citizens.

Martin MIJAL 721 Wyona Street

CITY COMMISSION MAY 25, 2022 REGULAR MEETING MINUTES

Planning & Zoning Commission. Hopefully we will be able to fill all of the vacancies on that board at our next meeting.

- Our Sanitation Director has talked to the Commission, and pointed out that the recycling program here in the community has not be as fruitful as we had hoped. Particularly with glass, plastics and mixed paper products. It is costing the city a lot more money than what the benefit is in recycling those items. We are spending a lot of money in having the items disposed of. Sanitation Director Alvarez would like to eliminate the recycling efforts those particular items. However, we will continue recycling for tin/aluminum cans, cardboard, shredded paper, metal scraps, electronic motors and wiring, batteries, and appliances. The recycle trailers that are staged in various locations of the community are not really being used for recycling anymore. People are using them as a dumping site and they are not really recycling. We will be recommending that issue to be addressed in the very near future.
- He asked that the community to be very understanding of the water leak issue that we have. We are still experiencing water leaks. Our infrastructure is decades old. We are not going to solve this problem overnight in the short term. It will take several years for us to get a grip on the water leaks. The aggressive water leaks will take priority and will be addressed first, and the slow trickles are a lower priority.

City Attorney Rubin had no reports.

City Commission Reports:

Commissioner Mitchell reported the following:

- They are wrapping up the last financial part of Fiesta. She is super excited for next year.
- She noticed that they were painting the crosswalks downtown. She feels that it is ironic that they painted it after Fiesta, and she thought that we were going to start a big project and rip out Main Street and Broadway.

City Clerk Torres explained that the city and NMDOT received a lot of complaints regarding the crosswalks not being painted so NMDOT is addressing that right now. The street project is a completely different project.

- She commented on the Kopet fire and commended the community for helping them out. Within a day they had more than they really needed despite losing everything.

Commissioner Fahl reported the following:

- This weekend is Memorial Weekend which is recognizing the people who gave an ultimate sacrifice. We need to think of that, and not about the 3 day weekend. It is very important to her because she has sons who were willing to do that.
- She is thankful for the Forest Service, and the orange and red planes that you see getting water are air scoopers, and this is the first time those planes are

CITY COMMISSION MAY 25, 2022 REGULAR MEETING MINUTES

being used in this area. Normally those planes are used in California. We have a lot of financial issues with our airport, but the cool thing is that those planes are parking at our Airport and utilizing our fuel (she joked that we should have raised our fuel prices). Kudos for us for having them out there.

Commissioner Harrelson reported the following:

- She clarified that it was never stated that we were going to charge the Swim Team \$4,000 to use the pool. She wants that to be clear to everybody. What was said is that we donate, as the city back to the pool by not charging them, and if we did charge them, it would be \$4,000. She wanted to clarify that so everyone knows that charging the Swim Team \$4,000 was never on the table. What was on the table was to charge what was asked which was \$910 and then have the pool facilitated by having swimming lessons by the Swim Team, donated back to our civilian people that are not part of the swim team.
- She gave kudos to the high school community kids who went out and put up 10 tents in Winston to support what is going on with the fire. We have school based kids that are going out to help.

Mayor Pro-Tem Hechler had no reports.

Mayor Forrister reported the following:

- She thanked the community who stepped up in the community to offer support with the Black Fire as well as with the Kopet fire. It is such a wonderful community that we live in.

F. CONSENT CALENDAR:

1. **City Commission Regular Minutes, May 11, 2022**
2. **Acknowledge Regular Public Utility Advisory Board Minutes, April 18, 2022**
3. **Acknowledge Regular Planning & Zoning Commission Minutes, April 7, 2022**
4. **Take-home vehicle form for Police Department**

Mayor Pro-Tem Hechler 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 (listed as H4 on the agenda. Item moved up on the agenda).

- (4) **Discussion/Action: Resolution No. 62 21/22 Approval of the Preliminary (Interim) FY 2022-23 Budget:**

Budget Highlights

CITY OF TRUTH OR CONSEQUENCES

BUDGET HIGHLIGHTS

2022-2023

GENERAL FUND 2022-23 REVENUE DECISIONS NEEDED TO BE MADE:

REVENUE

UPDATED 5-10-22 Option 5 updated to Option 6:

				Commission Directive
Decision 1	Increase Gross Receipts tax 0.125% (1/2 Year of Revenue Jan-June))	\$ 90,000		Approved
Decision 2	Use Cash in PD Gross Receipts Tax Fund to Support General Fund for 2022-23	\$ 669,320	Leaves appx \$200,049 in bank + May and June Receipts in PDGRT Bank	Approved
Decision 3	Keep 1/2 of 0.25% of the revenues from PD Gross Receipts Tax in the General Fund 2022-23 Estimated (After loan \$21,015 and \$52,728 to GF for raises, and \$30,000 to Care of Prisoners)	\$ 130,000	Estimated was 200,350 (70,350 dif)	Approved
Decision 4	Keep all of the 0.0625% revenues of Enviromental GRT (De-Earmarked) in the General Fund 2022-23	\$ 92,085	Estimated	Approved
	Additional Revenue & Cash Resources to the General Fund for 2022-23	\$ 981,405		

RECAP OF ESTIMATED CASH, REVENUES, EXPENSES, AND ENDING CASH BALANCE 6/30/23

	Estimated Beginning Cash Balance 7/1/22	\$ 2,421,732	
+	Estimated Revenue	\$ 4,203,799	
+	Estimated Increase in Gross Receipts tax 0.125% (1/2 Year Jan - June)	\$ 90,000	Decision 1
+	Use Cash in PD Gross Receipts Tax Fund to Support General Fund for 2022-23	\$ 669,320	Decision 2
+	Keep 1/2 of 0.25% of the revenues from PD Gross Receipts Tax in the General Fund 2022-23 Estimated (After loan \$21,015 and \$52,728 to GF for raises, and \$30,000 to Care of Prisoners)	\$ 130,000	Decision 3
+	Keep all of the 0.0625% revenues of Enviromental GRT (De-Earmarked) in the General Fund 2022-23	\$ 92,085	Decision 4
+	Estimated Cash Transfers In (Other Funds)	\$ 87,728	
+	Additional Estimated Cash Transfers In (\$750,000) From Enterprise Funds	\$ 750,000	
-	Estimated Expenses (Budget Requests Before Raises)	\$ (6,606,220)	

=	Estimated Subtotal Cash Balance Before Raises	\$ 1,838,444	
-	Estimated Cash Needed to Support Raises	\$ (401,423)	
=	Estimated Subtotal Cash Balance After Raises	\$ 1,437,021	
	Change in Estimated Ending Cash Balance:		
	Estimated Subtotal Cash Balance After Raises	\$ 1,437,021	
	Cash Reserve Requirement 1/12th of expenses (including raises)	\$ (517,066)	
	Estimated Ending Cash Balance Reported to DFA	\$ 919,955	

GENERAL FUND 2022-23 EXPENDITURE DECISIONS NEEDED TO BE MADE:

EXPENDITURES

	2022-23 Requested	2021-22 Awarded	Requested over 2021-22	Suggested 2022-23 Budget	Possible Savings to 2022-23	Commission Directive
SUB-RECIPIENTS REQUEST						
Companion Action Team	\$ 2,500	\$ 1,500	\$ 1,000	\$ 1,000	\$ 1,500	\$ 1,000
Domestic Abuse Intervention Center	\$ 3,500	\$ 2,500	\$ 1,000	\$ 2,000	\$ 1,500	\$ 2,000
The Sierra Club	\$ 20,000	\$ 10,000	\$ 10,000	\$ 5,000	\$ 15,000	\$ 5,000
Sierra Joint Office on Aging:	\$ 50,000	\$ 47,000	\$ 3,000	\$ 35,000	\$ 15,000	\$ 35,000
*City paid appx \$16,537 in utilities 2021						
*City provides building free of rent						
*City pays insurance on building						
*City provides fiscal agent services at no charge						
Total Sub-Recipient Request	\$ 76,000	\$ 61,000	\$ 15,000	\$ 43,000	\$ 33,000	\$ 43,000

ANIMAL CONTROL

	2022-23 Request	2021-22 Budgeted	Requested over 2021-22	Suggested 2022-23 Budget	Possible Savings to 2022-23	Commission Directive
Requested Increases:						
Overtime	\$ 7,000	\$ 4,000	\$ 3,000	\$ 7,000	\$ -	\$ 7,000
Standby	\$ 5,500	\$ 4,000	\$ 1,500	\$ 5,500	\$ -	\$ 5,500
M&R Vehicles	\$ 6,500	\$ 2,000	\$ 4,500	\$ 2,500	\$ 4,000	\$ 2,500
Office Supplies	\$ 1,000	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500
Employee Training	\$ 2,500	\$ 1,150	\$ 1,350	\$ 1,500	\$ 1,000	\$ 1,500
Safety Supplies	\$ 4,000	\$ 500	\$ 3,500	\$ 2,000	\$ 2,000	\$ 2,000
Subscriptions & Dues	\$ 1,000	\$ 300	\$ 700	\$ 1,000	\$ -	\$ 1,000
Uniforms	\$ 3,000	\$ 2,500	\$ 500	\$ 3,000	\$ -	\$ 3,000
Fuel	\$ 20,000	\$ 10,000	\$ 10,000	\$ 15,000	\$ 5,000	\$ 15,000
Total	\$ 50,500	\$ 24,950	\$ 25,550	\$ 38,000	\$ 12,500	\$ 38,000

Look at Budget Mid-Year.

ANIMAL SHELTER

Requested Increases:	2022-23 Request	2021-22 Budgeted	Requested over 2021-22	Suggested 2022 23 Budget	Possible Savings to 2022-23	Commission Directive
Overtime	\$ 5,000	\$ 3,000	\$ 2,000	\$ 5,000	\$ -	\$ 5,000
Health Benefits	\$ 29,578	\$ 23,574	\$ 6,004	\$ 29,578	\$ -	\$ 29,578
Contract Professional Services - Euthanasia, Vet Bills, Getting animals spade and neutered	\$ 25,000	\$ 10,700	\$ 14,300	\$ 15,000	\$ 10,000	\$ 15,000
Other Contract services - cremation services	\$ 8,000	\$ 6,000	\$ 2,000	\$ 8,000	\$ -	\$ 8,000
Field/Other Supplies	\$ 18,000	\$ 13,245	\$ 4,755	\$ 16,000	\$ 2,000	\$ 16,000
Total	\$ 85,578	\$ 56,519	\$ 29,059	\$ 73,578	\$ 12,000	\$ 73,578

GOVERNING BODY

Requested Increases:	2022-23 Request	2021-22 Budgeted	Requested over 2021-22	Suggested 2022 23 Budget	Possible Savings to 2022-23	Commission Directive
Salaries & Benefits	\$ 62,400	\$ 41,499	\$ 20,901	\$ 62,400	\$ -	\$ 62,400
Employee Training	\$ 4,000	\$ 2,000	\$ 2,000	\$ 4,000	\$ -	\$ 4,000
Insurance claim, deductibles, litigation judgements and settlements	\$ 100,000	\$ 6,670	\$ 93,330	\$ 75,000	\$ 25,000	\$ 75,000
Total	\$ 166,400	\$ 50,169	\$ 116,231	\$ 141,400	\$ 25,000	\$ 141,400

POLICE DEPARTMENT

Requested Increases:	2022-23 Request	2021-22 Budgeted	Requested over 2021-22	Suggested 2022 23 Budget	Possible Savings to 2022-23	Commission Directive
Salaries						
2 additional Police Officers w/benefits	\$ 127,862		\$ 127,862	\$ 127,862	\$ -	\$ 127,862
1 Full time Evidence Tech w/benefits	\$ 39,259		\$ 39,259	\$ -	\$ 39,259	\$ -
Overtime	\$ 85,000	\$ 70,000	\$ 15,000	\$ 85,000	\$ -	\$ 85,000
Standby	\$ 15,000	\$ 13,800	\$ 1,200	\$ 15,000	\$ -	\$ 15,000
SCRDA Contract	\$ 196,000	\$ 173,592	\$ 22,408	\$ 196,000	\$ -	\$ 196,000
Fuel	\$ 50,000	\$ 38,500	\$ 11,500	\$ 50,000	\$ -	\$ 50,000
Software	\$ 38,000	\$ 22,800	\$ 15,200	\$ 38,000	\$ -	\$ 38,000
M&R Buildings	\$ 10,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
Total	\$ 561,121	\$ 323,692	\$ 237,429	\$ 516,862	\$ 44,259	\$ 516,862

Remove Evidence Tech

MUNICIPAL COURT

Requested Increases:	2022-23 Request	2021-22 Budgeted	Requested over 2021-22	Suggested 2022-23 Budget	Possible Savings to 2022-23	Commission Directive
Salaries & Benefits						
Judge (Salary and Benefits)	\$ 70,067	\$ 70,067	\$ -	\$ 70,067	\$ -	\$ 70,067
Court-Clerk Administrator (Salary and Benefits)	\$ 65,281	\$ 65,281	\$ -	\$ 65,281	\$ -	\$ 65,281
Court Clerk II (Salary and Benefits)	\$ 38,952	\$ 38,952	\$ -	\$ -	\$ 38,952	\$ -
Additional Full Time Position (Salary and Benefits)	\$ 58,316		\$ 58,316	\$ -	\$ 58,316	\$ -
					\$ -	
Attorneys Fees	\$ 13,000	\$ 10,700	\$ 2,300	\$ 5,000	\$ 8,000	\$ 5,000
Total	\$ 245,616	\$ 185,000	\$ 60,616	\$ 140,348	\$ 105,268	\$ 140,348

Remove Court Clerk II currently in place
 Do not hire requested new position
 Did not spend any in 2021-22. Reduce to \$5,000

Total Cost for Municipal Court 267,671 258,413

MUNICIPAL COURT ADMINISTRATIVE OFFICE OF THE COURTS (AOC)

Increases:	2022-23 Request	2021-22 Budgeted	Requested over 2021-22	Suggested 2022-23 Budget	Possible Savings to 2022-23	Commission Directive
Annual software	\$ 10,000	\$ 1,000	\$ 9,000	\$ 1,000	\$ 9,000	\$ 1,000

Possibly do not purchase new software

Total Cost for Administrative Office of the Courts \$ 14,000 \$ 12,500

OVERALL BUDGET INCREASES AND POSSIBLE REDUCTIONS

Requested over 2021-22 \$ 492,885
 Possible Savings to 2022-23 \$ 241,027

LODGER'S TAX CITY'S PORTION DECISIONS TO BE MADE

City's Portion of Lodger's Tax is \$ 95,098

Sub-Recipient Requests:		22-23 Request	21-22 Allocation	Suggested 2022-23 Budget	Commission Directive
	Geronimo Trail Scenic Byway	\$ 7,000	\$ 5,000	\$ 3,750	\$ 3,750
	Mainstreet	\$ 45,000	\$ 45,000	\$ 33,750	\$ 33,750
	Sierra County Recreation & Tourism Advisory Board	\$ 17,000	\$ 17,000	\$ 10,000	\$ 10,000
	Sunny 505	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000
City's Portion of All Other Costs					
	Golf Course Allocation (Cash Transfer Out)	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
	Lindmark - Bill Board Advertising (Contract is for 1 more year)	\$ 9,000.00	\$ 9,000	\$ 9,000	\$ 9,000
		<u>\$ 153,000</u>	<u>\$ 151,000</u>	<u>\$ 131,500</u>	<u>\$ 131,500</u>

Over City's Portion of Lodger' Tax \$ (57,902) \$ (36,402)

CITY OF TRUTH OR CONSEQUENCES

2022-2023

PRELIMINARY BUDGET

CITY OF TRUTH OR CONSEQUENCES

2022-23 PRELIMINARY BUDGET RECAP

PRELIMINARY BUDGET
ALL FUNDS
NEXT FISCAL YEAR 7/1/2022 - 6/30/2023

Fund No.	Fund	Estimated Beginning Cash Balance	+ Investments	= Cash & Investments	Estimated + Revenues	Cash + Transfers In	Cash - Transfers Out	Estimated - Expenditures	Estimated Ending Cash = Balance	DFA Local Reserve - Requirement	Estimated Ending Cash = Balance
		7/1/2022	7/1/2022		2022-23	2022-23	2022-23	2022-23	6/30/2023		
101	General Fund	2,217,957.23	106,104.14	2,324,061	4,527,556	1,507,048	(358,000)	(6,375,592)	1,625,073	(531,299)	1,093,774
SPECIAL REVENUE FUNDS											
201	Corrections	83,397.59		83,397.59	7,000	30,000	-	(110,000)	10,398		10,398
209	Fire Protection Fund	817,710.56		817,710.56	309,324	-	-	(1,127,034)	1		1
211	Law Enforcement	-		-	57,000			(57,000)	-		-
214	Lodger's Tax	467,767.95		467,767.95	331,350		(90,000)	(408,836)	300,282		300,282
216	Municipal Street	414,723.99		414,723.99	585,400	45,000	(5,000)	(770,288)	269,836		269,836
217	Recreation Fund	4,723.73		4,723.73	-			(4,723)	1		1
260	Fiscal Recovery Funds	-		-	-			-	-		-
293	Veterans Wall Perpetual Care	1,150.00		1,150.00	375			(1,150)	375		375
294	State Library	29,212.37		29,212.37	46,377			(49,527)	26,062		26,062
295	Municipal Pool	52,476.76		52,476.76	8,700	150,000		(206,197)	4,980		4,980
296	PD GRT Fund	845,213.33		845,213.33	252,922	-	(752,048)	(164,556)	181,531		181,531
297	PD Confidential Fund	6,800.92		6,800.92	5			(6,799)	7		7
298	PD Donations	6,879.00		6,879.00	500			(6,449)	930		930
	Subtotal	2,730,056.20	-	2,730,056.20	1,598,953.00	225,000	(847,048)	(2,912,559)	794,402		794,402
DEBT SERVICE FUND											
403	Pledge State Tax	467,943.70	598,398.42	1,066,342.12	342,011.00	571,392	-	(921,394)	1,058,351		1,058,351

Fund No.	Fund	Audited Beginning Cash Balance	+ Investments	Cash & Investments	Estimated + Revenues	Cash + Transfers In	Cash - Transfers Out	Estimated - Expenditures	Estimated Ending Cash Balance = With Investments	DFA Local Reserve Requirement	Estimated Ending Cash Balance = With Investments
505	Solid Waste Division	1,132,867.20	424,206.95	1,557,074.15	2,531,788	20	(921,949)	(2,197,950)	968,983.24		968,983.24
506	Waste Water Division	518,185.40		518,185.40	1,158,119	-	(337,550)	(720,543)	618,211.40		618,211.40
507	Transfer Station	20.09	-	20.09	-	-	(20.09)	-	-		-
508	Golf Course	24,339.83	-	24,339.83	73,902	206,885	-	(233,478)	71,648.83		71,648.83
509	Municipal Airport	40,741.28	-	40,741.28	309,408	144,518	-	(392,652)	102,015.28		102,015.28
	Subtotal	3,574,315.51	424,206.95	3,998,522.46	12,541,112	783,143	(3,925,331)	(10,345,536)	3,051,910	-	3,051,910
FIDUCIARY & INTERNAL SVC. FUNDS											
600	Internal Service Fund	28,141.75	-	28,141.75	20,000	43,000	-	(60,000)	31,142		31,142
700	Court Bond Fund	1,000	-	1,000	-	-	-	-	1,000		1,000
	Subtotal	29,142	-	29,142	20,000	43,000	-	(60,000)	32,142	-	32,142
GRAND TOTAL (ALL FUNDS)		7,108,885	1,127,540	8,236,424	20,242,680	4,395,081	(4,317,295)	(19,352,378)	9,204,512	(475,427)	8,717,482

CITY OF TRUTH OR CONSEQUENCES

2021-22 ESTIMATED BUDGET RECAP

Fund No.	Fund	Estimated Beginning Cash Balance	+ Investments	= Cash & Investments	Estimated + Revenues	Cash + Transfers In	Cash - Transfers Out	Estimated - Expenditures	Estimated Ending Cash = Balance	DFA Local Reserve - Requirement	Estimated Ending Cash = Balance
	Subtotal	467,943.70	598,398.42	1,066,342.12	342,011.00	571,392	-	(921,394)	1,058,351		1,058,351
ENTERPRISE FUNDS											
501	Cemetery	50,781.55	-	50,781.55	10,020	-	-	(12,000)	48,802		48,802
502	Utility Office	112,225.23	-	112,225.23	77,900	328,000	-	(515,343)	2,782		2,782
503	Electric Division	648,780.97		648,780.97	6,698,812	-	(411,826)	(6,157,514)	778,253		778,253
504	Water Division	479,263.57	-	479,263.57	1,569,607	-	(599,360)	(1,069,769)	379,742		379,742
505	Solid Waste Division	544,566.64	424,416.60	968,983.24	2,336,483	-	(500,572)	(2,374,828)	430,066		430,066
506	Waste Water Division	618,211.40	-	618,211.40	1,211,210	-	(471,815)	(929,110)	428,496		428,496
507	Transfer Station	-		-	-	-	-	-	-		-
508	Golf Course	71,648.83	-	71,648.83	53,025	135,000	-	(257,610)	2,064		2,064
509	Municipal Airport	102,015.28	-	102,015.28	217,135	70,000	-	(373,262)	15,888		15,888
	Subtotal	2,627,493.47	424,416.60	3,051,910.07	12,174,192.00	533,000	(1,983,573)	(11,689,436)	2,086,093	-	2,086,093
FIDUCIARY & INTERNAL SVC. FUNDS											
600	Internal Service Fund	31,141.75	-	31,141.75	20,000.00	58,000		(105,500)	3,642		3,642
700	Court Bond Fund	1,000.41	-	1,000.41	-	-	-	-	1,000		1,000
	Subtotal	32,142.16	-	32,142.16	20,000.00	58,000	-	(105,500)	4,642		4,642
GRAND TOTAL (ALL FUNDS)		8,075,592.76	1,128,919.16	9,204,511.92	18,662,712.00	2,894,440	(3,188,621)	(22,004,481)	5,568,562	(531,299)	5,037,263

**ESTIMATED END OF YEAR
ALL FUNDS
CURRENT FISCAL YEAR 7/1/21 TO 6/30/22**

Fund No.	Fund	Audited Beginning Cash Balance	+ Investments	Cash & Investments	Estimated + Revenues	Cash + Transfers In	Cash - Transfers Out	Estimated - Expenditures	Estimated Ending Cash Balance = With Investments	DFA Local Reserve Requirement	Estimated Ending Cash Balance = With Investments
		7/1/2021	7/1/2021	= Investments	6/30/2022	6/30/2022	6/30/2021	6/30/2022	6/30/2022		6/30/2022
101	General Fund	1,225,185.78	106,051.74	1,331,237.52	4,482,414	2,778,495	(562,963)	(5,705,122)	2,324,061	(475,427)	1,848,635
SPECIAL REVENUE FUNDS											
201	Correction	16,220.59	-	16,220.59	7,607	95,000	-	(35,430)	83,397.59		83,398
209	Fire Protection Fund	374,001.56	-	374,001.56	609,358	-	-	(165,649)	817,710.56		817,711
211	Law Enforcement	-	-	-	26,000	-	-	(26,000)	-		-
214	Lodger's Tax	495,234.95	-	495,234.95	333,623	-	(90,000)	(271,090)	467,767.95		467,768
216	Municipal Street	433,545.99	-	433,545.99	638,894	45,100	(100,000)	(602,816)	414,723.99		414,724
217	Recreation Fund	5,355.73	-	5,355.73	5	-	-	(637)	4,723.73		
260	Fiscal Recovery Funds (NEW)	-	-	-	712,404	-	-	(712,404)	-		
293	Veterans Wall Perpetual Care	1,150.00	-	1,150.00	-	-	-	-	1,150.00		1,150
294	State Library	3,649.37	-	3,649.37	67,420	-	-	(41,857)	29,212.37		29,212
295	Municipal Pool	23,132.76	-	23,132.76	14,294	188,560	-	(173,510)	52,476.76		52,477
296	PD GRT Fund	808,220.33	-	808,220.33	435,839	-	(112,728)	(286,118)	845,213.33		845,213
297	PD Confidential Fund	6,795.92	-	6,795.92	5	-	-	-	6,800.92		6,801
298	PD Donations	-	-	-	11,694	-	-	(4,815)	6,879.00		
	Subtotal	2,167,307.20	-	2,167,307.20	2,857,143	328,660	(302,728)	(2,320,326)	2,730,056.20		2,718,453
DEBT SERVICE FUND											
403	Pledge State Tax	112,934	597,281	710,215	342,011	461,783	473,727	(921,394)	1,066,342		1,066,342
	Subtotal	112,934	597,281	710,215	342,011	461,783	473,727	(921,394)	1,066,342		1,066,342
ENTERPRISE FUNDS											
501	Cemetery	39,663.55	-	39,663.55	20,055	-	-	(8,937)	50,781.55		50,781.55
502	Utility Office	44,839.58	-	44,839.58	95,139	431,700	-	(459,453)	112,225.23		112,225.23
503	Electric Division	1,252,477.04	-	1,252,477.04	6,849,992	20	(1,917,721)	(5,535,987)	648,780.97		648,780.97
504	Water Division	521,181.54	-	521,181.54	1,502,709	0	(748,091)	(796,536)	479,263.57		479,263.57

CITY OF TRUTH OR CONSEQUENCES

SCHEDULE OF TRANSFERS

CITY OF TRUTH OR CONSEQUENCES SCHEDULE OF TRANSFERS

Fund No.	Fund Name	Description	Purpose	Fiscal Year 2020-21 Actual	Fiscal Year 2021-22 Budgeted	Fiscal Year 2022-23 Projected
101	General	TRANSFER IN FROM OTHER FUNDS				
		(214) Lodgers Tax	Civic Ctr Wages	\$ 35,000	\$ 35,000	\$ 35,000
		(217) Recreation	Closing Recreation Bank Acct			
		(296) PD GRT Fund	\$1.50 PD Raises beginning 2019-20 and	\$ 52,728	\$ 52,728	\$ 52,728
		(296) PD GRT Fund	\$1.50 PD Raises. Transfer not made int 2019-20	\$ 52,728	\$ -	
		(296) PD GRT Fund	Transfer Excess Cash Balance from PDGRT per Commission approval 5/17/22			\$ 669,320
		(304) Senior Grants	Temporary Transfer to Cover Expenses	\$ 183,170		
		(304) Senior Grants	Temporary Transfer to Cover Expenses 20-21		\$ 60,080	
		(312) R&R Airport	Temporary Loan to Cover Expenses			
		(503) Joint Utility - Electric	Administrative Fees	\$ 1,290,000	\$ 1,553,987	
		(504) Joint Utility - Water	Administrative Fees	\$ 40,000	\$ 340,000	\$ 250,000
		(505) Solid Waste	Administrative Fees	\$ 125,000	\$ 625,000	\$ 250,000
		(505) Solid Waste	Salary Study		\$ 21,700	\$ -
		(506) WW	Administrative Fees	\$ 90,000	\$ 90,000	\$ 250,000
		(507) Transfer Station	Admin Fee			
		(509) Airport	Reimb GF for \$30,000 Cares Act Grant (exp paid in 19-20)	\$ 30,000		
			101 -TOTAL TRANSFERS IN	\$ 1,898,626	\$ 2,778,495	\$ 1,507,048
		TRANSFER OUT TO OTHER FUNDS				
		(201) Corrections	Deficit Coverage	\$ (30,000)	\$ (35,000)	\$ -
		(216) Streets	Turner Donation/McAdoo Street Project			
		(217) Recreation Fund	Deficit Coverage			
		(295) Municipal Pool	Deficit Coverage	\$ (60,000)	\$ (188,560)	\$ (150,000)
		(296) PD GRT Fund	Cover Expenses			
		(296) PD GRT Fund	PY Revenues Owed & Paid off	\$ (237,127)	\$ -	
		(296) PD GRT Fund	19-20 Revenues Owed (partial)	\$ (43,137)		
		(304) Senior Grants	Temporary to Cover Reimb for SJOA Grant 19-20			

CITY OF TRUTH OR CONSEQUENCES SCHEDULE OF TRANSFERS

Fund No.	Fund Name	Description	Purpose	Fiscal Year	Fiscal Year	Fiscal Year
				2020-21 Actual	2021-22 Budgeted	2022-23 Projected
		(304) Senior Grants	Temporary to Cover Reimb for SJOA Grant 20-21			
		(305) Capital Improvement	Per City Code			
		(312) R&R Airport	Grant Matching Funds			
		(312) R&R Airport	Temporary Loan to Cover Expenses			
		(508) Golf Course	Deficit Coverage & CI	\$ (125,000)	\$ (151,437)	\$ (80,000)
		(508) Golf Course	Increase in Minimum Wage		\$ (448)	\$ -
		(509) Municipal Airport	Deficit Coverage	\$ (121,000)	\$ (144,238)	\$ (70,000)
		(509) Municipal Airport	Minimum Wage Increase		\$ (280)	
		(218) Munciiipal Court JAF	Repay Temporary Transfer	\$ -		
		(600) Fileet Services	General Fund Support	\$ -	\$ (43,000)	\$ (58,000)
			101 -TOTAL TRANSFERS OUT	\$ (616,264)	\$ (562,963)	\$ (358,000)
			101 - NET TRANSFERS	\$ 1,282,362	\$ 2,215,532	\$ 1,149,048
201	Corrections	TRANSFER IN FROM OTHER FUNDS				
		(296) PD Gross Receipt Tax	Care of Prisoners (Sierra Vista Hospital)		\$ 60,000	\$ 30,000
		(101) General Fund	Deficit Coverage	\$ 30,000	\$ 35,000	
			201 -TOTAL TRANSFERS IN	\$ 30,000	\$ 95,000	\$ 30,000
214	Lodgers Tax	TRANSFER OUT TO OTHER FUNDS				
		(508) Golf Course	Support Golf Course	\$ (55,000)	\$ (55,000)	\$ (55,000)
		(101) General Fund	Civic Ctr Wages	\$ (35,000)	\$ (35,000)	\$ (35,000)
			214 - Total Transfer OUT	\$ (90,000)	\$ (90,000)	\$ (90,000)
216	Street	TRANSFER IN FROM OTHER FUNDS				
		(101) General Fund	Turner Donation/McAdoo Street Project			
		(304) Senior Grants	Closing Senior Grants Bank Acct			

CITY OF TRUTH OR CONSEQUENCES SCHEDULE OF TRANSFERS

Fund No.	Fund Name	Description	Purpose	Fiscal Year	Fiscal Year	Fiscal Year
				2020-21 Actual	2021-22 Budgeted	2022-23 Projected
		(316) Emergency Reserve	Street Repair, Hot and Cold Mix			
		(308) Capital Imp (USDA Sweeper)	PY Cash Remaining		\$ 100.00	
		(317) Waste Water Reserve	Street Repair, Hot and Cold Mix			
		(506) Waste Water	Street Repair, Hot and Cold Mix		\$ 15,000.00	\$ 15,000
		(504) Water	Street Repair, Hot and Cold Mix		\$ 30,000.00	\$ 30,000
			216 -Total Transfer IN	\$ -	\$ 45,100.00	\$ 45,000.00
		TRANSFER OUT TO OTHER FUNDS				
		(403) Debt Service	Debt Pymt. NMFA CIF-5192			\$ (5,000)
		(360) NMFA Projects	NMFA Colonias 2020 MSD Project Roadway Replacement (7009)	\$ -	\$ (100,000.00)	
			216 -Total Transfer OUT	\$ -	\$ (100,000.00)	\$ (5,000.00)
			216 - NET TRANSFERS	\$ -	\$ (54,900.00)	\$ 40,000.00
217	Recreation	TRANSFER IN FROM OTHER FUNDS				
		(101) General Fund	Deficit Coverage			
			217 -TOTAL TRANSFERS IN	\$ -	\$ -	
		TRANSFER OUT TO OTHER FUNDS				
		(217) Recreation	Closing Recreation Bank Acct	\$ -	\$ -	
			217 -TOTAL TRANSFERS OUT	\$ -	\$ -	
			217 - NET TRANSFERS	\$ -	\$ -	
293	Veterans Wall Perpetual Care	TRANSFER OUT TO OTHER FUNDS				
		(303) Veteran Wall	Closing Vet Wall Perp Bank Acct			
			293 -Total Transfer OUT	\$ -		
295	Municipal Pool	TRANSFER IN FROM OTHER FUNDS				
		(101) General Fund	General Fund Support	\$ 60,000	\$ 188,000	\$ 150,000
		(101) General Fund	Mid Year Min Wage Increase		\$ 560	
			295 -Total Transfer IN	\$ 60,000	\$ 188,560	\$ 150,000
296	PD Gross Receipts Tax Fund (GRT)	TRANSFER IN FROM OTHER FUNDS				

CITY OF TRUTH OR CONSEQUENCES SCHEDULE OF TRANSFERS

Fund No.	Fund Name	Description	Purpose	Fiscal Year	Fiscal Year	Fiscal Year
				2020-21 Actual	2021-22 Budgeted	2022-23 Projected
		(101) General Fund	PY Revenues Owed 20-21(Will Pay in Full)	\$ 237,127		
		(101) General Fund	2019-20 GRT Revenues (Partial Reimb)	\$ 43,137		
		(101) General Fund	Pay Off All Prior Years		\$ -	
			296 -TOTAL TRANSFER IN	\$ 280,264	\$ -	
		TRANSFER OUT TO OTHER FUNDS				
		(101) General Fund	\$1.50 Raises beginning 2019-20 and beyo	\$ (52,728)	\$ (52,728)	\$ (52,728)
		(101) General Fund	\$1.50 PD Raises. Transfer not made int 20	\$ (52,728)	\$ -	
		(201) Correction Fund	Care of Prisoners (Sierra Vista Hospital)		\$ (60,000)	\$ (30,000)
		(101) General Fund	Transfer Excess Cash Balance from PDGRT per Commission approval 5/17/22	\$ -	\$ -	\$ (669,320)
		(297) PD Confidential	To replace Community Policing			
			296 -Total Transfer OUT	\$ (105,456)	\$ (112,728)	\$ (752,048)
			296 - NET TRANSFERS	\$ 174,808	\$ (112,728)	\$ (752,048)
297	PD Cond.	TRANSFER IN FROM OTHER FUNDS				
		(298) PD Donations	Community Policing			
		(296) PD Gross Receipts	To replace Community Policing			
			297 -Total Transfer IN	\$ -	\$ -	\$ -
		TRANSFER OUT TO OTHER FUNDS				
		(298) PD Donations	Closing PD Confid Bank Acct			
			297 -TOTAL TRANSFER OUT	\$ -	\$ -	\$ -
			297 - Net Transfers	\$ -	\$ -	\$ -
298	PD Donations	TRANSFER IN FROM OTHER FUNDS				
		(297) PD Confid	Closing PD Confid Bank Acct			
			298 -TOTAL TRANSFER IN			

CITY OF TRUTH OR CONSEQUENCES SCHEDULE OF TRANSFERS

Fund No.	Fund Name	Description	Purpose	Fiscal Year	Fiscal Year	Fiscal Year
				2020-21 Actual	2021-22 Budgeted	2022-23 Projected
		TRANSFER OUT TO OTHER FUNDS				
		(101) General Fund	Community Police			
		(297) PD Confidential	Closing PED Confid Bank Acct			
		(201) Corrections Fund	Deficit Coverage			
		(403) Debt Service	NMFA CAMERAS/REPEATER			
			298 -TOTAL TRANSFER OUT	\$ -	\$ -	\$ -
			298-NET TRANSFERS	\$ -	\$ -	\$ -
302	Electrical Construction	TRANSFER IN FROM OTHER FUNDS				
		(503) Electric Division	Transfer Cash Acct no longer used.		\$ -	
		(503) Electric Division	Cielo Vista & Substation			
		(503) Electric Division	Debt Pymt. TorC 6 Refinanced			
			302 -Total Transfer IN	\$ -	\$ -	\$ -
		TRANSFER OUT TO OTHER FUNDS				
		(503) Electric Division	Transfer Cash Acct no longer used.		\$ (3.93)	
		(503) Electric Division	NMFA Payoff/Refinance T or C 6			
			302 -TOTAL TRANSFER OUT	\$ -	\$ (3.93)	\$ -
			302-NET TRANSFERS	\$ -	\$ (3.93)	\$ -
303	Veterans Wall	TRANSFER IN FROM OTHER FUNDS				
		(293) Vet Wall Perp	Closing Vet Wall Perp Bank Acct			
			303 -Total Transfer IN	\$ -	\$ -	\$ -
304	Senior Grants	TRANSFER IN FROM OTHER FUNDS				
		(101) General Fund	SJOA Grant 20-21			
		(101) General Fund	SJOA Grant 19-20	\$ -		
			304 -Total Transfer IN	\$ -	\$ -	\$ -

CITY OF TRUTH OR CONSEQUENCES SCHEDULE OF TRANSFERS

Fund No.	Fund Name	Description	Purpose	Fiscal Year	Fiscal Year	Fiscal Year
				2020-21 Actual	2021-22 Budgeted	2022-23 Projected
		TRANSFER OUT TO OTHER FUNDS				
		(101) General Fund	Owes to General Fund for 19-20 PY Exp	\$ (183,170)		
		(101) General Fund	Owes to General Fund for 20-21 PY Exp		\$ (60,080)	
		(216) Streets	Closing Senior Grants Bank Acct			
			304 -Total Transfer OUT	\$ (183,170)	\$ (60,080)	\$ -
			304 - Net Transfer	\$ (183,170)	\$ (60,080)	\$ -
305	CI Capital Imp.	TRANSFER IN FROM OTHER FUNDS				
		(101) General Fund	Deficit Coverage			
			305 -Total Transfer IN	\$ -	\$ -	\$ -
		TRANSFER OUT TO OTHER FUNDS				
		(101) General Fund	Closing CI General Bank Acct	\$ -	\$ -	\$ -
			305 -Total Transfer OUT	\$ -	\$ -	\$ -
			305 - Net Transfer	\$ -	\$ -	\$ -
306	Capital Improvement Jt. Utility	TRANSFER IN / OUT FROM OTHER FUNDS				
		(503) Electric Division	Per City Code			
		(504) Water Division	Debt Payment			
		(504) Water Division	Per City Code			
		(506) Wastewater	Per City Code			
		(506) Wastewater	Debt Service			
		(505) Solid Waste	Per City Code			
		(507) Landfill/Collection Ctr.	Per City Code			
		(370) Water Trust Board Project	Project: NMFA Water Trust Board		\$ (75,000)	
			306 -Total Transfer IN	\$ -	\$ (75,000)	\$ -
307	Golf Course Imp. Fund	TRANSFER IN FROM OTHER FUNDS				
		(508) Golf Course	Deficit Coverage & CI			
			307 -Total Transfer IN	\$ -	\$ -	\$ -
308	Capital Imp (USDA Sweeper)	TRANSFER OUT TO OTHER FUNDS				

CITY OF TRUTH OR CONSEQUENCES SCHEDULE OF TRANSFERS

Fund No.	Fund Name	Description	Purpose	Fiscal Year 2020-21 Actual	Fiscal Year 2021-22 Budgeted	Fiscal Year 2022-23 Projected
		(216) Municipal Streets	PY Balance Remaining	\$ -	\$ (100)	
			307 -Total Transfer IN	\$ -	\$ (100)	\$ -
309	USDA Waste Water Treatment Plant					
		TRANSFER IN FROM OTHER FUNDS				
		(506) Waste Water Divisions	Cover Fund Deficit			
			309 -Total Transfer IN	\$ -	\$ -	\$ -
		TRANSFER OUT TO OTHER FUNDS				
		(317) Waste Water Repair Reserves	Transfer Cash		\$ (40,042)	
			309 -Total Transfer OUT	\$ -	\$ (40,042)	\$ -
310	Emergency Repair					
		TRANSFER IN FROM OTHER FUNDS				
		(503) Electric Division	Per City Code	\$ -		
			310 -Total Transfer IN	\$ -	\$ -	\$ -
		TRANSFER OUT TO OTHER FUNDS				
		(316) Emergency Repair	Closed Emergency Reserve Bank Acct			
			310 -Total Transfer OUT	\$ -	\$ -	\$ -
			310 -Net Transfer	\$ -	\$ -	\$ -
312	R & R Airport					
		TRANSFER IN FROM OTHER FUNDS				
		(101) General Fund	Grant Matching Funds	\$ -		
		(101) General Fund	Temporary Loan to cover expenses			
		(315) Capital Improvement Reserve	NMDOT Aviation Division Electrical Vault Design Construction	\$ -	\$ -	
			312 -Total Transfer IN	\$ -	\$ -	\$ -
		TRANSFER OUT TO OTHER FUNDS				
		(101) General Fund	Temporary Loan to cover expenses			
			312 -Total Transfer OUT	\$ -	\$ -	\$ -
			312 -Net Transfer	\$ -	\$ -	\$ -

CITY OF TRUTH OR CONSEQUENCES SCHEDULE OF TRANSFERS

Fund No.	Fund Name	Description	Purpose	Fiscal Year	Fiscal Year	Fiscal Year		
				2020-21 Actual	2021-22 Budgeted	2022-23 Projected		
313	R & R Water	TRANSFER IN FROM OTHER FUNDS						
		(504) Water Division	Transfer Cash Acct no longer used.		\$ -			
					313 -Total Transfer IN	\$ -	\$ -	
		TRANSFER OUT TO OTHER FUNDS						
		(504) Water Division	Transfer Cash Acct no longer used.		\$ (0.03)			
		(316) Emergency Repair Reserve	Closed R&R Water Bank Acct					
			313 -Total Transfer OUT	\$ -	\$ (0.03)	\$ -		
			313 -Net Transfer	\$ -	\$ (0.03)	\$ -		
314	CDBG	TRANSFER OUT TO OTHER FUNDS						
		(504) Water	Closed CDBG Bank Account					
		(506) WWTP	Closed CDBG Bank Account					
					314 -Total Transfer OUT	\$ -	\$ -	\$ -
315	Capital Improvement Jt. Utility	TRANSFER IN FROM OTHER FUNDS						
		(506) Waste Water Division	Per City Code					
		(503) Electric Division	Per City Code 14-35 b	\$ 154,839	\$ 149,029	\$ 149,029		
		(504) Water Department	Per City Code 14-35 b	\$ 20,639	\$ 30,670	\$ 30,670		
		(505) Solid Waste	Per City Code 14-35 b	\$ 49,018	\$ 48,659	\$ 48,659		
		(506) Waste Water	Per City Code 14-35 b	\$ 24,463	\$ 24,369	\$ 24,369		
					315 -Total Transfer IN	\$ 248,959	\$ 252,727	\$ 252,727
		TRANSFER OUT TO OTHER FUNDS						
		(370) Water Trust Board Project	Project: NMFA Water Trust Board Booster Station and Austin St. Improvements (7008)	\$ -	\$ (71,000)			
		(312) Other Federal Funded Projects	NMDOT Aviation Division Electrical Vault Design Construction	\$ -				

CITY OF TRUTH OR CONSEQUENCES SCHEDULE OF TRANSFERS

Fund No.	Fund Name	Description	Purpose	Fiscal Year	Fiscal Year	Fiscal Year
				2020-21 Actual	2021-22 Budgeted	2022-23 Projected
		(360) NMFA Projects	Water Preliminary Engineering Report (7000)		\$ (10,474)	
			315 -Total Transfer OUT	\$ -	\$ (81,474)	\$ -
			315 - Net Transfers	\$ 248,959	\$ 171,253	\$ 252,727
316	Emergency Repair Reserve	TRANSFER IN FROM OTHER FUNDS				
		(503) Electric Division	Per City Code 14-35 c	\$ 3,125	\$ 3,125	\$ 3,125
		(504) Water Division	Per City Code 14-35 c	\$ 3,125	\$ 3,125	\$ 3,125
		(505) Solid Waste Division	Per City Code 14-35 c	\$ 3,125	\$ 3,125	\$ 3,125
		(506) Waste Water Division	Per City Code 14-35 c	\$ 3,125	\$ 3,125	\$ 3,125
		(507) Solid Waste Collection Center	Per City Code	\$ -		
		(310) Emergency Reserve	Closed Emergency Reserve Bank Acct			
		(313) R&R Water	Closed R&R Water Bank Acct			
			316 -Total Transfer IN	\$ 12,500	\$ 12,500	\$ 12,500
		TRANSFER OUT TO OTHER FUNDS				
		(216) Municipal Streets	Street Repair, Hot and Cold Mix			
			316 -Total Transfer OUT	\$ -	\$ -	\$ -
			316 - Net Transfer	\$ 12,500	\$ 12,500	\$ 12,500
317	Waste Water R&R	TRANSFER IN FROM OTHER FUNDS				
		(216) Municipal Streets				
		(309) USDA WWTP	Transfer Cash		\$ 40,042	
		(506) Waste Water	Per City Code 14-35 d	\$ 19,027	\$ 18,954	\$ 18,954
			317 -Total Transfer IN	\$ 19,027	\$ 58,996	\$ 18,954
		TRANSFER OUT TO OTHER FUNDS				
		(216) Municipal Streets	Street Repair, Hot and Cold Mix			
			317 -Total Transfer OUT	\$ -	\$ -	\$ -
			317 - Net Transfer	\$ 19,027	\$ 58,996	\$ 18,954

CITY OF TRUTH OR CONSEQUENCES SCHEDULE OF TRANSFERS

Fund No.	Fund Name	Description	Purpose	Fiscal Year	Fiscal Year	Fiscal Year
				2020-21 Actual	2021-22 Budgeted	2022-23 Projected
318	Electrical Reserve	TRANSFER IN FROM OTHER FUNDS				
		(503) Electric Division	Per City Code 14-35 e	\$ 10,000	\$ 10,000	\$ 10,000
			318 -Total Transfer IN	\$ 10,000	\$ 10,000	\$ 10,000
		TRANSFER OUT TO OTHER FUNDS				
		(503) Electric Division	Cash Needed for Expenditures	\$ (123,000)		
			318-Total Transfer OUT	\$ (123,000)	\$ -	\$ -
			318 - Net Transfer	\$ (113,000)	\$ 10,000	\$ 10,000
360	NMFA Projects	TRANSFER IN FROM OTHER FUNDS				
		(315) Capital Improvement Reserve	Project: NMFA Colonias 2019 City-Wide Water Preliminary Engineering Report (7000)		\$ 10,474	
		(504) Water	NMFA Colonias 2021 Water System Improvements Phase 2 (7021)		\$ 50,000	
		(216) Municipal Street Fund	Project: NMFA Colonias 2020 MSD Project Roadway Replacement (7009)	\$ -	\$ 100,000	
			360 -Total Transfer IN	\$ -	\$ 160,474	\$ -
370	Water Trust Board	TRANSFER IN FROM OTHER FUNDS				
		(315) Capital Improvement Reserve	Project: NMFA Water Trust Board Booster Station and Austin St. Improvements (7008)	\$ -	\$ 71,000	
					\$ 75,000	
			370 -Total Transfer IN	\$ -	\$ 146,000	\$ -
380	Other State Funded Projects	TRANSFER IN FROM OTHER FUNDS				

CITY OF TRUTH OR CONSEQUENCES SCHEDULE OF TRANSFERS

Fund No.	Fund Name	Description	Purpose	Fiscal Year	Fiscal Year	Fiscal Year
				2020-21 Actual	2021-22 Budgeted	2022-23 Projected
		(509) Airport	Project: NMDOT Aviation Division Airfield Maintenance and Consumable Items (7005)	\$ -	\$ -	
			380 -Total Transfer IN	\$ -	\$ -	
403	Debt Service	TRANSFER IN FROM OTHER FUNDS				
		(296) PD GRT	NMFA CAMERAS/REPEATER			
		(216) Municipal Street Fund	Debt Pymt. NMFA CIF-5192			\$ 5,000
		(503) Electric Division	Debt Pymt. NMFA PPRF-4967	\$ 98,948	\$ 93,639	\$ 67,094
		(503) Electric Division	Debt Pymt. NMFA PPRF-5652	\$ -	\$ -	\$ 100,578
		(504) Water Division	Debt Pymt. NMFA PPRF-4967	\$ 27,601	\$ 26,120	\$ 18,715
		(504) Water Division	Debt Payment (NMFA TorC 2,17,18,19,22)	\$ 216,227	\$ 115,991	\$ 115,992
		(504) Water Division	Debt Pymt DW4794		\$ 31,866	\$ -
		(504) Water Division	Debt Pymt CIF-4927		\$ 450	\$ 450
		(504) Water Division	Debt Pymt. Bank SW Bridge Loan Interest Appx \$4,600/Mo	\$ -	\$ 11,944	\$ 55,200
		(504) Water Division	Debt Pymt. NMFA WPF-5089			\$ 13,208
		(505) Solid Waste Division	Capital One Revenue Bond	\$ 119,293	\$ 115,540	\$ 116,788
		(506) Waste Water Division	Debt Service (NMFA TorC 24,27)	\$ 7,713	\$ 7,713	\$ 7,713
		(506) Waste Water Division	Debt Service USDA Loan \$715,000	\$ -	\$ 24,196	\$ 24,454
		(506) Waste Water Division	Debt Service USDA Loan \$315,000	\$ -	\$ 11,481	\$ 11,773
		(506) Waste Water Division	Debt Service-USDA Loan 9 (\$910,000)	\$ 34,147	\$ 34,787	\$ 34,427
			403 -Total Transfer IN	\$ 503,929	\$ 473,727	\$ 571,392
502	Utility Office	TRANSFER IN FROM OTHER FUNDS				
		(503) Electric Division	Administrative Fees	\$ 98,343	\$ 107,925	\$ 82,000
		(504) Water Division	Administrative Fees	\$ 98,373	\$ 107,925	\$ 82,000
		(505) Solid Waste Division	Administrative Fees	\$ 98,343	\$ 107,925	\$ 82,000
		(506) Waste Water Division	Administrative Fees	\$ 98,343	\$ 107,925	\$ 82,000
		(507) Landfill/Collection Center	Administrative Fees	\$ -		
			502 -Total Transfer IN	\$ 393,402	\$ 431,700	\$ 328,000

CITY OF TRUTH OR CONSEQUENCES SCHEDULE OF TRANSFERS

Fund No.	Fund Name	Description	Purpose	Fiscal Year	Fiscal Year	Fiscal Year
				2020-21 Actual	2021-22 Budgeted	2022-23 Projected
503	Electric Division	TRANSFER IN FROM OTHER FUNDS				
		(302) Eletrical Construction	NMFA Payoff/Refinance T or C 6			
		(302) Eletrical Construction	Transfer Cash Acct no longer used.		\$ 3.93	
		(318) Electrical Const Reserves	Cash Needed for Expenditures	\$ 123,000		
		503-3702-12120	From NMSTO / Electric Investment		\$ 16.38	
		(503) Electric Dept CD Investment	Closed Out Transferred to Ele Oper	\$ 510,648		
		(503) NMSTO Investment	Closed Out Transferred to Ele Oper	\$ 848,739		
			503 -Total Transfer IN	\$ 1,482,387	\$ 20.31	\$ -
		TRANSFER OUT TO OTHER FUNDS				
		(101) General Fund	Administrative Fees	\$ (1,290,000)	\$ (1,553,987)	
		(302) Electrical Construction	Cielo Vista & Substation	\$ -		
		(302) Electrical Construction	Debt Pymt. TorC 6 Refinanced	\$ -		
		(306) Capital Improvement Jt. Utility	Per City Code	\$ -		
		(310) Emergency Repair Fund	Per City Code	\$ -		
		(315) Capital Improvement Reserve	Per City Code 14-35 b	\$ (154,839)	\$ (149,029)	\$ (149,029)
		(316) Emergency Repair Reserve	Per City Code 14-35 c	\$ (3,125)	\$ (3,125)	\$ (3,125)
		(318) Electrical Repair Reserves	Per City Code 14-35 e	\$ (10,000)	\$ (10,000)	\$ (10,000)
		(403) NMFA Loan Debt Service	Debt Pymt. NMFA PPRF-4967	\$ (98,948)	\$ (93,639)	\$ (67,094)
		(403) NMFA Loan Debt Service	Debt Pymt. NMFA PPRF-5652			\$ (100,578)
		(502) Joint Utility Office	Administrative Fees	\$ (98,343)	\$ (107,925)	\$ (82,000)
		(503) Electric Dept CD Investment	To Elec Operating Fund for Expenditures	\$ (510,648)	\$ (16.38)	
		(503) NMSTO Investment	To Elec Operating Fund for Expenditures	\$ (848,739)	\$ -	
			503 Total Transfer OUT	\$ (3,014,642)	\$ (1,917,721)	\$ (411,826)
			503 - Net Transfers	\$ (1,532,255)	\$ (1,917,701)	\$ (411,826)
504	Water Division	TRANSFER IN FROM OTHER FUNDS				
		(313) R&R Water Fund	Transfer Cash Acct no longer used.		\$ 0.03	
		(314) CDBG	Closed CDBG Bank Account			
			504 -Total Transfer IN	\$ -	\$ 0.03	\$ -
		TRANSFER OUT TO OTHER FUNDS				

CITY OF TRUTH OR CONSEQUENCES SCHEDULE OF TRANSFERS

Fund No.	Fund Name	Description	Purpose	Fiscal Year	Fiscal Year	Fiscal Year
				2020-21 Actual	2021-22 Budgeted	2022-23 Projected
		(101) General Fund	Administrative Fees	\$ (40,000)	\$ (340,000)	\$ (250,000)
		(301) W/WW Effluent	Bank Inactivity			
		(403) Debt Service	Debt Pymt. NMFA PPRF-4967	\$ (27,601)	\$ (26,120)	\$ (18,715)
		(403) Debt Service	Debt Payment (NMFA TorC 2,17,18,19,22)	\$ (216,227)	\$ (115,991)	\$ (115,992)
		(403) Debt Service	Debt Pymt DW4794		\$ (31,866)	\$ -
		(403) Debt Service	Debt Pymt CIF-4927		\$ (450)	\$ (450)
		(502) Joint Utility Office	Administrative Fees	\$ (98,373)	\$ (107,925)	\$ (82,000)
		(306) Capital Improvement Jt. Utility	Per City Code			
		(306) Capital Improvement Jt. Utility	Debt Pymt.			
		(315) Capital Improvement Reserve	Per City Code 14-35 b	\$ (20,639)	\$ (30,670)	\$ (30,670)
		(313) R&R Water Fund	Bank Activity			
		(316) Emergency Repair Fund	Per City Code 14-35 c	\$ (3,125)	\$ (3,125)	\$ (3,125)
		(216) Streets	Street Repair, Hot and Cold Mix	\$ -	\$ (30,000)	\$ (30,000)
		(403) Debt Service	Debt Pymt. Bank SW Bridge Loan Interest Appx \$4,600/Mo	\$ -	\$ (11,944)	\$ (55,200)
		(403) Debt Service	Debt Pymt. NMFA WPF-5089			\$ (13,208)
		(360) NMFA Colonias	NMFA Colonias 2021 Water System Improvements Phase 2 (7021)		\$ (50,000)	
			504 - Total Transfers OUT	\$ (405,965)	\$ (748,091)	\$ (599,360)
			504 NET TRANSFERS	\$ (405,965)	\$ (748,091)	\$ (599,360)
505	Solid Waste Division	TRANSFER IN FROM OTHER FUNDS				
		(507) Landfill/Collection Ctr.	Close Transfer Station Bank Account		\$ 20.09	\$ -
			505 - Total Transfer IN	\$ -	\$ 20.09	\$ -
		TRANSFER OUT TO OTHER FUNDS				
		(403) Pledge Debt Service	Capital One Revenue Bond	\$ (119,293)	\$ (115,540)	\$ (116,788)
		(502) Joint Utility Office	Administrative Fees	\$ (98,343)	\$ (107,925)	\$ (82,000)
		(101) General Fund	Administrative Fees	\$ (125,000)	\$ (625,000)	\$ (250,000)
		(101) General Fund	Salary Study		\$ (21,700)	
		(507) Landfill/Collection Ctr.	Fund Deficit			

CITY OF TRUTH OR CONSEQUENCES SCHEDULE OF TRANSFERS

Fund No.	Fund Name	Description	Purpose	Fiscal Year	Fiscal Year	Fiscal Year
				2020-21 Actual	2021-22 Budgeted	2022-23 Projected
		(306) Capital Improvement Jt. Utility	Per City Code			
		(315) Capital Improvement Reserve	Per City Code 14-35 b	\$ (49,018)	\$ (48,659)	\$ (48,659)
		(316) Emergency Repair Fund	Per City Code 14-35 c	\$ (3,125)	\$ (3,125)	\$ (3,125)
			505 - Total Transfers OUT	\$ (394,779)	\$ (921,949)	\$ (500,572)
			505 - NET TRANSFERS	\$ (394,779)	\$ (921,929)	\$ (500,572)
506	Waste Water Division	TRANSFER IN FROM OTHER FUNDS				
		(314) CDBG	Closed CDBG Bank Account			
			506 Total Transfer IN	\$ -	\$ -	\$ -
		TRANSFER OUT TO OTHER FUNDS				
		(101) General Fund	Administrative Fee	\$ (90,000)	\$ (90,000)	\$ (250,000)
		(502) Joint Utility Office	Administrative Fee	\$ (98,343)	\$ (107,925)	\$ (82,000)
		(306) Capital Improvement Jt. Utility	Per City Code			
		(306) Capital Improvement Jt. Utility	Debt Service			
		(403) Debt Service	Debt Service (NMFA TorC 24,27)	\$ (7,713)	\$ (7,713)	\$ (7,713)
		(403) Debt Service	Debt Service-USDA Loan 9 (\$910,000)	\$ (34,147)	\$ (34,787)	\$ (34,427)
		(506) Waste Water Division	Debt Service USDA Loan \$715,000	\$ -	\$ (24,196)	\$ (24,454)
		(506) Waste Water Division	Debt Service USDA Loan \$315,000	\$ -	\$ (11,481)	\$ (11,773)
		(309) USDA WWTP	Fund Deficit			
		(315) Capital Improvement Jt. Utility	Per City Code 14-35 b	\$ (24,463)	\$ (24,369)	\$ (24,369)
		(316) Emergency Repair Fund	Per City Code 14-35 c	\$ (3,125)	\$ (3,125)	\$ (3,125)
		(317) Waste Water Repair Reserves	Per City Code 14-35-d	\$ (19,027)	\$ (18,954)	\$ (18,954)
		New Account for Debt Service Reserve	Debt Service Reserve-USDA Loan (\$910,000) Current Year			
		New Account for Debt Service Reserve	Debt Service Reserve-USDA Loan (\$715,000) Current Year			
		New Account for Debt Service Reserve	Debt Service Reserve-USDA Loan (\$315,000) Current Year			
		New Account for Debt Service Reserve	Short Lived Asset Reserve USDA Current Year			
		6/1/2016-6/30/2021	Debt Service Reserve USDA Loan \$910,000 Prior Year			
		10/1/19-6/30/21	Debt Service Reserve USDA Loan \$715,000 Prior Year			
		10/1/19-6/30/21	Debt Service Reserve USDA Loan \$315,000 Prior Year			
		6/1/2016-6/30/2021	Short Lived Asset Reserve USDA Current Year			
		(216) Streets	Street Repair, Hot and Cold Mix	\$ -	\$ (15,000)	\$ (15,000)
			506 - Total Transfers OUT	\$ (276,818)	\$ (337,550)	\$ (471,815)
			506 - Net Transfers	\$ (276,818)	\$ (337,550)	\$ (471,815)

CITY OF TRUTH OR CONSEQUENCES SCHEDULE OF TRANSFERS

Fund No.	Fund Name	Description	Purpose	Fiscal Year	Fiscal Year	Fiscal Year
				2020-21 Actual	2021-22 Budgeted	2022-23 Projected
507	Landfill	TRANSFER OUT TO OTHER FUNDS				
		(502) Joint Utility Office	Administrative Fee			
		(101) General Fund	Administrative Fee			
		(505) Solid Waste Division	Close Transfer Station Bank Account		\$ (20.09)	
		(306) Capital Improvement Jt. Utility	Per City Code			
		(316) Emergency Repair Fund	Per City Code			
			507 -Total Transfer OUT	\$ -	\$ (20.09)	\$ -
508	Golf Course	TRANSFER IN FROM OTHER FUNDS				
		(101) General Fund	Deficit Coverage	\$ 125,000	\$ 151,437	\$ 80,000
		(101) General Fund	Minimum Wage Increase		\$ 448	
		(214) Lodgers Tax	Deficit Coverage	\$ 55,000	\$ 55,000	\$ 55,000
			508 -Total Transfer IN	\$ 180,000	\$ 206,885	\$ 135,000
		TRANSFER OUT TO OTHER FUNDS				
		(307) Golf Course Improvement Fund	Capital Improvement Reserve			
			508 -Total Transfer OUT	\$ -	\$ -	\$ -
			508 - Net Transfers	\$ 180,000	\$ 206,885	\$ 135,000
		509	Airport	TRANSFER IN FROM OTHER FUNDS		
(101) General Fund	General Fund Support			\$ 121,000	\$ 144,238	\$ 70,000
(101) General Fund	Minimum Wage Increase				\$ 280	
	509 -Total Transfer IN			\$ 121,000	\$ 144,518	\$ 70,000
TRANSFER OUT TO OTHER FUNDS						
(30800) Other State Funded Projects	Project: NMDOT Aviation Division Airfield Maintenance and Consumable Items (7005)			\$ -	\$ -	
(101) General Fund	Reimb GF for \$30,000 Cares Act Grant (exp paid in 19-20) Did not happen in 20-21			\$ (30,000)		
	509 -Total Transfer OUT			\$ (30,000)	\$ -	\$ -
	509 - Net Transfers	\$ 91,000	\$ 144,518	\$ 70,000		

CITY OF TRUTH OR CONSEQUENCES SCHEDULE OF TRANSFERS

Fund No.	Fund Name	Description	Purpose	Fiscal Year	Fiscal Year	Fiscal Year
				2020-21 Actual	2021-22 Budgeted	2022-23 Projected
600	Fleet Services	TRANSFER IN FROM OTHER FUNDS				
		(101) General Fund	General Fund Support		\$ 43,000	\$ 58,000
			600 -Total Transfer IN	\$ -	\$ 43,000	\$ 58,000
				\$ 0.00	\$ 0.00	\$ -
Section 14-35 Rules and Regulations of the City Manger						
	City Code 14-35-b	The City Manager shall include within each year's budget provision for providing a capital improvement account within the Joint Utility Fund. The portion of the Joint Utility Fund revenues that shall be set aside for this account shall be two and one-quarter percent of the revenues generated by each of the revenue generating utility departments. The funds in this account are to be used for Utility System Capital Improvement projects as approved by the City Commission. These reserve funds shall be collected and set aside in addition to any other reserve fund or bond requirements of the Joint Utility Fund.				
	City Code 14-35-d	The City Manger shall include within each year's budget provision of providing a Wastewater Treatment Plant Repair and Replacement Account as required by the grant funding obtained for the construction of the existing Wastewater Treatment Plant. The funds that shall be set aside for this are to be one and three-quarters percent of the revenues generated by the Wastewater Department of the City. The use of these funds shall be restricted to repair and replacement projects at the Wastewater Treatment Plant as approved by the City Commission. These reserve funds shall be collected and set aside in addition to any other reserve fund or bond requirements of the Joint Utility Fund.				

CITY COMMISSION MAY 25, 2022 REGULAR MEETING MINUTES

City Manager Swingle explained that we moved this item up on the agenda because Judge Sanders starts her hearings at 10:00 a.m. today, and she would like to address the Commission with some comments about her budget.

Judge Sanders presented her budget to the Commission and explained what is essential to run the Municipal Court. She explained why she needs each position in her office.

City Manager Swingle explained that the positions include in the Courts budget is the Judge, the Court Administrator, the full time position, and the second requested full time position have been excluded. He met with the Judge, and asked her what was essential and what was not essential for the operation. She talked about the software and said that it was essential so we didn't make a cut on that at all. There were some minor programs that she said she would like to do that were not essential and those were cut. It was a few thousand dollars. The bottom line is whether or not you want to fund the 3rd or 4th person in that office. The Judge did indicate that Margaret Clanton is not allowed to handle any of the paperwork because she is the Alternate Judge. His first question to her was why is Margaret an Alternate Judge, and why are we paying somebody to be the Administrator and process all of these documents, when they are not allowed to do it. Judge explained it was because she was not able to find anyone else to serve in that role. If you eliminate that 3rd and 4th position, then they will have to find an Alternate Judge, but he can't imagine that an Alternate Judge is used often or if at all.

Mayor Forrister stated that her suggestion would be to take Margaret off as an Alternate Judge and have her do what she has been doing for years and where her expertise is as the Court Administrator, and then don't have cases held on the days the Judge cannot be there. Everyone else is making sacrifices, and they are going to have to do the same.

Commissioner Mitchell suggested that we keep Margaret's position and the Court Clerk II Position, and request that Margaret go back to administration.

Mayor Pro-Tem Hechler suggested that the Courts hire a temporary COVID screener, with the intent and idea of working towards a phase out down the road.

The Commission discussed the funding of Lodgers Tax allocations.

Mayor Pro-Tem Hechler made a motion to fund Geronimo Trail Scenic Byway \$5,000; MainStreet \$4,500; Sierra County Recreation and Tourism Advisory Board \$17,000, and Sunny 505 \$25,000. Commission Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

Mayor Pro-Tem Hechler made a motion to approve Resolution No. 62 21/22 and accept the Preliminary (Interim) FY 2022-23 Budget as presented with the exceptions that were noted in the first motion. Commission Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

City Clerk Torres asked that items I8-I10 be moved before item G1.

Mayor Forrister made a motion to move items I8-I10 before item G1. Commission Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously

New Business:

I(8). Discussion/Action: Accept or Deny recommendation from the Planning and Zoning Commission pertaining to Variance at 355 S. Foch; 365 S. Foch; and 375 S. Foch:

Traci Alvarez, Assistant City Manager explained that this item was brought before the Planning & Zoning Commission on May 19th, and a public hearing was held. The applicant is requesting to allocate street side parking at 355 S. Foch; 365 S. Foch; and 375 S. Foch, which is a city street. The Planning & Zoning Commission voted unanimously to deny the request.

Mayor Pro-Tem Hechler asked the applicant who is parking in the parking places that are not moving, and he asked if it would be better to zone Foch Street as 1hr parking only so the traffic is always turned over, and people don't park there all day long. He asked if that would alleviate the problem or is it creating more harm.

Mario Maez, applicant explained that he owns 355 S. Foch; 365 S. Foch; and 375 S. Foch which goes to the corner of Sims to where the Radio Shack Building starts. He has a canopy that stops 20 feet from Sims onto Foch Street. All he is asking is for his canopy parking which are approximately 3 and ½ cars. If his secretary parks her car behind the last post, you can fit 3 cars in the front. He has a lot of elderly customers who come in to pay their rent or loan payment, and during the hours of 10:30 a.m. until 2:00 p.m. it is filled in front of his parking because of El Faro. He is not degrading El Faro by any means, but right across the street is an entire strip of parking they use, and they have their parking lot. He has four employees in his office which consists of him, his mother, his secretary, and his handyman. His handyman is never there during the day. His secretary parks in the last pole back where the sign is at. He usually parks in front and his mother parks in the back at 402 Sims which is the Angel Lady's parking. She lets them use one of her parking spaces. One hour parking would probably make a difference. He is not necessarily asking for this on the weekends, because he is closed on the weekends, but on the weekends it is completely slammed up to the brewery.

Mayor Pro-Tem Hechler stated that he understands what is happening. However, he is a little worried if they allow this to happen for his business that other businesses will want to do the same. *(The remaining Commissioners agreed).*

Commissioner Mitchell made a motion to also deny the application pertaining to a Variance at 355 S. Foch; 365 S. Foch; and 375 S. Foch. Commission Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

I(9). Discussion/Action: Accept or Deny recommendation from the Planning and Zoning Commission pertaining to Summary Plat Amendment at 825 W. 9th Street, Truth or Consequences:

Traci Alvarez, Assistant City Manager explained that this was also presented by public hearing to our Planning & Zoning Commission on May 19th. The applicant is requesting to combine her parcels. The Planning & Zoning Board voted unanimously to approve it. There are no issues or concerns with anything with the parcel. She owns to large lots and she wants to combine it as one.

Commissioner Mitchell made a motion to accept the recommendation from the Planning and Zoning Commission pertaining to Summary Plat Amendment at 825 W. 9th Street, Truth or Consequences. Mayor Pro-Tem Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

I(10). Discussion/Action: Accept or Deny recommendation from the Planning and Zoning Commission pertaining to Summary Plat Amendment and Variance at 1500 E. Riverside:

Traci Alvarez, Assistant City Manager explained that this was also presented by public hearing to our Planning & Zoning Commission on May 19th. The applicant is requesting to split his parcel into four parcels. Each parcel would then have a riverfront property parcel to be identified as Parcels 1A, 2A, 3A, and 4A, and the riverfront parcels would not be able to be developed or have anything built on them. They are for recreational purposes only. They would also have to all stay together, so if at one point he would want to sell parcels 2, 3, and 4; the parcels would have to stay with each riverfront parcel. The Planning & Zoning Board voted unanimously to approve it.

Commissioner Mitchell made a motion to accept the recommendation from the Planning and Zoning Commission pertaining to the Summary Plat Amendment and Variance at 1500 E. Riverside. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

I(11) Discussion/Action: Accept or Deny recommendation from the Planning and Zoning Commission pertaining to Variance Request on Parcel: 3022079415169:

Traci Alvarez, Assistant City Manager explained that the applicant/property owner is requesting a variance request pertaining to his previously approved summary plat amendment. The amendment has been approved by both the Planning & Zoning Commission and the City Commission subject to approval of a variance request. The variance request was not originally submitted with the previous request due to a lack of clarification of unobstructed access. The property currently has access to Van Patten Street, but it cannot be considered unobstructed as access is by way of an

undeveloped/unnamed dirt access along a drainage ditch that crosses private property lines. The property owner also plans to develop a street providing unobstructed access. The variance could be considered temporary until development occurs. A Public Hearing was held through the Planning & Zoning Commission and it carried with a 2-1 vote. 2 approved and 1 was against.

Commissioner Mitchell made a motion to accept the recommendation from the Planning and Zoning Commission pertaining to the Variance Request on Parcel 3022079415169. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

G. PUBLIC HEARINGS:

- 1. Public Hearing/Discussion/Action: Public Hearing and approval of a Winegrower Liquor License (*with on premises consumption and package sales with patio service*) at the Love Shack LC, located at 520 N. Broadway Street, Truth or Consequences, New Mexico:**

City Clerk Torres explained that Lillis Urban, the owner of Love Shack LC, located at 520 N. Broadway Street is applying for a Winegrower Liquor License (with on premises consumption and package sales with patio service). A zoning statement has already been approved by our Planning & Zoning Department, and the Director of the Alcohol and Gaming Division has given Preliminary Approval for the issuance of this License. We are required to hold a public hearing to receive public input, as well as final approval from our governing body. Many people have submitted letters of support for this liquor license and the letters are included in the packet. The applicant also included a mission statement.

Mayor Forrister opened the public hearing.

Proponents:

Ida Aabo: Complete copy of comment attached hereto and made a part hereof.

Dana Greene: Complete copy of comment attached hereto and made a part hereof.

James Bush: Complete copy of comment attached hereto and made a part hereof.

Sandi Bodge: Complete copy of comment attached hereto and made a part hereof.

Willie Hunton: Complete copy of comment attached hereto and made a part hereof.

Chris Slate: Complete copy of comment attached hereto and made a part hereof.

Rob Stroup: Complete copy of comment attached hereto and made a part hereof.

Nancy Kosh: Complete copy of comment attached hereto and made a part hereof.

CITY COMMISSION MAY 25, 2022 REGULAR MEETING MINUTES

Marianne Blau: Complete copy of comment attached hereto and made a part hereof.

Wendy Tremayne: Complete copy of comment attached hereto and made a part hereof.

Durrae Johaneck: Complete copy of comment attached hereto and made a part hereof.

Bob Jackson: Complete copy of comment attached hereto and made a part hereof.

Jordyn Jackson: Complete copy of comment attached hereto and made a part hereof.

Amy Smith Muise: Complete copy of comment attached hereto and made a part hereof.

Cody Mullen: Complete copy of comment attached hereto and made a part hereof.

Jessica Logreiera: Complete copy of comment attached hereto and made a part hereof.

Mitchell Torres: Complete copy of comment attached hereto and made a part hereof.

Opponents:

There were no opponents.

Mayor Forrister closed the public hearing.

Commissioner Fahl moved to approve the Winegrower Liquor License (with on premises consumption and package sales with patio service) at the Love Shack LC, located at 520 N. Broadway Street, Truth or Consequences, New Mexico. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer.

H. ORDINANCES/RESOLUTIONS/ZONING:

2. Discussion/Action: Resolution No. 57 21/22 and Resolution No. 57A 21/22 approving the required Community Development Block Grant (CDBG) Annual Certifications and Commitments:

Traci Alvarez, Assistant City Manager explained Resolution No. 57 21/22 is just a requirement in order to apply for CDBG funding. These are boiler plate citizen participation plan, and fair housing which is noted as Resolution No. 57A 21/22.

Mayor Pro-Tem Hechler moved to approve Resolution No. 57 21/22 and Resolution No. 57A 21/22 approving the required Community Development Block Grant (CDBG) Annual Certifications and Commitments. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer.



PUBLIC COMMENT

We welcome public comments, either positive or negative, regarding liquor license applications. If you feel the approval of the liquor license would endanger or adversely affect your community, please provide all issues of concern. If you are in support of issuing the liquor license, please document that below.

Establishment/Applicant Name: Love Shack LC

Proposed Location: 520 N Broadway St

In the City of: Truth or Consequences

RECEIVED
MAR 16 2022
ALCOHOLIC BEVERAGE CONTROL

Summarize your comment or concerns, attach addition pages if necessary:

I support the issuing of the liquor license for Love Shack Co at 520 N. Broadway in T.O.C.

I feel strongly that it will have a positive effect on the vitality of our downtown, ~~but it~~ and will certainly have a positive effect on the economy as well.

Thank-you.

Your Name: JAMES N. BUSH Date: MAR 14, 2022

Your Street Address: 618 IVY ST.

City: T.O.C. State: NM Zip: 87901

How may we contact you?

Phone: 575 740-0856 E-mail: NONE

You may submit your comments or concerns on-line through the RLD website, or mail this form to Regulation & Licensing Department Attn: AGD, PO Box 25101, Santa Fe, NM 87504-5101.

Revised 2/8/2021



Koroneos-Martinez, Charmaine, RLD

From: sandi bodge <sandibodge@gmail.com>
Sent: Tuesday, March 15, 2022 9:08 AM
To: Koroneos-Martinez, Charmaine, RLD
Subject: [EXTERNAL] Liquor License Application

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Applicant name: Love Shack LC

Proposed Location: 520 N Broadway
Truth or Consequences, NM

Comment: I believe that approval of a liquor license for The Love Shack would be a positive step for Truth or Consequences. We visit several times a year. The owners of The Love Shack are dedicated to the preservation and improvement of this lovely town.

Sandra Bodge
POB 2916
Ranchos de Taos, NM
87557

Koroneos-Martinez, Charmaine, RLD

From: Willie Hunton <mandowil@bellsouth.net>
Sent: Tuesday, March 15, 2022 8:05 AM
To: Koroneos-Martinez, Charmaine, RLD
Subject: [EXTERNAL] Truth or Consequences Love Shack LC Liquor License Application

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Applicant Name: Love Shack LC

Proposed Location: 520 N Broadway Truth or Consequences, NM

Comment: I believe that The Love Shack liquor License approval would be a very positive step for the further development of the Truth or Consequences downtown business corridor. We visit the T or C area several times a year and have been delighted in the renewal of this until recently downtrodden area. The owners of the Love Shack have done a fabulous job redeveloping their property and should be given all of the support needed to make it a successful venture in these very trying times.

William Hunton
PO Box 1704
Taos, NM 87529

Koroneos-Martinez, Charmaine, RLD

From: Chris Slate <jcslate@earthlink.net>
Sent: Friday, March 11, 2022 11:36 AM
To: Koroneos-Martinez, Charmaine, RLD
Subject: [EXTERNAL] Support for Love Shack LC

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Hello
I would like to express my 100% support and enthusiasm for Love Shack LC, at 520 N Broadway in T or C, and for their application for a liquor license.
I am excited for what Love Shack LC will be creating, and feel it will be a fantastic asset to our T or C community.

Sincerely,
Christopher Slate

Sent from my iPhone

Koroneos-Martinez, Charmaine, RLD

From: robstroup@mindspring.com
Sent: Friday, March 11, 2022 1:21 PM
To: Koroneos-Martinez, Charmaine, RLD
Subject: [EXTERNAL] In support of Love Shack liquor license

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Hello Charmaine,

Re:
Applicant name: Love Shack LLC
Proposed location: 520 N Broadway St, TorC, NM 87901

Comment:

I am a community member of the city of Truth or Consequences NM. I just wanted you to know that our community offers wide and sweeping support for the opening of a small, but classy, bar in the downtown area. The owners submitting this application are outstanding citizens and educated and people and are much loved by the people of this town. They are also responsible people who will take seriously the responsibilities of a liquor license. I hope that you will strongly consider granting this license. It is a much needed addition to our town.

Thank you.

Rob Stroup
501 N Pine St
TorC NM 87901

Koroneos-Martinez, Charmaine, RLD

From: Nancy Kosh <nancykosh@gmail.com>
Sent: Friday, March 11, 2022 11:28 AM
To: Koroneos-Martinez, Charmaine, RLD
Subject: [EXTERNAL] Love Shack LC License 520 N Broadway

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

To whom it may concern,

As a resident of Truth or Consequences and Short Term Rental Owner here, I would like to recommend Love Shack to be approved for a liquor license.

I believe this type of business would be an asset to the community and will generate revenue for the town. Thank you for your consideration.

Nancy Kosh
952 Veater St
TorC

--

Have a great day! Nancy

Koroneos-Martinez, Charmaine, RLD

From: Marianne Blaue <marianne@torc.beer>
Sent: Friday, March 11, 2022 11:37 AM
To: Koroneos-Martinez, Charmaine, RLD
Subject: [EXTERNAL] Support of liquor license in downtown T or C

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Applicant Name:
Love Shack LLC

Proposed Location:
520 N Broadway St,
TorC

Comment:

I am part owner of the brewery in downtown T or C and also a downtown resident and mother. I endorse the application for a liquor license at 520 N - the downtown needs a responsibly run place to celebrate over a mixed drink for locals and tourists alike and the add-on economic impacts of added vitality in the downtown (instead of vacant storefronts) is a commerce and community win.

Your name: Marianne Blaue
Address: 211 W. Riverside Dr. Truth or Consequences, NM 87901
Cheers,

Marianne Blaue
General Manager, Owner
Truth or Consequences Brewing Company

Koroneos-Martinez, Charmaine, RLD

From: wendy tremayne <wendy.tremayne@gmail.com>
Sent: Friday, March 11, 2022 11:30 AM
To: Koroneos-Martinez, Charmaine, RLD
Subject: [EXTERNAL] Re: Love Shack Wine Bar: License

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Hi Charmaine,

It's Wendy Tremayne writing, 16 year resident of TorC.

I'm writing to send my support for the Love Shack license in process for a future wine bar at 520 N. Broadway St.

I know the applicant well and feel extremely confident that this wine bar will be successful in every way: responsibility, creating a beautiful atmosphere, giving our tourists and local residents a needed place to gather, and I'm grateful that they're willing to work hard to bring this to us.

Please know that I support this license and look forward to the beginning of this business in town.

Very Best,
Wendy Tremayne
504 S Pershing. St. TorC
917 991 3309

Koroneos-Martinez, Charmaine, RLD

From: durrae johanek <durrae@montana.com>
Sent: Monday, March 14, 2022 8:00 AM
To: Koroneos-Martinez, Charmaine, RLD
Subject: [EXTERNAL] Love Shack application

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

I am in full support of Love Shack's (Lillis Urban, 520 N. Broadway, T or C) liquor license. The proposed winery would definitely enhance a major street in T or C that is currently housing several empty business buildings.

Durrae Johanek, 415 Broadway, T/C

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This email has been checked for viruses by AVG.

<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.avg.com%2F&data=04%7C01%7Ccharmaine.martinez2%40state.nm.us%7C9402ee2067ae4309deb708da05c2ec3d%7C04aa6bf4d436426fbfa404b7a70e60ff%7C0%7C0%7C637828631997956642%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikk1haWwiLCJXVCi6Mn0%3D%7C2000&reserved=0>

Koroneos-Martinez, Charmaine, RLD

From: Bob Jackson <ixoyersj@gmail.com>
Sent: Friday, March 11, 2022 6:26 PM
To: Koroneos-Martinez, Charmaine, RLD
Subject: [EXTERNAL] Recommendation of Support - Wine and Liquor License Application for Love Shack, LLC

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Ms. Charmaine Martinez,

We are writing this email to you to voice our full support for the Wine and Liquor License application of Love Shack, LLC (520 N Broadway St, TorC) ...

We know the owner, Lillis Urban. She is an incredibly gifted contributor to the community as well as an incredibly intelligent individual.

This business, with this license granted, will be another needed step in the social development of our town.

Sincerely,
Robert & Kari Jackson
615 Grape Street
TorC, 87901

--
Bob J gmail

Koroneos-Martinez, Charmaine, RLD

From: Jordyn Jackson <jordynjacksonmusic@gmail.com>
Sent: Friday, March 11, 2022 1:52 PM
To: Koroneos-Martinez, Charmaine, RLD
Subject: [EXTERNAL] Love Shack's Liquor License

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Applicant Name:
Love Shack LC

Proposed Location:
520 N Broadway St,
TorC

Comment:
I support the issuance of a liquor license to Love Shack, and believe it will be a benefit to our community's social culture.

Your name: Jordyn Jackson
Your address: 239 E 7th Avenue, TorC, NM 87901

Sincerely,

Jordyn Jackson | Flagship Romance

<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.flagshipromance.com%2F&data=04%7C01%7CCharmaine.Martinez2%40state.nm.us%7C2f89a78fe28f4788190208da03a10c62%7C04aa6bf4d436426fbfa404b7a70e60ff%7C0%7C0%7C637826288222022060%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ik1haWwiLCJXVCi6Mn0%3D%7C2000&reserved=0>

<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.handplayedhandmade.com%2F&data=04%7C01%7CCharmaine.Martinez2%40state.nm.us%7C2f89a78fe28f4788190208da03a10c62%7C04aa6bf4d436426fbfa404b7a70e60ff%7C0%7C0%7C637826288222022060%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ik1haWwiLCJXVCi6Mn0%3D%7C2000&reserved=0>

Torres, Angela

From: Amy Smith Muise <smiamy@gmail.com>
Sent: Monday, May 16, 2022 9:44 PM
To: Torres, Angela
Subject: Support for Love Shack

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Categories: Agenda Items

Dear T or C community,

I am writing to express my hearty recommendation of the Love Shack project whose application is coming up for public hearing for a winegrower wine liquor license. As a former resident and frequent visitor to Sierra County, I believe their establishment will easily find a niche and add vibrancy to the hot springs district.

The carefulness, thoughtfulness and skills of the Love Shack team cannot be overstated. With deep expertise in horticulture and hospitality, financial savvy, and an impeccable eye for what makes a space pleasing, they have what it takes to create a thriving business in T or C.

Thank you for your time.

Sincerely,
Amy Muise

Torres, Angela

From: Cody Mullen <codymullen86@gmail.com>
Sent: Monday, May 16, 2022 8:08 PM
To: Torres, Angela
Subject: Love shack liquor license

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Categories: Agenda Items

Lillis Urban is doing a fantastic job creating a venue that will continue to bring more tourists and more local activity to downtown T or C. I have worked with her and she is very competent and driven. I have no doubt that the approval will benefit everyone in T or C.

Torres, Angela

From: Christopher Slate <jcslate@earthlink.net>
Sent: Friday, May 20, 2022 11:18 AM
To: Torres, Angela
Subject: Letter of support for Love Shack

Ms. Angela Torres
T or C City Clerk

LOVE SHACK WILL BE GREAT FOR TOWN AND GREAT FOR OUR COMMUNITY!!!

Christopher Slate
134 N Broadway
T or C, NM 87901

Torres, Angela

From: Jessica Logreira <jessica@emergencenm.com>
Sent: Friday, May 20, 2022 11:19 AM
To: Torres, Angela
Subject: Letter of support - Love Shack Winegrower Wine & Liquor license

Ms. Angela Torres
TorC City Clerk

Good morning Ms. Torres,

I am looking forward to seeing the **Love Shack, located at 520 N Broadway Street** obtain a Winegrower Wine & Liquor license. It will be a great place in the downtown TorC district for friends to get together and visit while sipping a glass of wine or a cocktail. We need a gathering place that's easy to walk to and that provides a mellow atmosphere for connection.

I thank the city commissioners for their support on this initiative that will benefit the community as well as tourists.

Jessica Logreira
590 Mims Street #6
TorC, NM
87901

Torres, Angela

From: Torres Michell <oregongirl66@icloud.com>
Sent: Thursday, May 19, 2022 2:11 PM
To: Torres, Angela
Subject: The Love Shackcomments

To Ms. Angela Torres,

Good day, I am writing to offer my support & whole hearted endorsement for the Love Shack, & its proprietor, Dr. Lillis Urban. I hope to encourage approval of the winegrower/wine/liquor license necessary for the Love Shack to begin operating as soon as possible. I feel certain Dr. Urban & the love shack, will be a great asset to Truth or Consequences growing "hospitality oriented" businesses. As a new member of this community, and also a new business owner here in town, I am excited to see this kind of quality driven, professional and thoughtful plan, become a reality. I continue to see tourists daily at my own business, who ask where else they should eat and/ or drink, or what else is there to do here, post soak? and while T or C offers so much in such a small package, we could most definitely benefit from additional food & beverage establishments. To have a new venue in town for adults to enjoy a cocktail with the responsible & professional management /ownership of Dr. Lillis Urban along with her vision & impeccable style, would be a win for Truth or Consequences residents and visitors alike.

So I encourage you in closing, to approve all licensing necessary and let the Love Shack vibes begin!

Sincerely,
Michell Torres
owner/chef
Full Moon Kitchen

Torres, Angela

From: Lillis Urban <lillisurban@gmail.com>
Sent: Tuesday, May 24, 2022 6:13 AM
To: Torres, Angela
Subject: Love Shack LC- public hearing 5/24/2022

Hello Angela,

Unfortunately, I am unable to attend the public hearing on Wednesday.

If you would, please share with the public and members of the Commission the following *Executive Summary* and *Mission Statement* for "Love Shack".

Thank you,
Lillis Urban
Registered Agent
Love Shack LC

Executive Summary:

Love Shack is a New Mexico-meets-Morocco intimate bar that serves New Mexico wines, select craft cocktails, and craft beers on tap. Beautiful, soft lit atmosphere with live music on the patio. Love Shack specializes in producing small batch white wines.

MISSION STATEMENT:

Love Shack provides a beautiful space to relax and visit over a cocktail, glass of wine, or a beer. Behind the scenes, Love Shack makes wine, specializing in small batch white wines crafted in stainless steel. At Love Shack you can enjoy the desert evening on the patio, listening to music, or relax inside at the bar under soft lighting. The bar staff talks with you, just like the old times, and the decor reminds you of Rick's Cafe in Casablanca. Love Shack is a part of the southern New Mexico landscape and a vital part of historic downtown Truth or Consequences, New Mexico. The friendly, slower pace of life in southern New Mexico is a welcome reprieve at Love Shack. In the winter, the cast iron fireplace glows. There are comfortable seating options, small tables, couches, and no televisions. On occasion, we host intimate music indoors.

Love ♥☐ Shack values creativity, beauty, nature, music, and friendship. Love Shack is a place where people meet. It's a place where beautiful things happen between people.

3. Discussion/Action: Resolution No. 60 21/22 Budget Adjustment Resolution:

Carol Kirkpatrick, Finance Director reviewed the Budget adjustments that were submitted in the packet.

Commissioner Mitchell moved to approve Resolution No. 60 21/22 Budget Adjustment Resolution. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer.

4. Discussion/Action: Resolution No. 61 21/22 to submit a bond and question for Street, Water, and Wastewater Infrastructure:

City Manager Swingle explained that we have a guest today, Mark Valenzuela, Bosque Advisors, LLC from the Commission Retreat. What you have before you is a discussion from the retreat about exploring the possibility of imposing a bond. This resolution is to identify the question and start the process for us to have a bond referendum in November if the timing is proper.

Mark Valenzuela, Bosque Advisors, LLC explained that the only thing that this resolution is missing at this point are the dollar amounts that you would associate with each item. New Mexico Constitutional law doesn't really allow you to put together different types of questions. Since we have two different infrastructures, Street, Water, and Wastewater Infrastructure, we would have to have two different questions on the ballot. The city has \$4.2 million dollars of bonding capacity, so the question would be if you want to use the entire amount and if you do how much would you attribute to the Streets, and how much would go to Water/Wastewater. Once you make that decision the risk of going to voters is that they select one over the other, and if they only select one then you can only use the amount that was set aside for whichever project that was selected. Once this approved and it goes to the County Clerk to be included in the ballot, you would be encouraged to start making presentations for the bond up to the election in November to get the word out, but you cannot use city resources to advocate for the bond issue.

Commissioner Mitchell moved to approve Resolution No. 61 21/22 to submit a bond and question for Street, Water, and Wastewater Infrastructure. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer.

5. Discussion/Action: Resolution No. 63 21/22 Participation in Local Government Road Fund Program and Request for Match Waiver Administered by New Mexico Department of Transportation:

Traci Alvarez, Assistant City Manager explained that the city has received an award offer from the 2022/2023 Local Government Road Fund Program for a total project

amount of \$313,636.00 (\$235,227.00 Grant/\$78,409.00 Match). The city will be submitting a letter of intent to apply for a hardship waiver for the match. The scope of the project is for Pine Street from East 8th Avenue, to East 5th Avenue, to include full depth pavement reclamation, subgrade preparation, base course, and 3" of hot mix asphalt. The damaged curb & gutter will be replaced, along with permanent signing and striping.

Mayor Pro-Tem Hechler moved to approve Resolution No. 63 21/22 Participation in Local Government Road Fund Program and Request for Match Waiver Administered by New Mexico Department of Transportation. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer.

6. Discussion/Action: Resolution No. 64 21/22 declaring official intent to reimburse the city with proceeds of a future tax-exempt borrowing:

Carol Kirkpatrick, Finance Director explained that the city is in the process of financing the North Transformer with the New Mexico Finance Authority. The vendor has submitted the invoice in the amount of \$1,188,815.53 for payment, and we have to pay the vendor for the work that they have done. We are going to pay them now. This is just to say to the New Mexico Finance Authority that we are going to reimburse that fund when we do get the loan proceeds.

Commissioner Fahl moved to approve Resolution No. 64 21/22 declaring official intent to reimburse the city with proceeds of a future tax-exempt borrowing. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer.

7. Discussion/Action: Selection of CDBG Project and execute and approve Resolution No. 65 21/22 pertaining to the Community Development Block Grant (CDBG) Project Selection:

Traci Alvarez, Assistant City Manager explained that this is a request for an infrastructure project selection. The city held two public meetings on May 18th at 11:30 a.m. and 5:30 p.m. We did not have any public input at the 11:30 a.m. meeting, but we did have two people in attendance at the 5:30 p.m. meeting. She also received three phone calls pertaining to suggested infrastructure projects. (Complete copy of public input attached hereto and made a part hereof). Her recommendation for an infrastructure project would be to apply for funding of CDBG for AMI water replacement meters. That would also help us generate revenue which in turn we could put back into repairing the infrastructure.

Commissioner Mitchell moved to approve the selection of a CDBG Project for AMI Water Meters and execute and approve Resolution No. 65 21/22 pertaining to the

SIGN-IN SHEET

Community Development Block Grant Public Hearing
for the City of Truth or Consequences

5/18/2022

11:00 AM

	<u>Name</u>	<u>Address</u>	<u>Phone Number</u>	<u>Email</u>
1	BRUCE SWINGLE		575 894-6672	bswingle@tccnm.org
2	Traci Alvarez	505 Sims St.	575-894-6673	talvarez@tccnm.org
3	Tiffany Goalsby	PO Box 297, Mesilla, NM	575-740-2926	Tigoobly@tccog-nm.com
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**South Central Council of Governments/CDBG Public Hearing-May 18, 2022,
11:00 AM**

Meeting Minutes

City of Truth or Consequences, New Mexico

May 18, 2022, 11:00 AM

Present: Sign-In Sheet Attached

Tiffany Goolsby, Senior Planner with the South Central Council of Governments, called the meeting to order at 11:15 AM.

No public was in attendance.

The meeting was adjourned.

Certified by _____
Traci Alvarez, Assistant City Manager

SIGN-IN SHEET

Community Development Block Grant Public Hearing
for the City of Truth or Consequences

5/18/2022

5:30 PM

	<u>Name</u>	<u>Address</u>	<u>Phone Number</u>	<u>Email</u>
1	Tiffany Goolsby	PO Box 297, Mesilla, NM	575-740-2926	Tigoolsby@sccog-nm.com
2	Traci Alvarez	505 Sims St	575-894-6673	talvarez@torcnm.org
3	Kyle Smith	721 Charles st	575-223-0894	desetzdrvs@aol.com
4	DEAN J. HOSEN	503 MIMS ST	912 247 1409	SMJOHNSEN@msu.edu
5				
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**South Central Council of Governments/CDBG Public Hearing-May 18, 2022,
5:30 PM**

Meeting Minutes

City of Truth or Consequences, New Mexico

May 18, 2022, 5:30 PM

Present: Sign-In Sheet Attached

Tiffany Goolsby, Senior Planner with the South Central Council of Governments, called the meeting to order at 5:35 PM. Participants were welcomed, asked to sign in, and informed that we would be taking minutes. Ms. Goolsby continued with a presentation on HUD and DFA's Community Development Block Grant Program, the program objectives, the two types of grants available, and the applicant's eligibility.

Ms. Goolsby informed the public that this was also a great opportunity for them to give suggestions for future CDBG applications. She mentioned that Traci Alvarez is authorized to receive and respond to citizen proposals, questions, and complaints concerning proposed and funded activities, and that she can be reached at the city offices. She is available and able to provide technical assistance to groups representative of low- and moderate-income people in preparing and presenting their proposals for the request and use of federal funds.

The meeting was opened for comments, questions, and suggestions.

Suggestions were received for planning and infrastructure grants.

The meeting was adjourned.

Certified by _____

Traci Alvarez, Assistant City Manager

CITIZEN INPUT LOG:

Community/Municipality: City of Truth or Consequences

Purpose of Public Hearing: CDBG Public Hearing – Pre-Selection

Date/Time: May 18, 2022, 5:30 PM **Number of Hearings:** 2 of 2

Name: Kyle Smith	Address/Phone: Please see meeting sign-in sheet
<p>Input: Recommends a planning grant to update codes and ordinances to address Airbnb properties in the community to prevent resident displacement.</p> <p>Recommends starting an industry using naturally sourced guayule rubber from the Chihuahuan desert for economic growth. Students at the high school can grow this rubber plant.</p>	
Name: Sean Johnson	Address/Phone: Please see meeting sign-in sheet
<p>Input: Recommends crosswalks on the main road for safety. Is in discussions with the NMDOT who indicated that they will start working on some crosswalks next week.</p> <p>Recommends odor control at the wastewater lift station below the Veteran’s Home.</p> <p>Recommends that any potential pedestrian or vehicular bridge over the Rio Grande be designed to protect and revitalize the riparian area as well as protect wildlife. This is a very sensitive and important area for wildlife.</p> <p>Recommends the development of a park with oasis and trees to replenish the aquifer, attract wildlife, and improve quality of life.</p> <p>Noted that many of the roads are sinking into the ground. Recommends identifying the problem and fixing the streets.</p> <p>Noted that the Veteran’s Home and hill is sinking. Recommends seeking funding to address this.</p> <p>Wishes more people attended the public hearing. Suggests sending letters to each resident for future meetings.</p>	

Community Development Block Grant (CDBG) Project Selection. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer.

- a. Discussion/Action: Selection of CDBG Planning Project and execute and approve Resolution No. 66 21/22 pertaining to the Community Development Block Grant (CDBG) Planning Project Selection:**

Traci Alvarez, Assistant City Manager explained that this is a request for a Planning Project Selection. CDBG does require that our Comprehensive Plan be up to date within 5 years. Ours is a little over 5 years. Her recommendation is to attempt to apply for planning funds for Municipal PER for our entire Wastewater System.

Commissioner Fahl moved to approve Resolution No. 66 21/22 pertaining to the Community Development Block Grant (CDBG) Planning Project Selection of a Comprehensive Plan or a Municipal PER for our entire Wastewater System. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer.

- b. Discussion/Action: Publication of Ordinance No. 733 amending the code of ordinances of the City of Truth or Consequences by amending Sections 7-136 calling for an increase in the Municipal Gross Receipts Tax of one-eighth of one percent (0.125%):**

City Manager Swingle explained that we talked about revenue streams during the retreat and the city is in dire need of increasing its revenues. The city has the ability to go up 2.05% GRT without referendum today. The current rate is 1.6875% for the city and that is also the rate for the county. The overall rate including the state's rate is 8.5%. We selected increasing 1/8 or .125% because the state is lowering their rate effective July 1, 2022 so this would increase our revenues and keep our GRT at 8.5% as a region. It is kind of getting the best of both worlds and not establishing an increase to our residents in taxes that they are currently experiencing. Unfortunately, our rate would not take effect until January 1, 2023. We have to give Taxation and Revenue a 90-day notice before this change. We are talking about \$180,000 of additional revenue on a full annual basis.

Commissioner Mitchell moved to approve Publication of Ordinance No. 733 amending the code of ordinances of the City of Truth or Consequences by amending Sections 7-136 calling for an increase in the Municipal Gross Receipts Tax of one-eighth of one percent (0.125%). Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer.

(I) NEW BUSINESS:

1. Discussion/Action: Approval of an Engagement Agreement for Municipal Advisory Services with Bosque Advisors, LLC:

City Manager Swingle explained what you have before you is an Engagement Agreement for Municipal Advisory Services with Bosque Advisors, LLC. Mark Valenzuela will work with us to work through the process of getting to the point of the election. He will have no involvement in the election or promoting the concept, but he will certainly give us guidance on what the city should and should not be doing.

Mayor Pro-Tem Hechler moved to approve the Engagement Agreement for Municipal Advisory Services with Bosque Advisors, LLC. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer.

2. Discussion/Action: Authorization to withdraw balance of Capital Improvement Reserve Certificate of Deposit (CD):

Carol Kirkpatrick, Finance Director explained that the city is requesting closing of the account # 13413018 in the estimated amount of \$1,051,917.58 plus any accrued interest in order to pay for various capital projects pending reimbursement. The proceeds will be deposited into the Capital Improvement Reserve Checking Account as First Savings Bank.

Commissioner Fahl moved to approve the authorization to withdraw the balance of the Capital Improvement Reserve Certificate of Deposit (CD). Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer.

3. Discussion/Action: Approval of Landscaping and Irrigation Maintenance Agreement with NMDOT:

Carol Kirkpatrick, Finance Director explained that this goes along with the other projects or processes that we talked about before. We have actually already paid this invoice. They wanted it due by a certain date. We have already approved the water and wastewater contract. This is for the irrigation and landscaping.

Commissioner Fahl moved to approve the Landscaping and Irrigation Maintenance Agreement with NMDOT. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer.

4. Discussion/Action: Approval of the Annual Audit Contract:

Carol Kirkpatrick, Finance Director explained this will be year 3 of a multi-year request for proposal for approval of the contract with the Auditor for 2021-2022 Fiscal Audit.

Anticipation is going to be \$49,000 plus gross receipts tax of \$3,870 for a total of \$52,870.

Commissioner Mitchell moved to approve the Annual Audit Contract. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer.

5. Discussion/Action: Approval of the Biennial Memorandum of Understanding (MOU) between MainStreet and the City of T or C:

City Manager Swingle explained that this is the contract that he would like the Commission to table until we get clarification on what our obligation is. This is a contract that MainStreet and the State of New Mexico put out, and cities/local governments have to put in certain amount of dollars. That's not typical of most agreements, and he doesn't know if that is a requirement or if it is just in the contract because they are trying to get that, and we need that clarification because right now we are using Lodgers Tax dollars and he doesn't know if that is going to be something that will be legal in the future. We need to look at our percentages, and the breakdowns. He doesn't want to tie the hands of the Commission with taking \$5,000 out of the General Fund on an ongoing basis if it is not an absolute requirement.

Mayor Pro-Tem Hechler made a motion to table this item until we get clarification on what our obligation is. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer.

6. Discussion/Action: Approve Amendment No. 1 on the MainStreet Capital Outlay Grant Agreement No. 419-A20E2046-2101:

Traci Alvarez, Assistant City Manager explained in May 202, MainStreet received a grant award Capital Appropriation from the State of New Mexico Department of Economic Development in the amount of \$1,000,000.00 to plan, design, and construct infrastructure improvements to Foch Street in the MainStreet District. Due to cost increases, and lack of funding, the project has been unable to proceed. MainStreet has since received additional funding in FY 2022 (\$320,000.00), and the project can now proceed. FY 2021 Funds are set to expire 6/30/2022. This amendment will extend the FY 2021 grant expiration date to 6/30/2024 which will coincide with the expiration of the FY 2022 grant agreement.

Commissioner Mitchell made a motion to approve the Amendment No. 1 on the MainStreet Capital Outlay Grant Agreement No. 419-A20E2046-2101. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer.

7. Discussion/Action: Approval of the Airport Grant Agreement for Fuel Farm Safety Improvements:

Traci Alvarez, Assistant City Manager explained that the City of T or C received a grant offer from the NMDOT Aviation in the amount of \$1,000,000.00, and no cash match required. The funds are received on a reimbursement process. Funding will be used for the following Fuel Farm Safety and Airfield Safety issues:

- 1. Fuel Farm Pump (Kiosk) Relocation: This is to relocate the current pump (kiosk) closer to the fuel farm, and install piping to the self-serve kiosk from the fuel farm. This also includes creating a new pump (kiosk) for Jet-A. Currently, Jet-A is pumped into the aircraft, and a city employee has to go out to the airport to dispense fuel in off-hours.*
- 2. Rehabilitate the Apron: This is for Pavement Preservation treatments to the apron which is kicking up a lot of FOD. The treatment would extend the life of the apron.*
- 3. Install a new Electric Gate: This gate would re-route public access to the hangars and remove vehicles from the fueling area, which is an issue at this time.*
- 4. Add two additional paved areas: One area will be where the pump (kiosk) will be relocated and the other is to the far north where a new electric gate will be installed for public access to meet the taxi lanes of the hangars. Creating the new paved area at the fuel farm pumps, after the relocation, would provide a pad for aircraft to park on while refueling and also would eliminate the millings area that is between the fuel pump and the fuel farm. These millings are regularly kicked up onto the pavement of the apron and the taxiway.*

Commissioner Mitchell made a motion to approve the Airport Grant Agreement for Fuel Farm Safety Improvements. Mayor Pro-Tem Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer.

Items I8 through I11 were moved up on the agenda.

12. Discussion/Action: Approval of the Sierra County Swim Team Agreement:

Commissioner Mitchell recused herself from this item.

OJ Hechler, Community Services Director explained that this is the amended agreement between the City of Truth or Consequences and the Sierra County Swim Team to allow the swim team to utilize the J.A. Hodges Municipal Swimming Pool at a reduced cost in exchange for services described in the attached agreement. He took the suggested changes from the last meeting, and added them to this amended agreement. He met with the swim coach, and this is what she felt like she could provide for services to the public. The swim team will offer swim lessons to the public. The lessons will include classes for beginning swimmers and intermediate swimmers which will include four sessions each. In discussions with the swim coach to have just one swim lessons

for a student isn't enough to cover everything so that's why it will be four sessions each. It will be advertised to the public in advance and a sign-up sheet will be included so we can track how many people are involved with the swim lessons. In the event that there is a request by another party to rent the pool during the terms of this agreement, the city will make that decision in the best interest of the city.

Commissioner Mitchell made a motion to approve the Sierra County Swim Team Agreement. Mayor Pro-Tem Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer.

**Hon. Amanda Forrister, Mayor voted aye
Hon. Rolf Hechler, Mayor Pro-Tem voted aye
Hon. Merry Jo Fahl, Commissioner voted aye
Hon. Shelly Harrelson, Commissioner voted aye
Hon. Destiny Mitchell, Commissioner recused herself from the vote.**

Motion carried with a 4-0 vote and 1 recusal.

13. Discussion/Action: Consideration of the re-appointment of George Szigeti to the Public Utility Advisory Board:

City Clerk Torres explained that George Szigeti is a current member on our Public Utility Advisory Board. His term will expire in June 2022. The city advertised for the board member position and no new applicants applied. Mr. Szigeti submitted an application to continue to serve as a member, and the board accepted his application at their May 16th meeting. If appointed, Mr. Szigeti will serve on the board until June 2024.

Mayor Pro-Tem Hechler made a motion to appoint George Szigeti to serve another term on the Public Utility Advisory Board. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer.

14. Discussion/Action: Consideration of the re-appointment of Jeff Dornbusch to the Public Utility Advisory Board:

City Clerk Torres explained that Jeff Dornbusch is a current member on our Public Utility Advisory Board. His term will expire in June 2022. The city advertised for the board member position and no new applicants applied. Mr. Dornbusch submitted an application to continue to serve as a member, and the board accepted his application at their May 16th meeting. If appointed, Mr. Dornbusch will serve on the board until June 2024.

Mayor Pro-Tem Hechler made a motion to appoint Jeff Dornbusch to serve another term on the Public Utility Advisory Board. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer.

15. Discussion/Action: Consideration of the re-appointment of Ron Pacourek to the Public Utility Advisory Board:

City Clerk Torres explained that Ron Pacourek is a current member on our Public Utility Advisory Board. His term will expire in June 2022. The city advertised for the board member position and no new applicants applied. Mr. Pacourek submitted an application to continue to serve as a member, and the board accepted his application at their May 16th meeting. If appointed, Mr. Pacourek will serve on the board until June 2024.

Mayor Pro-Tem Hechler made a motion to appoint Ron Pacourek to serve another term on the Public Utility Advisory Board. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer.

J. EXECUTIVE SESSION:

- 1. Threatened & Pending Litigation (George Henson vs. City of T or C) pursuant to 10-15-1(H.7).**
- 2. Purchase, Acquisition, or Disposal of Real Property (Potential Property Sale) pursuant to 10-15-1(H.8).**

Mayor Pro-Tem Hechler made a motion to go into executive session at 1:04 p.m. to discuss Threatened & Pending Litigation (George Henson vs. City of T or C) pursuant to 10-15-1(H.7), and Purchase, Acquisition, or Disposal of Real Property (Potential Property Sale) pursuant to 10-15-1(H.8). 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 2:28 p.m.

Mayor Pro-Tem Hechler certified that only matters pertaining to Threatened & Pending Litigation (George Henson vs. City of T or C) pursuant to 10-15-1(H.7), and Purchase, Acquisition, or Disposal of Real Property (Potential Property Sale) pursuant to 10-15-1(H.8) was discussed in Executive Session.

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

- 1. Purchase, Acquisition, or Disposal of Real Property (Potential Property Sale) pursuant to 10-15-1(H.8):**

Commissioner Fahl made a motion to approve and move forward with Phase II of the feasibility study of the potential sale of the Electric Infrastructure. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer.

CITY COMMISSION MAY 25, 2022 REGULAR MEETING MINUTES

L. ADJOURNMENT:

Mayor Forrister adjourned the meeting at 2:30 p.m.

Passed and Approved this 8th day of June, 2022.

Amanda Forrister, Mayor

ATTEST:

Angela A. Torres, CMC, City Clerk