

CITY COMMISSION MEETING MINUTES  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
CITY COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> St.  
TUESDAY, JULY 24, 2018 at 4:00 p.m.

**A. CALL TO ORDER**

The meeting was called to order by Mayor Steve Green at 4:00 p.m., who presided and Renee Cantin, 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. Steve Green  
Hon. Sandra Whitehead  
Hon. Kathy Clark, Commissioner (absent)  
Hon. Rolf Hechler, Commissioner  
Hon. Paul Baca, Commissioner

Also Present: Juan Fuentes, City Manager  
Renee Cantin, City Clerk-Treasurer

Mayor Green announced he spoke to Commissioner Clark about an hour ago and she was on the road and was going to try to attend by telephone, so she may be calling in.

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

**2. SILENT MEDITATION**

Mayor Green called for fifteen seconds of Silent Meditation and asked us to keep our veterans in our thoughts and prayers.

**3. PLEDGE OF ALLEGIANCE**

Mayor Green called for Commissioner Baca to lead the Pledge of Allegiance.

**4. APPROVAL OF AGENDA**

Mayor Pro-Tem Whitehead moved to approve the agenda. Commissioner Hechler seconded the motion. Motion carried unanimously.

**C. COMMENTS FROM THE PUBLIC (3 Minute Rule Applies)**

## CITY COMMISSION JULY 24, 2018 REGULAR MEETING MINUTES

Mayor Green called for Public Comment, noting those wishing to comment would get three minutes, may only approach the podium once, and any material for the Commission was to be left in the black box by the podium.

Ron Fenn, 316 N. Foch addressed the Commission related to:

1) You have all seen the wonderful story on the front page of the Sentinel for Fuentes being named City Manager of the year. What the Sentinel didn't check are the real facts. For the rest of the story, he read the document he presented. City Manager of the year awards were given at the New Mexico City Management Association Post Budget Professional Development Workshop on the final day of the program held in Ruidoso on July 11<sup>th</sup> -13<sup>th</sup>. Two awards, one for large cities over 10,000 population and one for small cities under 10,000. The large one will likely go to the City Manager in Farmington, the only nominee of 28 cities in that category. Meanwhile, our own Juan Fuentes, recent Past President of the City Manager's Association, and nominee of Steve Green, was the only nominee of 157 cities in that category. His question, Is such an organization worth belonging to at the public's expense? One that gives an ego award to a Manager, in title at best, having consistently operated our community with a nearly \$2 million a year deficit, while covering the shortfalls by looting the enterprise utilities of their repair, upgrade, and replacement funds to the detriment of all residents. Mr. Green, Mr. Fuentes, you have diminished the value of all awards for merit by your actions. Shame on you and shame on all those who believe in you. This was all confirmed by the organization who put on this farce.

Laura Van Dyne, 409 Kopra addressed the Commission related to:

1) Commented on the Off Highway Vehicle Ordinance. She is hopeful they will pass this ordinance. She would like to get one to get to the desert so it won't be the heck out of her car. She also picks up trash while she's out there. So she is in favor of the Off Road Vehicle Ordinance.

Dean Tulk, President of UMOVA addressed the Commission related to:

1) He wanted to voice his support for the Off Highway Vehicle Ordinance as far as the original draft. But he does not support the revised ordinance that includes the permitting requirement. It's not something that any other community or area does to his knowledge. And other than the state permit you have to get he has never found anything other than that required in the communities. He may be wrong on that but that's just what he has found. The second item he would like to bring up on the permit issue is he is not entirely sure how the city can charge for a permit to use OHV's on the road when the state actually licensed these as Off Highway Vehicles, so he questions how we can charge for that. Overall, he thinks we need to do this as far as a tourism base and we can bring a lot of people in. He just got back from riding the Colorado BDR – Backcountry Discovery Route, where OHV's are welcome. And those are in the presentation he made to the Commission. You wouldn't believe the amount of money that goes through there. He talked to the Sheriff in Silverton and they have hardly any problems other than the ones going up into the Alpine Tundra and acting like idiots. And those are being prosecuted quite severely. As far as in town, everyone is happy with it and there are big signs up saying "Welcome". He just thinks we need to get rid of the permitting part of it.

#### **D. RESPONSE TO PUBLIC COMMENTS**

Mayor Green read the rest of the article that was added in the Sentinel which included the comments from Frances Luna. She talked about when she was President of Rotary and then Juan was President of Rotary, and it went on to say, "The proud moment carried on as she sat at a meeting with him this week and heard him give his credit for his award to his staff and all of their hard work and accomplishments. Not once did he say it was for anything he was responsible for. Rather the work of the city staff and their dedication to the residents of Truth or Consequences. We have heard and seen the tax on Juan throughout the past years and I have to tell you it has been amazing to watch him grow as a Manager, to be humble with his accomplishments, and share his success with his employees. It says so much about him as a person and a leader." Mayor Green reiterated that was part of the same article.

Mayor Green also thanked Ms. Van Dyne for coming, he enjoyed their conversations.

#### **E. PRESENTATIONS**

##### **1. Special Presentation by Representative Rebecca Dow.**

Representative Rebecca Dow began by saying it's an honor to come today to celebrate the good news about the Town of Truth or Consequences. Too often, you guys hear public comment about complaints and potholes, which are still important. But today we get to celebrate the accomplishments of our Manager Juan Fuentes, and the team that he has built and is still growing with the city of Truth or Consequences. She presented a special recognition to City Manager Fuentes from the New Mexico State House of Representatives Proclamation who learned of his accomplishments and wanted to send this recognition for receiving the City Manager of the Year Award from the New Mexico City Management Association. She further stated, the House of Representatives would like to congratulate you.

Mayor Green thanked Representative Dow and let her know we are very lucky to have her. Representative Dow thanked the Mayor and Commissioners for all of their volunteer work. It's a lot of work to serve in a small municipality and she knows they get a lot of phone calls, emails, and text messages and she knows you guys are all committed to the job.

City Manager Fuentes thanked Representative Dow and he certainly is honored. He thanked Mayor Green for reading that because this is truly an honor and it might be under his name or his name might be on the plaque but it's really for the staff. He thinks the city is being recognized for the things that we've done. And regardless of the criticisms we might get under public comment, some of those Managers may have seen those videos on line and said, Yep, Juan gets it. He thinks our staff, and MainStreet, the people who organized the Dog Park, and then you have the business community like the Brewery and local businesses downtown. And also Representative Dow as well, who we need to recognize that a local is having such a huge impact and influential in the State. There is a lot of positive things happening and city staff and public shouldn't let the very few in

## CITY COMMISSION JULY 24, 2018 REGULAR MEETING MINUTES

minority to drown the good things that are happening. He thanked them very much for that and he thanked the Mayor and Commissioners. Representative Dow thanked him for that and added it's very exciting to get regular phone calls from newspapers and news channels wanting to know all about the buzz and what's happening in downtown Truth or Consequences. And it is truly a community effort.

### 2. Presentation of the Fiscal Year 2018/2019 Final Budget. Melissa Torres, Finance Director and Juan Fuentes, City Manager

Finance Director Torres started by walking them through the Fiscal Year 2018/2019 Budget in their presentation.

City Manager Fuentes reviewed the Equipment and Projects and the recommendations they came up with.

Commissioner Hechler began with one of the reasons we wanted to work on having all of our employees working at \$11.00 an hour is to be able to recruit and retain better people. He also mentioned you have to also look at how long they have been here, if we were to go with revision #4. Finance Director Torres added we also need to look at the vacancy savings.

Mayor Pro-Tem Whitehead commented that she is hoping when we do our vacancy savings, she is hoping we don't fall into a rut into making a match for a grant project or some other need we have. We need to make sure we are taking care of our employees so they are happy and able to do a good job and then we are lacking for other things in the community. She doesn't want to rob Peter to pay Paul, so to speak. City Manager Fuentes responded that's always the challenge to make everybody happy.

City Manager Fuentes thought maybe we should look at those allocations and make them a part of the final budget.

### **F. CONSENT CALENDAR**

1. City Commission Regular Minutes, June 27, 2018
2. Impact Fee Board Minutes, June 18, 2018
3. Public Utility Advisory Board Minutes, June 18, 2018
4. Public Arts Advisory Board Minutes, April 17, 2018 and May 15, 2018.
5. Authorization to open separate interest bearing account with First Savings for all State Checks collected by the City of Truth or Consequences.
6. Amendment to Resolution No. 38 2017/2018 revising the surplus property Auction List (Exhibit A).

**Mayor Pro-Tem Whitehead moved to approve items F.1 to F.5 on the Consent Calendar as noted. Commissioner Baca seconded the motion. Roll call vote was taken by the Clerk because of Item No. 6. Motion carried unanimously.**

**Mayor Pro-Tem Whitehead moved to approve Item No. F.6 Amendment to Resolution No. 38 2017/2018 revising the surplus property Auction List (Exhibit A) as submitted. Commissioner Baca seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.**

#### **G. ORDINANCES, RESOLUTION, & ZONING**

1. Discussion/Action: Ordinance No. 697 for publication amending the code to allow the operation of Recreational Off-Highway Vehicles and All-Terrain Vehicles on maintained streets or roads owned and controlled by the City of Truth or Consequences. Jay Rubin, City Attorney

City Attorney Rubin said as you know this has been on for the last couple of meetings and he was asked to draft an ordinance. So he started by using the county ordinance as a model and there were some changes in a portion of the state statute he felt was appropriate to add in Section 56-3-0-11. Mr. Tulk also came to his office and offered some sections of the state statute that was very helpful. He read and gave a brief overview of the ordinance. The section 3, paragraph B.2 should be "mirrors", where the state statute reads slightly different says, "the Operator has valid driver's license or permit that is required under the Motor Vehicle Code and Off Highway Motor Vehicle Safety permits as required under Off Highway Motor Vehicle Act." So if we decide to go to publication, he will get together with the City Clerk with that change. He went on with No. 4 and No. 5 which are again from State Statute. No. 6 is also in State Statutes but was not in the County Ordinance where the Operator if he is under 18 years of age, he has to wear a helmet and shall attend an Off Highway Motor Vehicle Safety permit issued by the state. D, E, F, and G are all from state statute. He did have a change in Section G which suggested striking the mph language in Section G.1 and just going with the posted speed limit because they don't have any roads that are 45 mph. He went on to the other Sections. Section 5 is the one Mr. Tulk was concerned about, he was asked to put that in there by the direction of the Commission for the permitting like we handle it with the Golf Carts.

Commissioner Hechler thanked Mr. Tulk for bringing that to their attention because he also has some concerns in that regard. One concern is asked how we deal with out of town folks who come on the weekend and are not able to get a permit. Or how do we get a permit for our sister cities or county who want to come to our town. City Attorney Rubin understands that is a concern.

Mayor Green added to Commissioner Hechler's point, it's not like you can go to the gas station and get a fishing license. He thinks if we are going to proceed forward with this, it doesn't make sense to make T or C a walled community. He asked if Elephant Butte has adopted the County's version of this. Because for this to work, we've got to be in locked step with our other communities. He asked if we are mirroring what they have done. Mr. Tulk said Elephant Butte adopted theirs before the county. At this time they are not permitting because they realized it would be a great amount of time on staff.

## CITY COMMISSION JULY 24, 2018 REGULAR MEETING MINUTES

Mayor Green asked how they check that their vehicles have breaks, mirrors, and mufflers? How do we disseminate that information? Do we just put it out to all of the clubs? Or put it up on our website? Because the Chief and his team are going to enforce the rules and laws of T or C. Mr. Tulk said they are going to have to enforce state law also. City Attorney Rubin said that language came directly from state statute so it's ok. Mr. Tulk added they are required to have those per state law anyway, period.

Mayor Green thanked Mr. Tulk. He has a hard time wrapping his head around B.7 with a person under the age of 18. If you have a child who is 12 years old who takes the safety class and pass it, they still have to have a Driver's license. City Attorney Rubin said if you are under the age of 18 you have to have a Driver's License and take the safety course. But a child under 12 would not have that.

Clerk-Treasurer Cantin added she talked to her staff because they handle the Golf Cart Permits on how they could handle the permitting for this. And they came up with a couple of solutions. If they have a big event like the Desert Outlaw Racing, they discussed taking turns early in the morning to issue permits. Mr. Tulk had a concern for charging a fee to issue permits, but we don't charge for a Golf Cart fee either, so that should not be a problem. But they could work it out with staff. If they come just for the weekend on their own, maybe we could work it out to where the Police Department lets them know the process for the next time they come to town. Mayor Green said so if its included in the state permit why should we even have it. Clerk-Treasurer Cantin agreed that's a good point, but the Commission brought it up a few times so they included it. Mayor Green appreciates that but they are kind of learning as they move forward.

Mayor Green's personal opinion is we should delete that whole thing about permitting and put some information up on our website and an appropriate notice. To go through all of that and not have it create more revenue is nonsensical. He then asked about a car that was on Broadway and squealed it's tire and the sound was terrible. How do we deal with the sound of these OHV's to let them know for our residents.

Chief Aragon responded we do have a Noise Ordinance and they can be cited. They can also take the tag number and talk to them. Mayor Green said we have a responsibility to protect the citizens.

Commissioner Hechler understands the person under 18 has to have a Driver's License, so a person who is 15 would only have a permit and they would not be allowed to drive. City Attorney Rubin read that section and it was determined they can operate with a permit if they are with an adult.

Mayor Green said he is hearing we would like to move this forward and removing the permitting part.

**Commissioner Hechler moved to approve Ordinance No. 697 for publication amending the code to allow the operation of Recreational Off-Highway Vehicles and All-Terrain Vehicles on maintained streets or roads owned and controlled by**

**the City of Truth or Consequences deleting the section 5 a and b on the permitting process. Commissioner Baca seconded the motion.**

Mayor Pro-Tem Whitehead would like to see when this is enacted that we come back and visit it at a later date to see if we need to add anything to it. Mayor Green agreed and hopefully the visitor's will be respectful to the land and our community as we invite them in. **Motion carried unanimously.**

Mayor Green thanked City Attorney Rubin, Dean Tulk, Mark Bleth, and Commissioner Baca for bringing this forward and working on it.

2. Discussion/Action: Resolution No. 02 18/19 4th Quarter Financial Report.  
Melissa Torres, Finance Director

Finance Director Torres highlighted the areas of the 4<sup>th</sup> Quarter in the presentation. Of the General Fund on the revenue they ended with 94%, expenditures at 91%. She went on with the other departments and where they were at the end of year. She showed a five year comparison of the GRT, they ended the fiscal year with a deficit of \$639,000 and last year was \$3.7 million. Lodgers Tax was higher this year, and she announced each of the other funds. They are emphasizing in the General Fund they had a difference in revenues and expenditures of \$1.4 million.

Mayor Green asked if we can find out about the GRT from Santa Fe, not by companies but by industry. To take a hit that big in GRT, he would like to know for his own piece of mind if it was the build out of the Veterans Hospital wing or what it could have been. He wonders if we are able to find out what industry may have caused this amazing bump last month and went into the tubes this year. Finance Director Torres said absolutely, if you recall Commissioner Clark requested that breakdown and it was definitely in the construction industry for that. But they can do another analysis and request that information. Mayor Green said maybe in the future, we should look at 15, 16, 17, and 18 as the model.

**Mayor Pro-Tem Whitehead moved to approve Resolution No. 02 18/19 4th Quarter Financial Report. Commissioner Hechler seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.**

3. Discussion/Action: Resolution No. 03 18/19 Approving the FY 2018/2019  
Final Budget. Melissa Torres, Finance Director

Finance Director Torres said as you know during the presentation they are asking if this is the direction the Commission would like them to go into or would they like to proceed with Revision #4?

Commissioner Hechler asked if there is any more room with absorbing positions that have been vacant for more than a year and then going with the 3% COLA across the board. Mayor Green said so that would put us theoretically at a negative in the General Fund. City Manager Fuentes said we do have some vacancies right now, but the main thing is

## CITY COMMISSION JULY 24, 2018 REGULAR MEETING MINUTES

it needs to be in the General Fund. We cannot help the numbers with a position from Water or Wastewater or Solid Waste to add it over here. But with that said, they can figure that in and close that gap with Revision 4, if it's the will of the Commission. Whether it's through extending one of the Department Heads vacancies, but of course, that would be recognizing additional duties to somebody. Recognizing the compensation for that individual whoever that may be. They will need the flexibility to make those changes as they come along in order to add and proceed forward. If the Commission approves to go forward with Revision 4, he is confident he and Melissa can zero that out to get it moved forward to DFA to be approved. Maybe at midyear, if things improve we can come back and revisit what things we need to make a priority again.

Mayor Green said we have to be very creative because we can't submit a budget with a deficit. City Manager Fuentes agreed and with the flexibility to make changes, they can close that gap.

Commissioner Hechler said that answers his question.

Mayor Pro-Tem Whitehead wants to make sure we stay focused and nothing slips away from us. She likes to see happy and prosperous employees, and she thinks this will work. And we can't lose our focus of where we are going as a city and as a community.

City Manager Fuentes again wanted to bring up that they will need the flexibility to manage it as a vacancy comes up.

Mayor Pro-Tem Whitehead hopes City Manager Fuentes uses his discretion to make sure our employees don't get overwhelmed and that he stays on top of that. City Manager Fuentes responded he understands that and he hears you, and that's why they need the flexibility.

**Commissioner Hechler moved to approve Resolution No. 03 18/19 approving the FY 2018/2019 Final Budget including revision #4. Mayor Pro-Tem Whitehead seconded the motion.**

Mayor Green wanted to thank Finance Director Torres and City Manager Fuentes and he knows its hard task squeezing four into three and sometimes the Commission makes your life a little harder. When they talk about "A" Players, he wants our jobs to be sought after because if you lose it, you can't get anything better. We do want you to have the flexibility and to make sure staff knows it's painful to deal with. There are a lot of things we don't know with this state, and he appreciates the effort they are asking from our staff, supervisors, and director's as we move forward. Hopefully, there will be more sunshine over the hill, but we've got to get over the hill. We are asking staff to do more and we are trying to reward that more the best that is financially feasible. Its teamwork and partnership between everyone. If one succeeds, we all succeed, and if one fails, we all fail. He appreciates Commissioner Hechler's pushing to raise the rates for the lower level to keep the good employees from leaving.

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



CITY COMMISSION JULY 24, 2018 REGULAR MEETING MINUTES

4. Discussion/Action: Resolution No. 04 18/19 designating signatory for USDA Rural Funding Application and related documentation. Traci Burnette, Grant/Projects Coordinator

Grant/Projects Coordinator Burnette presented USDA recently enacted a new online application and we will need to designate the City Manager as the signatory and enter the information for certification. The first one she will be processing will be for the Water Infrastructure for Cook St. and all of the downtown water lines that are mentioned in the PER which will be an \$8.9 million grant request.

Mayor Green asked if she knows if it will be one where we will ask for a 100% grant or will have to do a grant/loan. Grants Projects Coordinator Burnette said it's normally a grant/loan and we will have to do a Water Rate evaluation. As far as the amount of grant versus the amount of the loan it varies.

Mayor Green asks what happens if Juan becomes ill or on vacation, is it only the City Manager that can sign? Do we need a backup signature? Grants Projects Coordinator Burnette said it should be good for a year.

**Mayor Pro-Tem Whitehead moved to approve Resolution No. 04 18/19 designating signatory for USDA Rural Funding Application and related documentation and the signatory to be Juan Fuentes. Commissioner Baca seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.**

5. Discussion/Action: Resolution No. 05 18/19 and Resolution 05-A 18/19 approving the required Community Development Block Grant (CDBG) Annual Certifications and Commitments and Fair Housing Policy. Melissa Torres, Finance Director

Finance Director Torres respectfully requests these certifications and commitments and Fair Housing Policy. They had a couple of stumbles with our CDBG so they had to request an extension until the end of this month. That was due to problems they ran into the levels of the water in the manholes because the BOR released water. They are pleased to say the project has been completed and they came in and did an audit and we were successful. These are procedures we need to pass to close out the CDBG Projects for the Manhole Projects.

Mayor Green asked for the next CDBG if we will need the SCCOG be our fiscal agent. Finance Director Torres responded since we just completed this project, we will have to sit out this year for funding. But we will not need SCCOG to be our fiscal agent for the next one with the audit findings we have cleaned up. Mayor Green clarified that we will be ineligible to apply this year because of the release of the water. Finance Director Torres confirmed that is true.

**Mayor Pro-Tem Whitehead moved to approve Resolution No. 05 18/19 and Resolution 05-A 18/19 approving the required Community Development Block**

**Grant (CDBG) Annual Certifications and Commitments and Fair Housing Policy. Commissioner Hechler seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.**

6. Discussion/Action: Resolution No. 06 18/19 amending the Finance Policies and Procedures for the City of Truth or Consequences. Melissa Torres, Finance Director

Finance Director Torres presented they are respectfully requesting changes to the Finance Policies and Procedures. As you recall, Finance is taking over Accounts Receivable. The majority is adding the Mayor Pro-Tem, Finance Director, and City Manager to the bank accounts and also that payroll will be handling the disbursement of the payroll checks.

**Commissioner Hechler moved to approve Resolution No. 06 18/19 amending the Finance Policies and Procedures for the City of Truth or Consequences. Commissioner Baca seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.**

#### **H. NEW BUSINESS**

1. Discussion/Action: Reappointment of Bonnye Warwick to the Library Advisory Board for a 3 year term. Renee Cantin, Clerk-Treasurer

City Clerk Cantin presented the item stating Ms. Warwick has served on the Library Board since 2001. There are currently two other vacancies on the Library Board and we will be working on additional advertising all vacant board positions.

**Mayor Pro-Tem Whitehead moved to approve Reappointment of Bonnye Warwick to the Library Advisory Board for a 3 year term. Commissioner Baca seconded the motion. Motion carried unanimously.**

2. Discussion/Action: Accept the City of Truth or Consequences Title VI Plan. Traci Burnette, Grant/Projects Coordinator

Grant/Projects Coordinator Burnette said within your packet you have a draft boilerplate plan that was provided for NMDOT. This year she would like to move forward with grants for streets improvements and this is part of the process of things that need to be in place.

**Commissioner Hechler moved to approve accept the City of Truth or Consequences Title VI Plan. Commissioner Baca seconded the motion. Motion carried unanimously.**

3. Discussion/Update: Notification of all current Board Member Vacancies. Renee Cantin, Clerk-Treasurer

## CITY COMMISSION JULY 24, 2018 REGULAR MEETING MINUTES

City Clerk Cantin notified them the City Manager has been interested in getting the vacancies taken care of. So they are thinking outside the box and wanted to encourage anyone who is itching to volunteer their time for one of these boards to please contact the City Clerk's Office. She read each of the vacancies at this time which include:

**Golf Course Advisory Board** - Meets on the first Wednesday of each month at 5:00 p.m.  
(1 – Vacancy, 2 year term)

**Library Advisory Board** – Meets on the last Monday of each month at 5:30 p.m.  
(2 – Vacancies, 3 year terms)

**Lodger's Tax Advisory Board** – Meets Quarterly on the 4<sup>th</sup> Thursday of the month at 5:30 p.m. (2 – Vacancies for members in the Tourism Service; 1 for a 3 year term & 1 for a 4 year term.) She added with the Lodger's Tax Board they have all new members including her and Kristin Saavedra and they are learning as they go. But it's a great group of people.

**Planning & Zoning Commission** – Meets Monthly, no dates scheduled at this time.  
(5 – Vacancies, board has not been active since October 2013)

**NOTE:** All terms that expire on June 30 states: any member of the Board shall continue to hold his office until his successor is appointed and qualified.

Commissioner Hechler asked if this can be published in the paper as well. City Clerk Cantin said they have published it quite a few times and they have added more information and would get it published and posted on the website.

Mayor Green thought it would be great to add it with the utility bills. He also added he made a comment about the Planning and Zoning and the reason they disbanded. He discovered there were four remaining members of the P & Z and he spoke to the chair and asked her why this Commission disbanded. She said they had done a lot of work an energy on the signs and they felt the Commission didn't vote the way they wanted them to vote so they decided why bother to serve on it. He spoke to City Manager Fuentes yesterday and mentioned if we get three people for that P & Z, would they have to change the ordinance that creates that board. City Manager Fuentes mentioned he has spoken to Susanna about looking into change it by ordinance to a three man board. Because we provide money to certain boards like MainStreet or the Chamber of Commerce, they would be good members to appoint who could help us out in those position, then one at-large. That was his idea to fill those positions. Mayor Green made some comments. City Manager Fuentes did mention if there is a consensus, he will work on drafting an ordinance. Mayor Green feels that might be an interesting ways to fill these positions.

### I. REPORTS

#### a. City Manager

- 1) Commissioner Baca received a lot of calls about the water pressure near Ralph Edwards Park. The Parks and Water Department Staff are trying to figure out what the problem is. They do have some valves on the system in the area that may be

## CITY COMMISSION JULY 24, 2018 REGULAR MEETING MINUTES

open. The park having an impact on an area that is a mile away is a very big concern to him. He has asked Susanna Diller to work a map they can use with the system and they will plan to get the new Director involved to look into it.

### b. City Attorney

None.

### c. City Commission

**Mayor Pro-Tem Whitehead** commented that there might be a few contracts that are up for renewal and she wants to make sure they are on top of those so they are submitted in a timely manner. 2) She is also proud to say she just got back from the Senior Olympics held July 18<sup>th</sup> – 21<sup>st</sup> where she won Gold in bowling doubles. She named our other outstanding seniors who were involved. Their Group Coordinator was Jackie MdDaniel; President is Robbie McFarland; and Treasurer is Elena DeLaTorre. She also named all of the people and the events they brought home medals for. They also qualified to bowl in Nationals next year which is in Albuquerque.

Mayor Green said it was well earned. He also asked Chief Aragon to give a brief introduction.

Chief Aragon is honored to be here. He's been here three weeks now. He asked if they noticed his Officer is up on the pedestal. He said it's a proven deterrent to have an Officer higher than the audience. He's retired military and has been in Law Enforcement for 38 years and 28 years as a Police Chief and this is a record 6 states, and his last one. He's talked to all Commissioners, except one and he will get with her soon. He's talked to dozen of stakeholders including the Sheriff and will be working on relationships with all of them. He has 4 phases he likes to use. Phase 1 is introduction to his staff; which he did before he officially was hired; Phase 2 is an Assessment of Operations; once the City Manager has approved what he comes up with; Phase 3 will be implementation; then the last Phase is refinement. His overall Mission is to "Provide the leadership for the delivery of Law Enforcement services to our community, in such a manner that it positively satisfies their needs and priorities". He feels it's their job to enhance the quality of life of T or C by providing Law Enforcement services and reducing crime. He and Mr. Fuentes talked and he wanted to get some goals in where we wanted to go. His goals are logical such as developing Community Based Policing, through long range community based problem solving. In other words, not just making arrests, we want to prevent those crimes from happening in the first place other than make an arrest. Another goal is developing proactive partnerships with the community to determine what their needs and priorities are. Third is to enhance Code Enforcement activities. Believe it or not with the Broken Windows solution, you address minor problems and it reduces urban blight. Things start falling in place. And the last is Animal Control. We need to get it in the right direction and make sure we stay there. If you want to describe Randall Aragon, he said he's Fair, he's Firm, and he's Friendly.

Mayor Green wondered if we should make the Chief as one we here under reports so the public will have a sense of what's going on. He thinks he heard City Manager Fuentes during his presentation that you were willing to give up one position to make the budget. City Manager Fuentes asked the Chief shared the idea he mentioned to Frances on the radio program.

Chief Aragon has talked to Commissioner Luna and he's done a radio program in other communities and she has agreed to allow him to start a program on August 6<sup>th</sup> and will plan to interview others during his program.

Mayor Green asked Mayor Pro-Tem Whitehead to stand up and put on her great T-Shirt and her medals for special pictures for the Newspaper.

**J. EXECUTIVE SESSION**

1. Threatened or Pending Litigation (City vs. Ron Fenn) *Pursuant to 10-15-1(H.7)*
2. Threatened or Pending Litigation (City vs. McGeachy) *Pursuant to 10-15-1(H.7)*
3. Threatened or Pending Litigation (City vs. Ashbaugh) *Pursuant to 10-15-1(H.7)*

**Mayor Pro-Tem Whitehead moved to approve going into executive session at 6:22 p.m. to discuss Threatened or Pending Litigation (City vs. Ron Fenn) Pursuant to 10-15-1(H.7); Threatened or Pending Litigation (City vs. McGeachy) Pursuant to 10-15-1(H.7); and Threatened or Pending Litigation (City vs. Ashbaugh) Pursuant to 10-15-1(H.7). Commissioner Baca seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.**

**Mayor Green reconvened the meeting in open session at 6:47 p.m.**

**Mayor Pro-Tem Whitehead certified that only matters pertaining to Threatened or Pending Litigation (City vs. Ron Fenn) Pursuant to 10-15-1(H.7); Threatened or Pending Litigation (City vs. McGeachy) Pursuant to 10-15-1(H.7) were discussed in Executive Session and no action was taken.**

**K. ACTION ON ITEMS DISCUSSED DURING EXECUTIVE SESSION, if any.  
ADJOURNMENT**

**Mayor Green moved to approve on City vs. McGeachy and authorize staff to proceed with this case in court. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously.**

**Mayor Pro-Tem Whitehead moved to approve going into executive session at 6:49 p.m. to discuss Threatened or Pending Litigation (City vs. Ashbaugh) Pursuant to 10-15-1(H.7). Commissioner Baca seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.**

CITY COMMISSION JULY 24, 2018 REGULAR MEETING MINUTES

Mayor Green reconvened the meeting in open session at 7:00 p.m.

Mayor Pro-Tem Whitehead certified that only matters pertaining to Threatened or Pending Litigation (City vs. Ashbaugh) Pursuant to 10-15-1(H.7) was discussed in Executive Session and no action was taken.

Mayor Green announced for the record Commissioner Baca recused himself because a conflict of interest and was not in attendance for this portion of the Executive Session.

**L. ADJOURNMENT**

Meeting was adjourned at 7:01 p.m.

Passed and Approved this 22<sup>nd</sup> day of August, 2018.

  
Steven Green, Mayor



ATTEST:

  
Renee L. Cantin, CMC, City Clerk