

CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
WEDNESDAY, JULY 12, 2023

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 was absent

Also Present: Angie Gonzales, City Manager
Traci Alvarez, Assistant City Manager
Jay Rubin, Assistant City Manager
Angela A. Torres, City Clerk-Treasurer
Parks Supervisor Hechler, Community Services

There being a quorum present, the Commission proceeded with the business at hand.

2. SILENT MEDITATION:

Mayor Forrister called for fifteen seconds of silent meditation.

3. PLEDGE OF ALLEGIANCE:

Mayor Forrister called for Commissioner Fahl Hechler to lead the Pledge of Allegiance.

4. APPROVAL OF AGENDA:

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

C. PRESENTATIONS:

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

City Manager Gonzales and Tara Manning, Animal Shelter Supervisor presented an Employee Service Anniversary Award to Mark Hopkins for 3 years of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award for Margaret Clanton for 12 years of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award for Patrick Lovall for 5 years of service with the City of Truth or Consequences.

City Manager Gonzales presented an Employee Service Anniversary Award for Ray Slade for 1 year of service with the City of Truth or Consequences.

D. PUBLIC COMMENT (3 Minute Rule Applies):

Cathy Mears-Martin and Dean Lamanna addressed the Commission with comments related to:

- Dean was brought onto their team as the Co-Executive Director for MainStreet
- T or C so that they can ensure that they are working at full capacity. He brings a different set of skills to the team and they are incredibly excited to have him working with them. Dean is very excited to be in his new role with MainStreet. Some may know him from the Chamber of Commerce. They have a lot of projects they are working on from both organizations. He has a lot of respect for what Linda DeMarino has done at MainStreet. Cathy has brought steadiness and professionalism to her half of the role as well.
- They had their 2nd Saturday Art Hop in July. It was a hot one, but they still had quite a bit of people coming out and there were a few things on the street as well so people were very actively engaged in the community. Their "At a Glance" event was in July and they will do one in August. "Here's your sign" was announced and they currently have 6 businesses who have signed up as well as two artists and they are actively promoting that within the community to get more engagement. World Cleanup Day is on September 16th. The press release for that is going out on Friday. It is going to be a litter picking event, and they are going to ask artists to paint fixed trashcans. They are collaborating with the City, the Recycling Committee, Sierra County Arts Council and the Chamber of Commerce on this project. They were awarded the Leeds Grant for a new project which is a recycle art project where they were approached by a member of the public, and they will also be collaborating with a few areas in there to deliver something for November around America Recycles Day.

E. REPORTS:

City Manager Gonzales asked that various city senior staff members give a report to the governing body.

Tara Manning, Animal Shelter Supervisor reported the following:

- On June 29th, Animal Control got a call out to the County for a dog that was very injured after being hit by a car. Animal Control went out, hunted him down, loaded him up, and advised us of the condition of the dog. We then called the vet who is not there on Thursday's. The vet tech allowed them to bring him over to the vet to have him there for observation so when the vet got there first thing in the morning he could see what he needed to do. On Friday, June 30th, the vet gave her a call and said that we have two options for the dog. The options were to either put him down or to remove his leg. As a professional I asked him what his opinion was. He said Tara, I don't tell you this often, but save the dog. We then decided to remove his leg, and we also had him fixed at the same time since he was under anesthesia. Later that day, we went to the vet to pick up all of our other animals that were being fixed as well, and we brought him over and he just looked helpless. He just sat in his kennel, and his head was resting on his water bowl and he could barely move. He wouldn't keep a cone on to save his life. We tried everything, and finally he started getting up and moving a little bit, and Monday came around and sadly his incision had opened a little. We got really concerned and ended up moving him up front into a popup dog kennel. We kept him cool, and away from flies to lower his chance of infection. They barely had a chance to post him on Facebook and a family came in Wednesday morning, and said that they lost their dog two weeks ago, and he is a spitting image of our dog so we want to take him home. So this little dog who had become my shadow found a truly amazing home. I am sad that he is gone, but I am so glad that he was worth saving because now he is in Texas living his best life. They even had an orthopedic bed for him before they picked him up because they didn't want him to be hurt on the car ride home.

Parks Supervisor Hechler, Community Services Director reported the following:

- We've had some confusion on our pool scheduling. We are still open to the public during lap swim and aerobics so from now on we are putting open swim/lap swim and open swim/aerobics so that it is less confusing to the public. If we don't have many people coming in, in the mornings for open swim, we will put more lane lines out there, but I think that there is a misconception that we are not open to the public during that time.
- We advertise for lifeguards at the beginning of the year for a month and a half to two months, and we went to carrier day at the high school, and passed out applications. We hired every applicant that we received which was 4 applicants even knowing that some of them had limited availability. Ashley is doing the best she can with our lifeguards and our scheduling conflicts with their other jobs. Our lifeguards go back to school coming up here pretty quick so the month of August

may be a rough month for our swimming pool. We are going to do our very best keeping it open when we can, but I wanted to get that out there that they will be going back to school on July 31st. We are losing one of our most reliable lifeguards during that timeframe. A couple of the other lifeguards that we are keeping have very limited availability, and one of them has another priority with another job. It has been stated that this job comes second so I just wanted to get that out there. We are going to do our very best, but I did want to plant that seed. During the hiring process we made reasonable efforts, but next year we are going to have to get creative. This can't happen again so we might even start advertising in January. We are going to team up with the schools the best we can. Again, that still poses the same situation next year for then they go back to school. Ashley is going to become a certified trainer in the off season where she can train her own lifeguards. I didn't realize that you had to have 5 people at minimum to conduct a certified training class. We thought that we would be able to certify people as they got hired, but you have to have a pool so we are going to offer free lifeguard certifications, and CPR classes to the public as well so we can fill those classes up. If we have to hire 5 or 6 part time lifeguards, so when somebody calls in, we can call them in. We don't have that this year, so that is something we want to try for next year. We are also going to create a more simplified schedule for next year. Open swim is going to be the priority. In June, our revenues were over \$5,900. Last year in June it was \$2,300, and a lot of that is because we were closed and a lot of people bought pool passes. Out of everybody who bought pool passes were mostly seniors so it looks like we may cater to the lap swimmers and aerobics a little bit, but they are also the ones buying all of the pool passes so there is a line there that we have to find and discover. Due to the fact that we do not know what August is going to look like just yet, we are considering stopping the sale of pool passes. We are half way through the season and we feel like most of the people who have purchased their season passes have probably already purchased them, and we don't want people to feel like they got cheated so we are probably only going to do daily entry fees from this point forward.

Mayor Forrister: We want to be open to our kids so thank you for clarifying that because I was not aware that there was open swim during lap swim and aerobics. I think that will help tremendously. I also feel that finding lifeguards for a seasonal job is job in general because most of those lifeguards are probably school aged kids so getting creative and probably starting earlier is good. So thank you guys for trying to do your best to get done what needs to get done.

Commissioner Fahl: Thank you for trying to be creative. I think we all want to support the pool and have the pool. That is important to our kids and to our citizens. In the future, we just need to focus on looking outside the box and not do just the traditional stuff, because we need people, but we also need to make sure the pool is open, but how do we do that? The normal way we have been doing jobs is not the norm anymore. People don't want to work hours, and they don't want to do the extra stuff. That is just

common everywhere. Really thinking outside the box, and doing things differently I think is how we have to start doing things in the future.

Commissioner Mitchell: Running the city pool for 20 years was much different back then than it is now. This year I opened up the Hatch pool in June, trained their lifeguards, and Manager, and then I was out, but even they are struggling with finding lifeguards, management staff and finding people who are willing and dedicated to go that extra mile that Ashley goes. I totally commend her for everything that she does because it is not an easy job. Nationwide pools are closing. We had 16 teams that we competed with, and even after COVID we are down to 9 teams. Pools just shut down. There were no lifeguards, and you would go to the swim meets and there are no swimmers over the age of 12. It is just so hard to get youth interested, so expanding your hours and making it more available for the public to use is hopefully going to encourage people to use it because I am 100% behind the pool, so whatever efforts you are doing is commended.

Chief of Police Tavizon reported the following:

- He received a notice of funding for the Edward Byrne Justice Assistance grant in which I applied for. It was initially for \$112,000 for computers and computer hardware such as the track system that they use to write tickets and different things. We were awarded \$39,800 which will provide for 10 laptops, and 10 docking stations at the Police Department. One of the things that we are looking at doing is getting away from the desktops, and just having them dock at that station and be able to be on the internet, and onto the servers there locally. This grant will cover the 10 computers, 10 docking stations, and \$1,000 to the Microsoft software because the computers don't come with that anymore so you have to buy everything separate.

City Manager Gonzales reported the following:

- She met with the New Mexico Senators on Friday. A lot of their priorities were a lot more broadband than infrastructure, but they did mention the infrastructure that we think of. I just have to open my mind that broadband is as important of an infrastructure as everything else. I told them how much we appreciated them bringing the broadband into Sierra County, and they mentioned Paul Tooley, and how they enjoyed working with him, and the Ethos group. It was only an hour, but I was able to touch base with them so we can meet and see what we can do about directing some of those millions of dollars down to southern New Mexico.
- We're getting a new parking lot here by Commission Chambers and Civic Center. The next time we meet we will have a new parking lot. The funds are coming from an SJOA grant.
- Tammy and I are working on the Sunny 505 contract. We are both learning and we are going to get to it.
- Finance Director Wilson is out of the office today and tomorrow. She and I were chatting about the end of year, and everybody being new. We are going to make the end of year process a whole lot more efficient, and we are already working on end of year for FY 24.

City Attorney Rubin had no reports.

City Commission Reports:

Commissioner Fahl reported the following:

- I saw a post on Facebook around the first of the month about the change in Gross Receipts Tax. I think it said that the GRT was going to be lowered this year from 8.5% to 8.35%. I thought that we had passed a resolution that it wasn't going to do that for us because we wanted our taxes to be the same. People are asking me that question so I thought I would find out.

Response:

City Manager Gonzales: As soon as we are done here I will go back to look up that information. I think I still may have contacts at Taxation and Revenue to get that information.

Commissioner Fahl: Angie, once you get that clarified, I think it would be good for you to let the public know because everyone is confused.

Mayor Pro-Tem Hechler: The state lowered their rate (from 4.875% to 4.5000%). I seem to remember that there was a 6 month delay, and it will start in January, but we lost 6 months from the end of the fiscal year until January, and then it gets re-implemented in January and it will go back to the same rate that we were prior to that, but that money is coming back to the city.

- She heard on Sirius Radio on the oldies station and someone called in and mentioned Virgin Galactic, and the DJ said that he had been out here and toured the Spaceport and just loved the City of Truth or Consequences, New Mexico so I thought that was neat.

Commissioner Mitchell had no reports.

Mayor Pro-Tem Hechler reported the following:

- He thanked the Water and Wastewater departments. They got called out on July 4th for a major water break. The story just keeps on repeating itself, and I am really impressed with the crew that keeps on doing that and staying with it. I really appreciate them.
- He thanked Cathy and Dean from MainStreet for their update. We had to work very hard to get MainStreet their funding this year. I know that there was some concerns, but it seems like they have worked through a lot of that, and I am feeling much better about participating and fully funding MainStreet, and I really welcome Dean as an addition. I had the chance to work with him a little bit. I met him at the Chamber of Commerce a few times when I was working on Fiesta. He is a dynamic individual and he is going to be a positive support for MainStreet.
- I appreciate you letting me off last month to go on vacation.

Mayor Forrister reported the following:

- She joked to Mayor Pro-Tem Hechler that we had our quickest meeting without him.
- She also thanked the Water and Wastewater departments. Our City Manager was interviewed, and they put out a little thing on the City of T or C and our water department and the problems that we have. Opposed to Arnie who is the Director, we have very little personnel in that department.
- Yesterday was the 26th day in a row that El Paso had reached over 100 degrees and it is the longest consecutive streak since record keeping began in 1887. That isn't us, but we are very close to them and the latest 7 day forecast is going to continue that streak so stay cool out there.

F. CONSENT CALENDAR:

1. **City Commission Regular Minutes, June 28, 2023**
2. **June Accounts Payable**

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

G. ORDINANCES/RESOLUTIONS/ZONING:

1. **Discussion/Action: Resolution No. 01 23/24 Open Meetings Act and reasonable notice of meetings.**

City Clerk Torres: We adopt the Open Meetings Act Resolution as the first resolution of the fiscal year. It just goes over the Open Meetings Act procedures.

City Attorney Rubin: I think what we need to remember is that it is really the giving of notice. We always want to be careful about our procedure. The second page shows three types of meetings, and fortunately we haven't had to use the special meetings or emergency meetings in quite some time, but if so you will see there is more stringent notice requirements because you have a shorter period of time so if we had to have an emergency meeting it does show the different places that we have to post the notices.

Commissioner Fahl moved to approve Resolution No. 01 23/24 Open Meetings Act and reasonable notice of meetings. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

2. **Discussion/Action: Amendment to Resolution 68 21/22 to amend the use of bleachers.**

OJ Hechler, Community Services Director: This probably will not be the last time we amend this resolution. We have community events that are yearly events such as Veterans Day at the memorial wall 42:33 to 47:59

Mayor Pro-Tem Hechler moved to approve the Amendment to Resolution 68 21/22 to amend the use of bleachers. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

H. NEW BUSINESS:

1. Discussion/Action: Approval of Swimming Pool Agreement.

Destiny Mitchell, Tiger Shark Swim Coach gave a presentation in regards to the Tiger Shark Swim Team Swimming Pool Agreement. (Presentation attached hereto and made a part hereof).

Destiny Mitchell, Tiger Shark Swim Coach: She did not know that their contract needed to be negotiated on a yearly basis because she was not in the meeting last year when you guys voted that so when she went for tryouts this year, she got a call from the City Manager and Assistant City Manager saying that I was not allowed to do that yet because I haven't signed a contract. I told them that we signed it last year, and then I found out that I have to re-new it every year.

Mayor Forrister: So are you wanting to negotiate the agreement, because the agenda has approval of agreement listed.

Destiny Mitchell, Tiger Shark Swim Coach: We arrived at that number by calculating how much it would cost if we went off the pool contract which is \$50 an hour, but we negotiated it down, and we set it for the season at \$910 for the season, and the swim team was fully prepared to pay that amount, and they are still prepared to pay that amount. I don't know if the Commission has the power to negotiate, but if they do I would like them to take this into consideration. If not, then we will go ahead and pay what we had agreed in the contract that we signed last year.

Mayor Forrister: We are kind of at the end of the season, so maybe we should just stick to what we have and then next year we can figure something else out. What do you pay when you have to go to Hatch?

Destiny Mitchell, Tiger Shark Swim Coach: We didn't pay last year, and we only went twice this year and paid \$100 for the two days.

Mayor Forrister: What are you paying when you take them to the lake?

Destiny Mitchell, Tiger Shark Swim Coach: Most of the kids have passes so the parents are paying that cost, and then the community people that are letting us borrow their pools have just done it for free.

Commissioner Fahl: I agree that it is a little late in the game to change things now. We probably just need to do this now and approve this today so you have a contract in place, and then next year you guys really need to hammer out an equitable amount. We certainly need to do something like this for our kids. My kids were on the swim team, and I can't swim, but I know that they won't drown, so we need to do something that encourages that. You have a lot of kids that you know are safe, and for us to have our kids have to travel out of town because they can't afford to swim in our pool, we need to really think about that. I understand that we have the anti-donation clause, but that is a benefit, because we are trying to keep kids from drowning. So next year you need to really get something equitable for us, and for Apple Tree and Tresco. We need to do something so that they are not driving somewhere out of town because they can't afford to swim in our own pool.

Destiny Mitchell, Tiger Shark Swim Coach: I just think if there were a way in the future to talk between OJ and Ashley and city management to figure out to either throw out that private program part back on that so that these organizations can afford these things. Moms and dads can afford a pool party because they were going to spend that money at Sidekixx anyway, but these little non-profit entities can't afford that, and if you want the pool to be used, you need to work with them. It was a lot more supported back in the day, but there was also a bigger budget and a lot more staff so there were things that were a lot different, but there are also things that can be brought back.

Mayor Pro-Tem Hechler: I think I can support having the same agreement this year as last year. I think I like the standard agreement all the way across because there are so many variables that you have to worry about, and it would change too much throughout the year so I like the standard part of it. I think that is important. I also want to thank you for doing what you are doing with the swim team. I don't know how many lives we've saved by that because we have more water in this county than we do anywhere else in the state with the two lakes and the river so kids knowing how to swim in this community is so important. I also want to say that I've seen comments on Facebook, and it is frustrating sometimes when you have staffing issues with the pool, and you are trying to accommodate, not only staffing to keep the pool open, but also trying to figure out how to clean the pool. The city also has to worry about the budget, and about paying overtime to clean the pool and do some of those things so all of a sudden you are losing all of the money that you've gained, so it is truly a sacrifice that the community makes to keep this pool open so you have to understand that side. You also have to understand your side and trying to get these kids going and wanting to do your training and practices to find out that the pool may not be up to par. It is not anybody's fault per say, but I would say that we need to have a lot of tolerance between the two, and really understand each other, and be a little more careful about what is said, and where it is said because it causes some issues sometimes.

Destiny Mitchell, Tiger Shark Swim Coach: I've tried to keep it on the low because I am not upset or angry in the sense of what has happened with the pool. I just don't feel that my swim team kids should be in that pool because of the algae growth. So I just asked around to see if anyone had a pool that we could use for private lessons and we have

CITY COMMISSION JULY 12, 2023 REGULAR MEETING MINUTES

been using those pools for private lessons, but I was trying not to make a big deal about it.

City Attorney Rubin: So we have this contract from last year. Are you wanting an abbreviated contract for this year that is similar to what we did last year?

Mayor Forrister: Yes. I don't think we need to get into the nitty gritty of trying to re-negotiate this right now when we are at the end.

City Attorney Rubin: Paragraph goes over the terms of the contract. Are you satisfied with everything else in there?

Destiny Mitchell, Tiger Shark Swim Coach: If the pool is clear of the algae then I am willing to start up swim lessons. I can start setting up schedules today.

Commissioner Fahl: I think we are all in agreement that that we are all satisfied with what they are performing for us.

City Attorney Rubin: So under terms, do you want to use the same dates that you had last year, or do you want to modify that?

Destiny Mitchell, Tiger Shark Swim Coach: As far as the rental of the pool goes, we go to state on Saturday and then we are done so we don't need to use the city pool anymore and we haven't used it in July so if you want to amend it to be just the month of June or if you want to leave the dates just as they are because I know that it was a yearly thing, but we do not plan on utilizing the city pool for anything else.

City Attorney Rubin: Maybe I will just use the same dates as last year, and I'll just put a sentence in there that we understand that this contract is being executed 2/3 of the way through, but we have been acting as if the contract from last year is still applicable.

Destiny Mitchell, Tiger Shark Swim Coach: Exactly. Yes.

City Manager Gonzales: Jay, you may want to change the tryout date on the contract to May 30th, 31st, and June 1st.

Destiny Mitchell, Tiger Shark Swim Coach: I would like you to keep the closing date to Labor Day so I will have the whole month of August to get the swim lessons in.

Commissioner Fahl made a motion to approve the swim team 2023 agreement, and to allow city staff, Swim Team Coach Mitchell, and City Attorney Rubin to amend the contract as needed. Mayor Pro-Tem Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

Hon. Amanda Forrister, Mayor voted aye
Hon. Rolf Hechler, Mayor Pro-Tem voted aye
Hon. Merry Jo Fahl, Commissioner voted aye
Hon. Destiny Mitchell, Commissioner abstained from the vote.

2. Discussion/Action: Triple H. Solar Contract Renewal.

Bo Easley, Electric Division Director: This is the contract renewal between the City of Truth or Consequences Electric Department and Steve House of Triple H. Solar for Engineering Services. The contract has not been altered, nor have the fees. Everything will remain the same with the exception of updating Steve's mailing address. This has also been reviewed by City Attorney Rubin.

Commissioner Mitchell moved to approve the Triple H. Solar Contract Renewal. Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

3. Discussion/Action: Truth or Consequences Vision Zero Safety Action Plan Safe Streets for All Grant Agreement.

Assistant City Manager Alvarez: The Commission approved submission of a grant application on August 17, 2022 for the Bipartisan Infrastructure Law (BIL) establishing the new Safe Streets and Roads for the (SS4A) discretionary program with \$5 billion in appropriated funds over the next 5 years. In order to apply for implementation (construction) money for street improvements, we must first complete a Safe Streets and Roads Action Plan. The city received a grant award to develop a comprehensive safety action plan, and there is a cash match requirement of \$40,800, and this is the grant agreement that goes with that. The federal share is \$163,200 for a total plan cost of \$204,000.

Commissioner Fahl moved to approve the Truth or Consequences Vision Zero Safety Action Plan Safe Streets for All Grant Agreement. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

4. Discussion/Action: Updating the City Municipal Code related to City Advisory Boards.

Assistant City Manager Alvarez: Included in your packet is the current Municipal Code of Ordinances pertaining to City Advisory Boards. As you know, as a whole it is very difficult to fill board positions, often leaving vacant boards and/or vacant seats causing

CITY COMMISSION JULY 12, 2023 REGULAR MEETING MINUTES

lack of meetings or no quorum meetings. Staff is requesting a review of the various boards for the following reasons:

- Currently City Management and the City Clerk's Office, oversee and attend an average of 6-8 board meetings per month. Often preparing and attending 1 or more advisory board meeting per week. This does not include the City Commission Meetings.
- The City Clerk's Office is tasked with preparing and publishing agenda's, printing and distributing agenda packets, and typing minutes to the meetings. Just their office alone spends approximately 20 hours per week on advisory board meetings.
- Senior City Staff prepares items, and attends applicable board meetings to update the boards on items pertaining to their departments, as well as provide information requested by the boards. Depending on the agenda items, and the board they are presenting to, this can also be time-consuming for departments already short-staffed, and often these meetings are held after their scheduled work hours.

Some of the biggest concerns and frustrations staff has had in regard to the boards are as follows: *(This is not directed to any one board or to all boards but just generalization of what staff have gone through recently).*

- Lack of quorum/attendance. A lot of effort is put into preparing for a meeting. However, it is not always the will of the board members to show up or communicate potential absences or tardiness for a meeting.

Just in the last 3 months, staff and members of the public have experienced the following:

- Staff and the public waited 15-45 minutes for late board members in order to ensure a quorum, so the meetings could progress. This has happened on more than one occasion. *(Normally we would not have waited, however due to respect for public attendance, staff felt it was important for the meeting to be able to proceed and not be rescheduled).*
- Staff and a member of the public showed up for a board meeting, only to have to cancel the meeting 10 minutes after the start time due to lack of a quorum. *(2 of 5 members were present).*
- One board has a member that has not yet attended a meeting since being recommended and approved to serve on the board.

Agenda packets are prepared with all items, and distributed to the members well in advance of the meeting. However, some board members arrive at the meeting without having reviewed any of their packet information. New board members are provided with applicable information pertaining to their board, and the Clerk's Office, as well as our City Attorney provides guidance on how meetings need to be conducted, but these procedures are not always followed. The City Commission reviews and acknowledges most of the board meeting minutes, but what those minutes do not always reflect is the animosity and disrespect that has been shown both towards each other as board members, as well as directed to city staff, and to members of the public. This has

happened on various boards, as well as very recently. With these concerns, we recognize that advisory boards can be an integral part of local government. It is a way to engage citizens in the process, offer a more available forum for dialog and public hearings, and serve as a way to update the public on issues before the Commission make a decision. However, currently it is very rare for members of the public to attend the majority of our board meetings, let alone speak during public comment. Staff respectfully requests that the Commission review the various boards and their purpose to consider the potential possibility of repealing these boards, and/or combining similar boards in an effort to provide more efficient recommendations to the City Commission.

Mayor Forrister: I have been asking this from the day I came in here. Why do we have so many boards that our staff have to attend, and take countless hours away them, and then they have to then prepare them to come to us. Most of those boards are supposed to be created by a certain member, not just anybody from the public. We have to have a business owner or somebody who is in real estate. They have these recommendations which we can't get because we are getting just anybody that applies. We need to think about what we just did with our golf course and recreation advisory board. We need to think about what that does. You get more people interested in one board and you can really get the best of the best, instead of just approving everybody that comes through, and then we have people who don't really show up, quit or aren't really interested because we are begging and pleading to try to get people to come to these things. I know that this is going to take lots of time and effort, but I am guessing, at the end of it, it will also take a lot off the plate of the staff, plus we will get better boards.

Commissioner Fahl: We're not going to do something today, right?

Assistant City Manager Alvarez: Anything that is done has to come back to the Commission for a complete ordinance amendment, so you would be going through the request for publication, and it would come back for public hearing and final adoption, so it would go through at least a minimum of two meetings, if not more if the Commission wants staff to come back with ideas. We are open to any of your recommendations. It's not that we don't want to report to advisory boards, there are just a lot of advisory boards that we are reporting to so we would like to combine some of them.

Mayor Forrister: I think after I got to hear a board very recently, I don't think our staff should be treated like that what so ever, and I would be reluctant to bring anybody to those boards if that is how they are going to treat people. I for one don't want our staff to have to deal with things like that.

Commissioner Fahl: When I read the minutes from the advisory boards, I see that we have 3 staff people attending, so maybe that is something that you need to evaluate, do you need 3 people there? Maybe only one person can go depending on how active some are or what information they need.

CITY COMMISSION JULY 12, 2023 REGULAR MEETING MINUTES

City Clerk Torres: There are some boards such as the library board that we don't have any issues with that board. They take care of their own. I do however, have a board where my staff has had to run the meetings for that board numerous times.

Commissioner Fahl: To that point, I have facilitated meetings for 35 years, and what I have noticed is that a lot of people don't know how to conduct themselves or run a meeting. Maybe we can have some sort of training session for them. In my previous life I have been known to be very pushy, and you have to step up to the plate, and when they are overrunning you, you just have to say no, stop this behavior. You need to stop it from the get go. You guys need to stop them when they are acting out of order. You guys are being too nice. You are not mean enough Angela.

City Clerk Torres: I am personally, but I can't go to every single meeting. I am the bulldog when it comes to that. However, the boards that I am talking about, I have gone to several meetings, Jay and I have done several trainings, we give them information, and I even went as far as giving them a step by step procedure of how to run a meeting and a public hearing, and this is what you say, but they don't care. They don't listen. I don't know how much more training I can do. I even did that for the recreation board. They are getting better, but there are some other boards that don't improve no matter what you do.

Commissioner Fahl: Do they pick their own Chairman?

City Clerk Torres: They do.

Mayor Forrister: People aren't coming to these boards eager to serve on them, unless they have a personal interest, or it is either pulling people, or other boards pulling people out, so I think we need to have our staff look at these boards and look at what can be combined. Yes, the meeting may be a little longer, but we are going to combine 2 or 3 boards where there are 3 to 5 people on there, and then we can get the best of the best and put time and effort into teaching them how to run a meeting instead of teach and teach and have turnover after turnover.

Mayor Pro-Tem Hechler: So we should repeal the Convention and Entertainment Board because we don't use that one. We should repeal the Personnel Board. I was the last person that served on that board and that was quite a while back. We now have different protocols and procedures so we don't need it anymore. Another easy one for me is to combine the Impact Fee Board and the Planning & Zoning Board because they are similar. We can clean that up and get that off of our books. It doesn't save the staff a whole lot of time, but at least it gets it off of our books. I would like to hear a recommendation from Traci or the City Manager because they attend all of these meetings. What would your recommendation be as far as what boards we should combine?

Assistant City Manager Alvarez: I have thought about that a lot. Given what they all oversee, I can easily see combining our Planning & Zoning Board, Utility Advisory

Board, Airport Board, and our Impact Fee Board. The reason I say that is because all four of those boards have one very main function, and that is growth and development for both the city and the public interest. They are all tied somewhere. We can't grow our Airport if we don't grow our infrastructure out there. Our Planning & Zoning is all about development where you have to have the utilities. Right now our Utility Advisory Board is already a part of the Impact Fee Board. We are just supposed to add two more members to that board, and we struggle to get people to apply for that. I would like to see the potential of combining those four boards. You can have somebody that has a strong background in airport, real estate, a contractor, utility, and then a public at large serving on that board, and that would make up a 5 person board. You can call it a community development board. I think that there may need to be term limits on these board so you can always have a fresh perspective that grows and changes.

The Commission liked that idea.

Commissioner Mitchell: I also think that we need to put in some more information on accountability. If you are not there for two consecutive meetings, and have not contacted us to let us know that you will not be at these meetings, we are going to assume that you have resigned. I also think that there should be term limits for board members and maybe moving some of the meetings to quarterly instead of monthly.

City Clerk Torres: I think that is a good idea. We can always schedule a special meeting if we need to.

Commissioner Fahl: I would also like to have their roles and responsibilities laid out so they would know what they are expected to do, and it would be all lined out for us as well.

Mayor Forrister: I don't think it would hurt for them to go to some sort of training.

Commissioner Fahl: We can have the FFA kids come and teach them how to run a meeting.

Mayor Pro-Tem Hechler: I think they should also attend a few Commission Meetings so they can understand the protocol.

Assistant City Manager Alvarez: Some of them already say that they are supposed to have somebody come and report to the Commission, even if it is on a quarterly basis.

The Commission would like that to be included.

Mayor Pro-Tem Hechler made a motion to direct City Management and our city attorney to make recommendations to the City Commission on combining boards, and establish frequency of meetings for these boards, and repeal boards that have not been active in the last two years. Commissioner Mitchell seconded

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

5. Discussion/Update: FY 2025-2029 Infrastructure Capital Improvement Plan (ICIP) Public Hearing Information.

Assistant City Manager Alvarez: City of Truth or Consequences fiscal year 2025-2029 ICIP public hearing will be held on Wednesday, July 26, 2023 during the regularly scheduled City Commission Meeting. Residents are encouraged to attend and provide their input on projects they believe should be included, anyone unable to attend can mail written comments or email your comments to the City by July 24, 2023. City Staff recommendations may be presented and the City Commission may approve a resolution to rank and accept the ICIP for fiscal year 2025-2029 during their regular City Commission Meeting on July 26, 2023.

6. Discussion/Update: Public Safety Announcement MSD Roadway and Drainage Improvements.

Assistant City Manager Alvarez: MSD Roadway and Drainage Project began July 10th. Public Announcement shows estimated timeframes and locations to expect road closures. (Copy of schedule attached hereto and made a part hereof).

I. ADJOURNMENT:

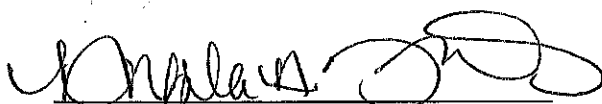
Mayor Forrister adjourned the meeting at 11:31 a.m.

Passed and Approved this 23rd day of June, 2023.





Rolf Hechler, Mayor Pro-Tem



Angela A. Torres, CMC, City Clerk



Public Safety Announcement – City of Truth or Consequences
MSD Roadway and Drainage Improvements

Project Schedule: 7/10-8/16 – Phase 1

Affected Areas: Mcadoo St from Foch St to Jones St

Scope: Mcadoo St. will undergo a complete street reconstruction from Foch St to Jones St. Please use alternate routes during this time frame.

Project Schedule: 8/16 – 10/1 – Phase 2

Affected Areas: Daniel St from Broadway St to Mcadoo St

Scope: Daniel St. will undergo a complete street reconstruction from Broadway St to Mcadoo St. Please use alternate routes during this time frame.

Project Schedule: 10/1 – 12/1 – Phase 3

Affected Areas: Mcadoo St from Jones St to Pershing and Pershing from Broadway to Main Ave

Scope: Mcadoo St. and Pershing St will undergo a complete street reconstruction from Main Ave to Broadway St. Please use alternate routes during this time frame.

Emergency Contact Information:

Ricardo Espinoza – 915-305-4571

Orrey Allen – 915-219-3021

Javier Villanueva – 915-549-1856

Sierra County Swim Team



TorC TigerSharks

Team History

- **1986-1993**: Parent ran organization, Retired Swim Coach CJ Johnson (20-30 swimmers)
 - Swam all summer, and had one swim meet with Deming each season.
- **1994-2000**: Joined Sundance Aquatic Association from ALBQ plus I25 (Socorro, Belen, LL, TorC,) Head Coach Jackie Hall. (60-80 swimmers) 4-8 meets per season.
- **2001-Present**: Head Coach, Destiny Mitchell. Parent Board. (40-60 swimmers.) 4-8 meets per season.

Program Goals

- Competition: Teach proper swim stroke techniques geared towards improving physical fitness, race times, and competitive athleticism.
- Leadership: Build team leaders, assistant coaches, and social skills.
- Certifications: Attain certifications for Junior Lifeguard (11-14), and Lifeguard/First aid/CPR/AED (15-18).



Program Cost to Parents (per swimmer)

- Registration:
\$50.00
 - (Includes \$35.00 insurance for SAA team only gets \$15.00 per swimmer)
- Team Suit:
\$60.00
 - \$50.00 (boys) \$70.00 (girls)
- Caps:
\$10.00
- Shirts:
\$10.00



Program Cost (Family of 3)

- Registration:
\$150.00
 - (Includes \$35.00 insurance for SAA team only gets \$15.00 per swimmer)
- Team Suit:
\$180.00
 - \$50.00 (boys) \$70.00 (girls)
- Caps:
\$30.00
- Shirts:
\$50.00

Basic Swim Team Proceeds

- \$15.00 per swimmer X 45 swimmers = \$675.00
- Cost to rent the pool= \$50/hrX10 hrs/wX 8 w/yr = \$4,000.00
- Lifeguard fees: \$25/hr, 10 hrs/wX8 w/yr=\$2,000.00 (waived since swim team supplies lifeguards.)
- Negotiated cost: Reduced rate for 501c3 non-profit, community service (free swim lessons) = \$910.00 per season.



Breakdown

- Cost to parent to swim: ~\$700.00 per swimmer
- Swim Team Nets: ~\$675.00 per season
- Pool Rental Fees:
~910.00 per season
- Cost of awards
~350.00 per season
- Coaches Fee:
~300.00 per season
 - (I used to ask for reimbursement to meets gas/food/lodging, now I only ask for them to pay for my hotel for the state championships July 13-16. I volunteer to coach and always have.)
- Closing Balance: **-\$885.00**

Fundraising, Scholarships and Sponsorships

- Art Hop Fundraisers:
 - Bake sales, raffles, carwashes, pancakes, etc.
- Sponsorships:
 - SVH
 - Personal Sponsors
- Grants
 - Presbyterian
 - Wal-mart
 - A.C.T.



Last years State Qualifiers



Above: Breaststroke
Below: Butterfly



Previous Contract

- Practice outside of the pools set hours. ~10 hours per week
- Offer free swimming lessons to the public:
 - We had about 20 swimmers, but got rained out the last week.
- Supply our own lifeguards (2 per practice)
- Check chemicals if before the pool opened
- Put up lane lines when able
- Ensure facility is clean and closed properly

Contract Proposed 2023

- Practice outside of the pools set hours.
 - Originally 1pm-3pm Tue-Fri, but hours changed so we moved to Tue/Thur 4pm-6pm and Wed/Fri 1pm-3pm
- Offer free swimming lessons to the public:
 - I have a list of about 15 people signed up.
- Supply our own lifeguards (2 per practice)- We have 3 JR lifeguards and 2 full lifeguards and have been rotating.
- Check chemicals if before the pool opened.
 - Every Wednesday, chemicals were too low to swim
- Put up lane lines when able
- Ensure facility is clean and closed properly

Pool Issues

- 6/22- Pool had major algae along the bottom middle. 40 ft/10ft wide.
 - I offered to vacuum and I did. Mild improvement
- 6/23- Cancelled practice and invited swim team to scrub the whole pool which we did. Mild improvement.
- 6/24-6/27- City staff attempted to clean/vacuum/treat pool.
- 6/27-6/28- Had practice
- 6/29- Algae was worse, pool was cloudy, couldn't see the bottom. Cancelled practice after 15 minutes. Cancelled practice for 6/30
- 7/4- No practice for 4th. 7/5 checked chemicals at 8am. No chlorine (0.05) still a lot of algae. Cancelled all further practices at City Pool.
- Will offer swim lessons when Algae is gone and pool is safe again.

Contract 2023

- Negotiate cost per hour to rent the pool.
 - Pool hours used this year =26
 - Pool hours used last year= 30 Paid \$910.00
- Mitigating factors:
 - Cost per swimmer each season~\$500.00
 - Team supplies lifeguards
 - Swim Lessons TBD
 - Promotion of City of TorC
 - Pool water/chemical issues