

*Sandra Whitehead*  
*Mayor*

*Amanda Forrister*  
*Mayor Pro-Tem*

*Frances Luna*  
*Commissioner*



*Paul Baca*  
*Commissioner*

*Randall Aragon*  
*Commissioner*

*Morris Madrid*  
*City Manager*

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

## REGULAR MEETING

THE REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO, TO BE HELD IN THE COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> ST., ON WEDNESDAY, FEBRUARY 24, 2021; TO START AT 9:00 A.M.

A. CALL TO ORDER

B. INTRODUCTION

1. ROLL CALL

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

2. SILENT MEDITATION

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA

C. PUBLIC COMMENT (3 Minute Rule Applies)

D. RESPONSE TO PUBLIC COMMENT

E. PRESENTATIONS (10 minutes)

1. Sierra County Regional Dispatch Authority (SCRDA) Emergency Services Tower for Dispatch Radio System. Fire Chief Tooley and Michelle "Mickey" Atwell, SCRDA Director

F. CONSENT CALENDAR

1. City Commission Regular Minutes, February 10, 2021

G. ORDINANCES/RESOLUTIONS/ZONING

1. Discussion/Action: Resolution No. 35 20/21 Budget Adjustment Request. Carol Kirkpatrick, Finance Director

H. NEW BUSINESS

1. Discussion/Action: Request an extension of the National Park Service Technical Assistance Grant for the Sierra County Rio Grande Trail Project. Merry Jo Fahl, Jornada Resource Conservation & Development Council (RC&D)
2. Discussion/Action: Order on Section 14-30 (e) Appeals. City Attorney Rubin

I. REPORTS

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

J. EXECUTIVE SESSION

1. Committee Strategic Planning *Pursuant to 10-15-1(H.9)*
2. Threatened & Pending Litigation (current & possible Litigation) *pursuant to 10-15-1(H.7)*
3. Limited Personnel Matters *Pursuant to 10-15-1(H.2)*

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

L. ADJOURNMENT

**The meeting will be broadcast live through KCHS on 101.9 FM. The public will be allowed to attend the meeting via teleconference using the information listed below:**

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**NEXT REGULAR CITY COMMISSION MEETING MARCH 10, 2021**



# CITY OF TRUTH OR CONSEQUENCES

## AGENDA REQUEST FORM

MEETING DATE: February 24, 2021

Agenda Item #: E.1

**SUBJECT:** Sierra County Regional Dispatch Authority (SCRDA) Emergency Services Tower for Dispatch Radio System

**DEPARTMENT:** City Clerk's Office

**DATE SUBMITTED:** February 19, 2021

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

**WHO WILL PRESENT THE ITEM:** Fire Chief Tooley and Michelle "Mickey" Atwell

**Summary/Background:**

SCRDA will be relocating their emergency radio services to a new tower at their new location.

**Recommendation:**

None. Presentation only.

**Attachments:**

- None.

**Fiscal Impact (Finance):** No

\$0.00

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

**Approved For Submittal By:**  Department Director

**Reviewed by:**  City Clerk  Finance  Legal  Other: Click here to enter text.

**Final Approval:**  City Manager

### CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. - Ordinance No. -

Continued To: - Referred To: -

Approved  Denied  Other: -

File Name: CC Agendas 2-24-2021



# Sierra County Regional Dispatch Authority

## NEW DISPATCH SITE RADIO TEST RESULTS

Submitted by:

Dennis Ewing  
Las Cruces Branch Manager  
Advanced Communications and Electronics, Inc.  
1753-B Buildtek Court  
Las Cruces, NM 88005  
575.527.4072 (o)  
575.527.4458 (f)  
[www.gdvtwoway.com](http://www.gdvtwoway.com)

Copy or Original

The design, technical, and cost information furnished with this proposal is proprietary information of Advanced Communications and Electronics, Inc. Such information is submitted with the restriction that it is to be used only for the evaluation of the proposal, and is not to be disclosed publicly or in any manner to anyone other than those required to evaluate the proposal, without the express written permission of Advanced Communications and Electronics, Inc.

Sept. 17<sup>th</sup>, 2019

Mickey Howard  
SCRDA  
New Dispatch Center Radio Testing

Mickey,

Advanced Communications and Electronics, Inc. performed radio testing at the new dispatch location on 09/12/19 to verify radio coverage for your utilized channels for dispatch. We performed testing with both a handheld radio (5 watts) and a mobile radio (50watts). Belowq are the results and a brief explanation of our findings.

Handheld Radio Used – Kenwood NX5200K2 VHF, 5 Watts  
Mobile Radio Used – Motorola CDM1250 VHF, 50 Watts

Channel:	Portable Test:	Mobile Test:
SCSO	Loud & Clear	Loud & Clear
SCSO Tact	Channel Down	Channel Down (note #1)
SCFD	Static/Audio Cuts Out	Loud & Clear (note #2)
SCRoad/OEM	Loud & Clear	Loud & Clear
SEMS	Loud & Clear	Loud & Clear
TorC PD	Loud & Clear	Loud & Clear
TorC FD	Loud & Clear	Loud & Clear
EBFD	Loud & Clear	Loud & Clear
NMSPLEN	Loud & Clear	Loud & Clear
Poverty Creek FD	No Comm	No Comm (note #3)
Winston FD	No Comm	No Comm (note #4)
Hillsboro FD	No Comm	Scratchy Audio (note #5)
Monitcello FD	No Comm	No Comm (note #6)

See notes below on channels with issues:

#1 SCSO Tact repeater channel seems to be down. A service call will need to be approved to check status of repeater on Caballo.

#2 SCFD is currently on a antenna that is not performing well. Quotation in the works for antenna replacements on Caballo.

#3 At ground level, no communications to PCFD. A tower is recommended with a top mounted antenna for the base station that covers SCFD, WFD, HFD and MFD.

**Copy or Original**

The design, technical, and cost information furnished with this proposal is proprietary information of ADVANCED , Inc.. (ADVANCED). Such information is submitted with the restriction that it is to be used only for the evaluation of the proposal, and is not to be disclosed publicly or in any manner to anyone other than those required to evaluate the proposal, without the express written permission of ADVANCED , Inc.

#4 Shares base station with PCFD, see note 3. New repeater site will be installed prior to SCRDA move and coverage is expected to be good with recommended tower at new dispatch site.

#5 Shares base station with PCFD, see note 3. Expected coverage to be good with recommended tower at new dispatch site.

#6 Shares base station with PCFD, see note 3. Coverage study shows a possible issue with this repeater site. From past experiences, it seems this channel is "hit & miss". Further testing should be performed so further recommendations may be offered. We may need to look at a link to Caballo to MFD for a consistent radio connection.

Advanced Communications assumes all existing radio equipment would be moved from Water Tank Hill site and installed at the new dispatch center minus TCPD and TCFD repeaters. Advanced Communications assumes all radio equipment will be in good working order and match manufacturer's operating specifications for best performance at the new dispatch site.

If you have any questions or concerns regarding this coverage testing, please let me know. I'm more than happy to assist. Thank you for your continued support of Advanced Communications and Electronics Inc.!

Sincerely,

Dennis Ewing  
Las Cruces Branch Manager  
(575) 527-4072  
dewing@advtwoway



# CITY OF TRUTH OR CONSEQUENCES

## AGENDA REQUEST FORM

MEETING DATE: February 24, 2021

Agenda Item #: F.1

**SUBJECT:** City Commission Regular Minutes, February 10, 2021  
**DEPARTMENT:** City Clerk's Office  
**DATE SUBMITTED:** February 19, 2021  
**SUBMITTED BY:** Angela A. Torres, Clerk-Treasurer  
**WHO WILL PRESENT THE ITEM:** Angela A. Torres

**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 2-24-2021

**CITY COMMISSION MEETING MINUTES  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
CITY COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> St.  
WEDNESDAY, FEBRUARY 10, 2021**

**A. CALL TO ORDER:**

The meeting was called to order by Mayor Sandra Whitehead at 9:00 a.m., who presided and Angela A. Torres, City Clerk-Treasurer, acted as Secretary of the meeting.

**B. INTRODUCTION:**

**1. ROLL CALL:**

Upon calling the roll, the following Commissioners were reported present.

Hon. Sandra Whitehead, Mayor  
Hon. Amanda Forrister, Mayor Pro-Tem  
Hon. Paul Baca, Commissioner - Absent  
Hon. Randall Aragon, Commissioner  
Hon. Frances Luna, Commissioner

Also Present: Morris Madrid, City Manager  
Angela A. Torres, City Clerk-Treasurer

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

**2. SILENT MEDITATION:**

Mayor Whitehead called for fifteen seconds of silent meditation for fallen State Police Officer Darian Jarrott. She asked that everyone keep his family, all of his brothers and sisters in blue, his community, and all of the first responders who help us live in a safe community in your thoughts and prayers.

**3. PLEDGE OF ALLEGIANCE:**

Mayor Whitehead called for Commissioner Luna to lead the Pledge of Allegiance.

**4. APPROVAL OF AGENDA:**

Mayor Whitehead requested that the City Manager's Report be moved before Public Comment so that Parks Department Manager OJ Hechler can give a report during that time.

**Mayor Pro-Tem Forrister moved to approve the agenda with the amendment mentioned by Mayor Whitehead. Commissioner Luna seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

Parks Department Manager OJ Hechler reported the following:

**Ralph Edwards Park:**

- While we continue to be under COVID restrictions, they are going to take full advantage to insure that the newly laid sod at the park has the best chance to grow. They had an expert analysis performed, and it was suggested that they apply a Liquid Humate onto the grass in order to help speed up the growth process. We can't count on much to happen in the month of February because the Bermuda that was planted at the park is a warm season grass that thrives in warm temperatures. The grass is rooting, but it still needs a bit more time before we can open the park for foot traffic. The Liquid Humate will give it a dark brownish color which will help absorb heat and help raise the soil temperatures which will also help stimulate growth. We will monitor it in April and give our analysis of when we think we can open the park.
- They are currently working on the south parking area of the park.
- They will be adding railing onto the raised platform of the gazebo while they work on the plan and design so they can open it up because they are not exactly sure of when the gazebo installation is going in.
- They removed all of the mistletoe from the trees at the Ralph Edwards Park, the fish pond and Family Park.

**Ball Fields:**

- They will be working on the ball fields in hopes of opening up this year. They are not sure of when that will happen due to COVID restrictions, but they want to be prepared and have it ready.
- This year they budgeted for a new fence installation for the C-Field. They are going to do a new fence on the back stop which will go all the way into the dugouts. While the fence is torn down they are going to paint the dugouts to match the other two fields.
- They will be topping off the infields because last year's flood brought in a bunch of sand.

**Frisbee Golf:**

- They had a gentleman who participated in a Frisbee Golf contest, and this was the justification of why we need Frisbee Golf in our community. The gentleman received 3<sup>rd</sup> place in the contest, and as a result of that they donated 9 Frisbee Golf Baskets to the city which are currently at the Armory. We have the baskets and all of the hardware, we just need a location for the courts. We are requesting community involvement in this decision. So far we have received a few suggestions of using the Healing Waters Trail area or maybe the Golf Course area. This item will be discussed at the next Recreation Advisory Board Meeting and they welcome any public input regarding the location.

Mayor Pro-Tem Forrister suggested that they maybe look into using the Ball Fields for Frisbee Golf.

**D. PUBLIC COMMENT:**

Mayor Whitehead stated that it has been requested that the Commissioners each have their video cameras on in the GoToMeeting app. A lot of us Commissioners are not on the GoToMeeting app most of the time. She personally attempted to turn on her camera this morning and it would not connect because it won't share webs. We moved our camera a bit closer to the dais, so hopefully everyone can see the Commissioners. We have also changed the way we broadcast through GoToMeeting, so hopefully we will not lose anybody during public comment.

Ron Fenn virtually addressed the Commission with comments related to:

- (1) He feels that the Commissioners have one job, and that is to see that the city is properly operated. While doing research, and looking at the accounting system we have, we are not doing a good job because you continuously hire people as City Managers who have no connection to this community, and who are in it for their money. And in order to get along, they just go along. The best thing you can do is involve the community in the process of hiring the next City Manager.

Mayor Whitehead read public comment submitted by David Koonce in regards to his feelings about City Staff and City Officials. (Complete copy attached hereto and made a part hereof).

City Manager Madrid read public comment submitted by Rick Dumiak in regards to 630 Charles Street. (Complete copy attached hereto and made a part hereof).

Mayor Whitehead read public comment submitted by Isaac Eastvold regarding the Rotary Park Soft Path. (Complete copy attached hereto and made a part hereof).

**E. RESPONSE TO PUBLIC COMMENT:**

Commissioner Aragon responded to the following comments:

- **Rick Dumiak's comments regarding 630 Charles Street:** He asked for an update on the progress of that property.

City Manager Madrid responded that progress is being made at 630 Charles Street. Outside of the fence area has been cleared, the weeds have been removed, and all of the smaller items throughout the yard have been removed. He met with the occupant yesterday afternoon, and she explained that she has had difficulty in moving some of the larger items in the yard, but she has made arrangements to make more progress this weekend. We do work with them as long as they are making progress. It should be

# Public Comment

David Koonce  
217 B, North Cedar Street  
T or C, NM. 87901

Mayor, Sandra Whitehead  
505 Sims Street  
T or C, NM. 87901

Dear, Mayor Whitehead

Please share this letter with City Counsel .

I have been in Truth or Consequences now for nine years by doctor's orders to move to the drier climate of Arizona, due to my crippling arthritis. Being from a small town in Southern Louisiana that is similar to Truth or Consequences, I thought this was a nice town, but then again I was only here for less than a week.

After going to the library, and explaining that I was from "out of state" and given the third degree for not having a New Mexico ID, I was finally allowed to use the computer to learn a little more about Truth or Consequences. I learned that Truth or Consequences is just as dry as Arizona, so I decided that this small town would be better than the larger city that I was planning to go too.

I found an apartment, a church, made awesome friends. After a while, my friends wondered why I kept calling the city by its full name {Truth or Consequences} when everyone called it (T or C). In the same conversation, I was told "don't be fooled, T or C, does not mean Truth or Consequences. It really means Trashed and Corrupt. Where the city is Trashed and the city officials are Corrupt (along with all the city departments)."

In the nine years that I have been here in Truth or Consequences, it is getting harder and harder to see the honesty in the city, however, the Trashed and Corrupt part seems to be showing up more and more in my eyes.

I can not, nor will I try to speak for the residents of Sierra County. This is something that I would like to see happen. Please develop a "Report Card" for the city that has the City Departments like a School with different Subjects. With space so residents can give a reason for the grade and a space on how things can be improved.

Being hearing impaired myself, my ways of contacting people is by text message, US Mail, Face to Face (without Masks) because I lip read. Due to Covid-19, I understand why the state and city shut down. Now everything is with masks or online. I do not have internet service due to it being overpriced, since I am on a fixed income.

How can I get involved? How can I make a difference to turn Trashed and Corrupt, N.M. back into Truth or Consequences. Or would you rather keep it the way it is as Trashed and Corrupt?

David Koonce

## T or C Public Comment

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**From:** Rick Dumiak <rdumiak@gmail.com>  
**Sent:** Monday, February 08, 2021 9:33 AM  
**To:** T or C Public Comment  
**Subject:** Public comment for Wed Feb 10 City Commission Meeting

Honorable Mayor and City Commissioners, Rick Dumiak and I reside at 705 Charles St. TorC.

Once again, I am here to try and get an honest answer on a resolution the city commission passed on August 12, 2020, that resolution (11 20/21) pertained to 630 Charles St and the condition of the property and the rubbish and debris on the property.

Resolution 11 20/21 passed unanimously. The resolution required “the prompt removal of accumulated rubbish, wreckage, and debris from 630 Charles St.”

It is important to note that the city sued the property owner of 630 Charles in March of 2019 and the court ruled against the property owner.

At the Sept 12, 2020 city commission meeting, I asked during public comment for an update on resolution 11 20/21. Our city attorney stated at the time that there is a due process that has to be followed before the city can act to clean up the property at 630 Charles St.

I emailed Traci Alvarez on Dec 9, 2020 asking for an update on the resolution and was told by Traci as long as the property owner is making progress the city will continue to work with them.

In January of 2021 during public comment, I again asked why this resolution has not been acted on and the city manager said the city was having a hard time to get anyone to remove the debris and there may be hazardous materials involved.

It seems clear that the city manager has different timelines for due process depending on who he is dealing with. With Mr. Fenn the city manager arbitrarily picked a timeline, and it appears he is doing so once again with this resolution.

I ask the city manager, where (RFPs) requests for proposals sent out to qualified contractors for this work?

When was the bidding deadline on the RFPs?

How many bids were received?

Has a contract been awarded?

If RFPs have not been sent out, why not or why isn't the city performing this work in house as was stated during the resolution hearing?

How much longer do the other residents on Charles have to wait for action on this item that has been on the cities radar since at least March of 2019 when the city took the owner to court and won.

It is my hope the City Commission can get the city manager to give an honest answer as to why we are still waiting for action on this resolution as it is clear the city manager will not give me an honest answer.

The city manager has publicly insulted me and has questioned my honesty in front of this commission before, so I certainly do not expect an honest answer from him.

Thank you  
Rick Dumiak

--



Honorable Mayor Whitehead, City Commissioners, City Manager Madrid, City Attorney Rubin, and City Planning Staff:

As an addition to our City and County's portfolio of economic development plans, right in front of us is development of our unique birthright of natural history to make T or C a renowned destination for bird watching, nature study, low impact recreation, and healing through what the Japanese call "nature bathing." This "soft path" to development is almost always less expensive than the "hard path," and is sustainable for a very low, or even no, cost; but not infrequently it is overlooked.

Andy Potter, in the above attached link to his Opinion Piece for the Sierra County Sun, has an excellent idea to help take us down the "soft path" to economic development. Purchasing as park or open space parcels on the east shore from Rotary Park, besides being relatively inexpensive, would strengthen the Wetlands Element restoration around Rotary Park previously approved by the City Commission in the 2009 Healing Waters Trail Plan. City Attorney is now pursuing "quiet title" for the Park from the Bureau of Reclamation. Both shores of the Rio Grande in the vicinity of Riverbend and Rotary Park, therefore, would become a potent visitor destination for birdwatchers, natural sciences students, and residents wanting inspiration and to just relax in a quiet natural environment.

In order to better qualify for grant funding for land purchase and wetlands restoration, the T or C City Commission should take two simple actions: 1) add the missing Open Space Element to the Comprehensive Plan, inclusive of the east shore parcels across from Rotary Park; and, 2) reaffirm implementation of the long-overdue Wetlands Element in the Healing Waters Trail Plan of 2009, all of which has been previously approved.

Just protecting both banks of the River in this area would create a highly successful visitor destination to increase the tourism sector of our economy. Users of Riverbend would be delighted, as would Rotary Park users and nearby residents, just as they are now by the occasional sighting of great blue herons and deer across the River.

Were you aware that bat tourism organizations exist world wide, and will direct their members to sites which are protected? Examples of bat tourism exist at Carlsbad Caverns National Park and the Turner Enterprises magnificent bat cave in their Armendaris Range property. These famous bat tourism destinations could guide T or C in sensitively developing their own populations of bats for tourism.

I have observed that large migrating flocks of both swallows and bats spend considerable time up and down river from Rotary Park, flying back and forth low over the river, to re-fuel on the swarms of flying insects. Besides helping to control insect populations, this key re-fueling area helps these animals to put on enough tiny bits of fat sufficient to continue their long migrations up River for breeding, and back down River to Mexico with their juveniles for the winter.

These precious kinds of places along the Rio Grande are essential to prevent the kind of massive bird die-offs we saw this past fall in New Mexico. The carcasses--mostly swallows--gathered at White Sands and sent by USFWS to the USGS lab in California showed that the animals were completely emaciated, and had no fat whatsoever in their tiny bodies. They just starved to death.

Preserving both shores of the River at Rotary Park would be a substantial mitigation helping these animals, and other migratory species, to prepare to continue their long journeys. It would help halt their decline toward listing as rare, threatened, or endangered species, and a substantial upgrade for our partly degraded section of the Rio Grande between Caballo and Elephant Butte dams.

If migrating species of animals along the River do become federally listed, it would place the entire area under strict standards for their recovery. This now can be avoided with economically beneficial mitigation measures such as I have suggested.

Please correct me if wrong, but I believe the east shore across from Rotary Park was at one time used for farming. Putting that use back to provide timely food for the great sandhill cranes, snow geese and Canada geese which Mr. Potter speaks about, would restore that traditional use. World famous wildlife refuges to our north, such as Bosque del Apache, could guide us in this simple restoration.

"Hard path" urban development of the east shore, however, besides being highly expensive, is also incompatible with its partial designation as a flood zone. Extending infrastructure for "leapfrog" development across the River would be an onerous burden on T or C taxpayers. And most T or C residents would oppose it.

Far better, then, to add to our development portfolio this obvious opportunity to use our birthright of natural history for "soft path" development which is both sustainable, inexpensive, and a potential boon to our economy.

substantially complete by the end of the day on Monday, and at that time we will take a look at it again.

- **Rick Dumiak's previous comments regarding an apology from City Manager Madrid:** This is all over Facebook and he asked City Manager Madrid if he has given any thought about this. However, he doesn't think it was directed towards Mr. Dumiak.

Mayor Whitehead responded that she doesn't feel that City Manager Madrid was intentionally insulting anyone. She travels around the city several times a day, and several times a week to see about these areas that are being complained about, and she happened to be driving through Rotary Park on Martin Luther King Day which is a holiday. She was amazed with the people that were using the park. She did not see any trash at all, and this was around 1:00 p.m. A van pulled away, and she saw a couple of potato chip wrappers on the ground, but that was it. She thanked Mr. Dumiak for picking up the trash and keeping our grounds clean, but she asked that he let our Park's Department go by and see what is happening, because if there is no trash to be picked up when they do their rounds they do not know there is an issue. She understands that Mr. Dumiak felt insulted, and she apologizes for that, but that was not City Manager Madrid's intent.

City Manager Madrid also stated that it was not his intention to be disrespectful to any individual. The timing of his statement might have been off because Mr. Dumiak had just spoken. However, what he said is true because we get attacked all of the time. Sometimes it's with the truth, and sometimes it's without the truth. It wasn't anything Mr. Dumiak said in particular, but there are times when the City Manager has to stand up and make sure that the facts are given. He stated to Mr. Dumiak, if you felt insulted by my comment, I do apologize, my statement wasn't meant to insult anyone.

Mayor Pro-Tem Forrister responded to the following comments:

- **Isaac Eastvold's public comments regarding the Rio Grande:** She recommends that Mr. Eastvold attend the Rio Grande Trail Alliance Meetings because she feels that he has a lot of the information that would be of great value to them.

Mayor Whitehead thanked everyone for their public input.

**F. CONSENT CALENDAR:**

1. **City Commission Regular Minutes, January 27, 2021**
2. **Accounts Payable, January 2021:**

**Commissioner Luna moved to approve the consent calendar as submitted.**

**Mayor Pro-Tem Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

City Attorney Rubin stated that we just approved the City Commission minutes for the January 27, 2021 meeting, and half of the minutes were taken up by the appeals. He feels that the minutes accurately reflected what happened, and he would like to draft an Order that would summarize the City Commission's decision in the event where there might be an appeal to District Court. He believes it is required that we have a written Order in place. He would also like to incorporate some language of Ordinance 14-30 into the Order.

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

**1. Discussion/Action: Resolution No. 31 20/21 in support of the Truth or Consequences Foch Street Renovation Project:**

City Manager Madrid explained that this resolution is on the agenda by the request of MainStreet. The two purposes are the statement of support, and to commit that the \$200,000 in funds will be available for the Foch Street Renovation Project. This project will be funded through the Department of Transportation through a grant agreement with the City of Truth or Consequences.

**Commissioner Luna moved to approve Resolution No. 31 20/21 in support of the Truth or Consequences Foch Street Renovation Project. Commissioner Aragon seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**2. Discussion/Action: Resolution No. 32 20/21 Authorizing the submission of a New Mexico Community Block Grant Program Application to the Department of Finance and Administration/Local Government Division; and Authorizing the Mayor to act as the Municipality's Chief Executive Officer and Authorized Representative in all matters pertaining to the Municipality's participation in the Community Development Block Grant Program:**

City Manager Madrid explained that this is a resolution that is required under the CDBG application. The application requires a document from the local governing body supporting the project and it also has to name the Chief Elected Official (which is the Mayor) as a primary representative on the application. This is standard, and it does describe in general what the projects intent is. At the time of application, we will need to submit a specific plan which will come before you before the submission of the application.

Traci Alvarez, Grant Projects Coordinator/Zoning Official also explained that the Commission chose the water distribution lines at the last meeting, and so this is project specific to distribution lines in the area of Hackberry Lane, Cottonwood Lane, and

Mercury Street. This area was requested by our Water/Wastewater Director as a high priority area. It will also be identified in our Water System PER that is in the process of being completed.

**Commissioner Luna moved to approve Resolution No. 32 20/21 Authorizing the submission of a New Mexico Community Block Grant Program Application to the Department of Finance and Administration/Local Government Division; and Authorizing the Mayor to act as the Municipality's Chief Executive Officer and Authorized Representative in all matters pertaining to the Municipality's participation in the Community Development Block Grant Program. Mayor Pro-Tem Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

- 3. Discussion/Action: Resolution No. 33 20/21 Authorizing and approving submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority (NMFA) for the Colonias Infrastructure Fund.**

City Manager Madrid explained that this is another application to go along with our overall Water Systems Improvement in our infrastructure. We have been successful in planning for Colonias funding in the past few years. A couple of years ago, we got \$100,000, and last year we got \$1 million dollars for Street Improvements. This meets all of the requirements, and the intent of the Colonias funding. This will be for more Water System Improvements along with the other ones that we are undertaking.

Traci Alvarez, Grant Projects Coordinator/Zoning Official also explained if the city is awarded, we will come back to the Commission with a Resolution to accept the award, as well as any loan or cash match that they may require.

**Mayor Pro-Tem Forrister moved to approve Resolution No. 33 20/21 Authorizing and approving submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority (NMFA) for the Colonias Infrastructure Fund. Commissioner Luna seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

- 4. Discussion/Action: Resolution No. 34 20/21 and Resolution No. 34-A approving the required Community Development Block Grant (CDBG) Annual Certifications and Commitments:**

City Manager Madrid explained that this is another requirement from the Community Development Block Grant Program. There used to be a single resolution for each requirement. They require that the governing body of the applicant certify that it will comply with the five requirements that you see before you, which are Citizen Participation; Fair Housing; Residential Anti-Displacement and Relocation Assistance;

Section 3 of the HUD Act; and Federal and State Procurement Codes. This resolution is required to submit the application. Without the resolution, the funding would be denied.

**Commissioner Luna moved to approve Resolution No. 34 20/21 and Resolution No. 34-A approving the required Community Development Block Grant (CDBG) Annual Certifications and Commitments. Mayor Pro-Tem Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**H. NEW BUSINESS:**

- 1. Discussion/Action: Request for a Summary Plat Amendment and Variance at 300 N. Maple, Truth or Consequences, NM pursuant to Chapter 15, Sec. 15-17., Amendment of plats and Municipal Code, Sec. 11-5-5, Variance.**

Traci Alvarez, Grant Projects Coordinator/Zoning Official explained that our Planning & Zoning Commission recommended approval during their February 1, 2021 meeting. This is for a Summary Plat and Variance Request at 300 N. Maple Street. The minutes to the meeting with all discussion, questions, and concerns are included in your agenda packet.

Commissioner Aragon applauded the Planning & Zoning Commission for using the finding and facts as per the ordinance. He would like to see that they also make a check list so when he is reading it he can look at it.

Traci Alvarez, Grant Projects Coordinator/Zoning Official explained that a checklist is included in their packet, but she does not have the authority of whether or not they use it.

City Clerk Torres also explained that their recommendation was approved upon everything that is listed on the checklist.

**Commissioner Luna moved to approve Request for a Summary Plat Amendment and Variance at 300 N. Maple, Truth or Consequences, NM pursuant to Chapter 15, Sec. 15-17., Amendment of plats and Municipal Code, Sec. 11-5-5, Variance. Mayor Pro-Tem Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.**

**2. Discussion/Update: Utility Billing Update:**

Sonya Renfro-Williams, Utility Manager stated that she is here today to update everyone on the utility billing, and the concerns the public may have concerning their bills. Unfortunately, this is something she wishes will never happen again, but with the billing system we have, and with other utility billing systems, this is just something that

## CITY COMMISSION FEBRUARY 10, 2021 REGULAR MEETING MINUTES

may happen. She suggests that any customers who see any discrepancies on their bill please contact the Utility Office. They bill around 1700 people a week, so it is hard for them to go through every single bill and make sure that everyone is being billed correctly. They do however, try to do their due diligence and do re-reads, but it is impossible to catch every single error. The new AMI Meters are great because it allows them to pull up the usage on our screens and see exactly what the customer is using, and what they have used. We don't want these issues to occur, but all we can do is move forward and do our best. They do try to work with people to try and make things right.

Mayor Whitehead stated during this transition of the new meters, the billing days were off a few days, so that threw off the billing because one month may have been billed for a shorter amount of days than the next month. However, in all reality, we as property owners should know what we pay on a monthly basis, so when we see that our bills are off, we should contact the Utility Office. Things don't get resolved by putting us out on Facebook or on social media saying that we are wrong when the questions could be answered and resolved by a phone call.

Sonya Renfro-Williams, Utility Manager also stated that she wants to know if people are having issues with their bills. During the last Commission Meeting as soon as she heard there were issues, she immediately pulled up the accounts and started doing the math to see if there was an issue because we don't want to over-charge customers. We don't want there to be problems. She added her and Chelsea LeClair's numbers to the flyers so people can call them directly, because she wants to be there for the customers.

Mayor Whitehead explained that she met with Sonya after the last meeting regarding the utility bill that was mentioned, and she was able to talk to that person that gave the comment. She thinks we've got it squared away, and now they understand what was happening. So again, these are things that that not only Sonya and her staff are looking at, but she is looking into them as well.

Commissioner Aragon thanked the Utility Department, and the other city offices for doing a great job. During the month of December, and maybe during Christmas time people are more than likely to use a little more electricity. The Utility Office is willing to work with people if they did get an outrageous bill.

Commissioner Luna stated that she has heard from commercial accounts users that their bills have dropped dramatically, and she also has the same concern herself. If we find that there is a billing issue with the commercial bills, and we are not quick to resolve that, how far back are we going to retroactive their usage and catch them up.

Sonya Renfro-Williams, Utility Manager explained that she has had businesses call her and say that their bill can't be right, so what we're doing is going back from the time that the new meter was installed, which was November, and we're going from there. Luckily all of the commercial meters are being installed by our Electric Department. We have encumbered some issues, but she feels confident that we have caught the problem, and

she doesn't foresee anyone having more than one month of a corrected bill being issued.

Commissioner Luna asked how many commercial accounts the city has.

Sonya Renfro-Williams, Utility Manager stated I would have to say that we have around 200 commercial demand meters.

Commissioner Luna asked if the Commission can review those reports.

Sonya Renfro-Williams, Utility Manager responded yes there are reports that can be ran.

Commissioner Aragon wants to make sure that we promote the budget billing system because some people might not know what it is.

Sonya Renfro-Williams, Utility Manager explained that they do offer budget billing. Customers just need to come in and sign up for it. They do however, need to be caught up on their bill. So how it works is we average their bill, so they only pay the same amount every month, and at the end of the year we re-estimate it to make sure it is correct.

### **C. REPORTS:**

City Attorney Rubin had no reports.

### **City Commission Reports:**

#### **Mayor Pro-Tem Forrister reported the following:**

- This weekend they had a huge ATV rally and there were almost 400 UTV's which split up and went a few separate ways. She read lots of really good comments on Facebook, but she also saw some negative ones too that said it was a political rally. She however, didn't see that at all. She commended all of the riders for turning down their radios when they went into town. The people from the rally stayed in our hotels, and we were packed with people. They were also eating everywhere, and they were getting fuel here locally. This is not going to be an every weekend thing, but it really helps us a lot. She just wants everyone to please make sure we're keeping our trails clean.
- Rebecca Dow is pushing to have the State Parks moved into the Department of Tourism, and she would like the city to get on board with that and maybe make an agreement. They are wanting to move forward with opening the lake in the winter months to the UTV's, and she thinks the City of Elephant Butte, the Village of Williamsburg and the City of T or C need to get on board with having that. It brings tourism into our town, especially in winter months when we are hurting.

- She and the Mayor attended a meeting yesterday for our trails, and she feels that we need to really think about if there is a specific place where we do not want the bridge in the city, or where we would like to have it.

**Commissioner Aragon reported the following:**

- The Veterans Coalition turned out really well, and the (VSO) Veterans Service Officer has a Zoom meeting set up at the Olive Tree Branch, and once a month, on the 4th Thursday of each month, Veterans can go there instead of having to drive to Las Cruces. The Veterans Coalition has a Chairman and a Vice Chairman and it's a Coalition for Veterans to help Veterans.

**Commissioner Luna reported the following:**

- She commended Traci Alvarez and City Manager Madrid for getting the variance on the agenda, and streamlining that process. She thinks that is something that can greatly help. There's no sense in waiting so long.
- She received some phone calls from some people that very happy that the Police Department have begun fingerprinting again. She thanked the Police Department for opening up for fingerprinting.
- The first meeting of the group of the Sierra County Economic Development will be held by the end of the month. She will send out the zoom link for that, and we will get it publicized. She's waiting on two more people to be named to that organization, and then we should be able to have a meeting.
- She was a little surprised that litigation is not on agenda because we do have a notice in front of us. She asked that it be placed on the next agenda.
- In regards to the comments and concerns about people not being able to see us. She got a quote from Fire Chief Tooley who does the production for the Sierra County meetings, and if you haven't seen those, she invites you to go to the Sierra County page. The system is set up to where it's like you were there at the meeting. It's a very nice production. It is not free, but it is something we could be proud of. She sent that quote to the City Manager and the Mayor, and she would like for it to be listed on the agenda for next meeting so the Commission can look at it together to see if it's something we can do.
- She saw a comment and post on Facebook that Fiesta might not happen again this year. That would be the second year in a row. She believes last year was probably a unique thing because of COVID, but she thinks that there is no reason we can't do a parade, have vendors or do an awesome car show. We can do something with the City of Elephant Butte. They had a group of people who did their Elephant Days for a few years in the very beginning, and when that person said no mas, the staff took it over and they have a staff of less than 10 people. She does not believe that with a staff of close to 100 people, we could not do the exact same thing with this body's assistance, participation, and support. It is something that we should keep. It is our namesake event, and she doesn't think we should let it die. She would also like that to be on the next agenda.
- She chooses not to respond during to the public comments, because she feels that is when you are fired up and you're mad, and whether anyone would believe

that she can step back and think about what she says, the comments about the city being corrupt embarrass her. It also embarrasses her on behalf of every member of our staff because they go to work, and they are there to work for not only themselves, but for their neighbors, and their family. They take pride in what they do. Are there bad apples, yes, in every barrel, but she does not believe for one minute that any Commissioner sitting up here, or any member of our staff get up any morning without the best intention in their heart, and go to work to make our city better. Therefore, she challenges every single person who feels that we're not doing the best job, to step up to help make us the best. She thinks Mr. Dumiak is a prime example of a way to make our community better. He saw a problem, he picked up the trash, and he told us about it, so thank you Mr. Dumiak, and thank you Denise Addie for putting parades together. Let's thank these people for making our community better, and let's stop the strife between one another, and let's start making our community something we can all be proud of again.

**Mayor Whitehead reported the following:**

- She asked that Merry Jo Fahl be added to the agenda for our next meeting to come in and give a presentation. Merry Jo will be following up as to what information she has. We are also looking at areas where we want or don't want the bridge, so we as a city a community along with the Commission and city staff need to come together to find out if we still want go with Rotary Park. We also need to look at signing a new contract or a new agreement of whether or not we still want to move forward with this trail and with the implementation of the trails behind the river.
- She was asked to attend the Airport Advisory Board meeting last Monday which was kind of embarrassing because it seemed to be a little un-organized. She was asked to attend the meeting because the board was having issues and troubles, but when she attended and listened, it seemed like the City Manager, Ms. Alvarez, and our Engineer were all hounded by this board, and they were cutoff, and they were not given the opportunity to finish their comments. Commissioner Aragon had made a comment about a checklist, and she thinks that maybe we need to have a training for these Boards. We just need to stay focused, and we need to make sure that what we discuss what is on the agenda. The Boards need direction as how they need to be good and efficient Board Members.
- Another question that she thought of and talked about is the Planning & Zoning Board, and if we can dissolve it because right now we've only got three members on that Board. She would like for the City Attorney Rubin to look into how we can dissolve it and become part of the Planning & Zoning Board. These are just some ideas and thoughts she has come up with while attending these meetings and seeing how they go. She thanked each and every member that that volunteers to be on these boards, but she would like to see a little more direction given.
- She attended a department head meeting yesterday and she saw that we've got a great team, we've got a great Manager, and we've got great department heads.

**D. EXECUTIVE SESSION:**

**Mayor Pro-Tem Forrister moved to approve going into executive session at 10:19 a.m. to discuss Limited Personnel Matters Pursuant to 10-15-1(H.2). Commissioner Luna seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.**

**1. Limited Personnel Matters Pursuant to 10-15-1(H.2):**

Mayor Whitehead reconvened the meeting in open session at 12:05 p.m.

**Commissioner Luna certified that only matters pertaining to Limited Personnel Matters Pursuant to 10-15-1(H.2) was discussed in Executive Session.**

**Commissioner Luna made a motion that the City Commission reluctantly accepted City Manager Madrid's resignation letter effective March 5, 2021. Mayor Pro-Tem Forrister seconded the motion. Motion carried unanimously.**

**M. ADJOURNMENT:**

**Commissioner Luna moved to adjourn at 12:06 p.m. Mayor Pro-Tem Forrister seconded the motion. Motion carried unanimously.**

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Sandra Whitehead, Mayor

ATTEST:

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Angela A. Torres, CMC, City Clerk



# CITY OF TRUTH OR CONSEQUENCES

## AGENDA REQUEST FORM

MEETING DATE: February 24, 2021

Agenda Item #: G.1

**SUBJECT:** Resolution No. 35 20/21 Budget Adjustment Request

**DEPARTMENT:** Finance Department

**DATE SUBMITTED:** February 18, 2021

**SUBMITTED BY:** Carol Kirkpatrick, Finance Director

**WHO WILL PRESENT THE ITEM:** Carol Kirkpatrick, Finance Director

**Summary/Background:** Reconciling Budget Adjustments Requests (based on Chapter 6, Article 6 NM Statute) needed for budget adjustments, increases, and decreases per attached.

**Recommendation:**

Approval Resolution No. 35-20/21 Budget Adjustment Requests

**Attachments:**

Resolution 35-20/21

- Commission Action Form, Schedule of Budget Adjustments, Supporting Documentation

**Fiscal Impact (Finance):** Yes

Changes in funding as presented on the Department of Finance and Administration Schedule of Budget Adjustments

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

Click here to enter text.

**Approved For Submittal By:**  Department Director

**Reviewed by:**  City Clerk  Finance  Legal  Other: Click here to enter text.

**Final Approval:**  City Manager

### CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. 35 20/21 Ordinance No. [Click here to enter text.](#)

Continued To: [Click here to enter a date.](#) Referred To: [Click here to enter text.](#)

Approved  Denied  Other: [Click here to enter text.](#)

File Name: CC Agendas 2-24-2021



## **RESOLUTION NO. 35 20/21**

### **A RESOLUTION REQUESTING BUDGET ADJUSTMENTS IN THE REVENUE AND EXPENDITURE BUDGET FOR FISCAL YEAR 2020-2021.**

**WHEREAS**, the final budget for was approved by the City Commission of the City of Truth or Consequences, New Mexico, pursuant to Chapter 6, Article 76 NMSA 1978; and

**WHEREAS**, the City Commission in and for the City of Truth or Consequences, State of New Mexico needs to adjust the current approved budget for Fiscal Year 2020-2021; and

**WHEREAS**, said budget was adjusted on the basis of need and through cooperation with all user departments, elected officials and other department supervisors; and

**WHEREAS**, the official meeting for the review of said documents was duly advertised in compliance with the State Open Meetings act; and

**WHEREAS**, it is the majority opinion of this Board that the adjusted budget meets the requirements as currently determined.

**NOW THEREFORE, BE IT RESOLVED** that the City Commission of the City of Truth or Consequences, State of New Mexico hereby adopts the budget adjustment hereinabove described and attached and respectfully requests approval from the Local Government Division of the Department of Finance and Administration.

**PASSED, ADOPTED and APPROVED** this 24<sup>th</sup> day of February, 2021.

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Sandra Whitehead, Mayor

ATTEST:

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Angela A. Torres, City Clerk-Treasurer



**CITY OF TRUTH OR CONSEQUENCES  
COMMISSION ACTION FORM**

**ITEM:**

**Resolution No. 35-20/21 , Budget Adjustments**

**BACKGROUND:**

**Reconciling Budget Adjustments request (based on Chapter 6, Article 6 NM Statue) needed for increase expenses as listed on attached Department of Finance and Administration SCHEDULE OF BUDGET ADJUSTMENTS and supporting document numbers 1 through 10**

**STAFF RECOMMENDATION:**

Recommend approval of Budget Adjustments as listed

**SUPPORT INFORMATION:**

Finance Documents as attached.

Submitted by: [Click here to enter text.](#)

Department: [Click here to enter text.](#)

Meeting date: [Click here to enter date.](#)



Department of Finance and Administration  
Local Government Division  
Financial Management Bureau  
SCHEDULE OF BUDGET ADJUSTMENTS

CITY DOCUMENT NUMBER	FUND	CITY OF T or C ACCOUNT STRING	DFA CROSSWALK	ACCOUNT NAME	REVENUE, EXPENDITURE, or TRANSFER (TO or FROM)	APPROVED BUDGET	ADJUSTMENT / INCREASE	ADJUSTMENT / (DECREASE)	ADJUSTED BUDGET	PURPOSE
4	Maintenance Services	600-7003-44607	60200-2006-56030	Field Supplies	Expense	\$ 2,000	\$ 9,400	\$ -	\$ 11,400	Increase budget by utilizing a portion of remaining beginning cash balance \$63,527)
4	Maintenance Services	600-7003-47420	60200-2006-56121	Vehicle Maintenance	Expense	\$ 2,000	\$ 8,700	\$ -	\$ 10,700	
4	Maintenance Services	600-7003-44613	60200-2006-56040	Non-Capital Equipment	Expense	\$ 3,000	\$ 20,000	\$ -	\$ 23,000	
4	Maintenance Services	600-7003-44606	60200-2006-56020	Office Supplies	Expense	\$ 500	\$ 580	\$ -	\$ 1,080	
4	Maintenance Services	600-7003-44615	60200-2006-56090	Supplies Safety	Expense	\$ 1,000	\$ 4,000	\$ -	\$ 5,000	
							\$ 42,680	\$ -		
5	NMFA Projects	360-7012-32700	30600-0001-47499	Other State Grants	Revenue	\$ 981,000	\$ 50,000	\$ -	\$ 1,031,000	Increase budgeted revenue for NMFA Planning Grant-5239 Sanitary Sewer Asset Management Plan
5	NMFA Projects	360-7012-48598	30600-2002-55030	Professional Services	Expense	\$ 99,000	\$ 50,000	\$ -	\$ 149,000	Increase budgeted expenses for NMFA Planning Grant-5239 Sanitary Sewer Asset Management Plan
							\$ 100,000	\$ -		
6	NMFA Projects	360-7011-32700	30600-001-47499	Other State Grants	Revenue	\$ 1,031,000	\$ 50,000	\$ -	\$ 1,081,000	Increase budgeted revenue for NMFA PG-5240 River Walk Fessibility Study
6	NMFA Projects	360-7011-48598	30600-2002-55030	Professional Services	Expense	\$ 149,000	\$ 50,000	\$ -	\$ 199,000	Increase budgeted expenses for NMFA PG-5240 River Walk Fessibility Study
							\$ 100,000	\$ -		
7	Municipal Streets	216-4503-80845	21600.5002.58020	Equipment & Machinery	Expense	\$ 180,000	\$ -	\$ (180,000)	\$ -	to move budget from equipment & machinery to vehicles
7	Municipal Streets	216-4503-80810	21600.5002.58080	Vehicles	Expense	\$ -	\$ 180,000	\$ -	\$ 180,000	to purchase a dump truck as originally planned
							\$ 180,000	\$ (180,000)		
8	Recreation	295-4803-44607	21700-4006-56999	Supplies - Other	Expense	\$ 1,000	\$ -	\$ (1,000)	\$ -	correct line item for Government Gross Receipts
8	Recreation	295-4803-46794	21700-4006-57999	Other Operating Costs	Expense	\$ -	\$ 1,000	\$ -	\$ 1,000	Tax for the Swimming Pool
							\$ 1,000	\$ (1,000)		
9	Other Capital Projects	315-0000-38387	39900-0001-46300	Loan Proceeds	Revenue	\$ -	\$ 1,018,263	\$ -	\$ 1,018,263	PPRF-4968 Loan proceeds on \$2,475,799 Loan Agreement dated 8-30-19
9	Other Capital Projects	315-8001-80845	39900-2002-58020	Equipment & Machinery > \$5,000	Expense	\$ -	\$ 50,000	\$ -	\$ 50,000	Use of PPRF-4968 Loan funds to purchase servers and printers over \$5,000
9	Other Capital Projects	315-8001-44613	39900-2002-56040	Non-capital Equipment < \$5,000	Expense	\$ -	\$ 247,000	\$ -	\$ 247,000	computers, laptops, monitors, servers and printers under \$5,000
9	Other Capital Projects	315-8005-38387	39900-2002-54010	Maintenance & Repairs - Building/Structure	Expense	\$ -	\$ 210,000	\$ -	\$ 210,000	roofing (150,000) and HVAC systems (60,000) throughout the City

Department of Finance and Administration  
 Local Government Division  
 Financial Management Bureau  
 SCHEDULE OF BUDGET ADJUSTMENTS

CITY DOCUMENT NUMBER	FUND	CITY OF T or C ACCOUNT STRING	DFA CROSSWALK	ACCOUNT NAME	REVENUE, EXPENDITURE, or TRANSFER (TO or FROM)	APPROVED BUDGET	ADJUSTMENT / INCREASE	ADJUSTMENT / (DECREASE)	ADJUSTED BUDGET	PURPOSE
9	Other Capital Projects	315-8006-80810	39900-2002-58080	Vehicles	Expense	\$ -	\$ 35,000	\$ -	\$ 35,000	Use of PPRF-4968 Loan funds for vehicles for Safety Department
9	Other Capital Projects	315-8007-47415	39900-2002-54030	Maintenance and Repairs Grounds/Roadways	Expense	\$ 78,100	\$ 450,000	\$ -	\$ 528,100	Use of PPRF-4968 Loan funds for renovation at Ralph Edwards Park
9	Other Capital Projects	315-8008-48598	39900-2002-55030	Professional Services	Expense	\$ -	\$ 26,263	\$ -	\$ 26,263	Use of PPRF-4968 Loan funds for Engineering services for possible Pool/Recreational Facility
							<u>\$ 2,036,526</u>	<u>\$ -</u>		

10		294-5003-32394		State Grant In Aid	Revenue	\$ 11,670	\$ 16,349	\$ -	\$ 28,019	To budget the State Grant in Aid 2nd half
10		294-5003-48830		Library Acquisition Books	Expense	\$ -	\$ 16,349	\$ -	\$ 16,349	To budget the State Grant in Aid 2nd half
							<u>\$ 32,698</u>			

									\$ -	
ATTEST: <u>Angela Torres, Clerk-Treasurer</u> (Date) <u>Sandra Whitehead, Mayor</u> (Date)										

# DOCUMENT #1

FINAL 2020-21 BUDGET				
30400 ROAD/STREET PROJECTS EXPENDITURE DETAIL				
7/23/20 Revised				
			<b>Revenue</b>	<b>Expenditure</b>
<b>Project: 2019/2020 LOCAL GOVERNMENT ROAD FUND (LGRF) NMDOT Cooperative Various Streets (7004)</b>				
	30400.0001.47050.7004	State Co-op (DOT)	\$ 30,000	
	30400.0001.47699.7004	Federal-Other	\$ -	
	30400.2002.54030.7004	Maintenance and Repairs-Grounds & Roadways		\$ 30,000
1/7/21 This was double booked in 21600. Will process a LGBMS BAR to remove from 30400				

# DOCUMENT #2

FINAL 2020-21 BUDGET				
30400 ROAD/STREET PROJECTS EXPENDITURE DETAIL				
7/23/20 Revised				
			Revenue	Expenditure
Project: 2020/2021 LOCAL GOVERNMENT ROAD FUND (LGRF) NMDOT Cooperative Various Streets (Foch, Locust, Yucca, Palo Verde, Sierra Vista Dr., Pine, and Corbett) (7007)				
	30400.0001.47050.7007	State Co-op (DOT)	\$ 61,988	
	30400.0001.61100.7007	"In Kind" from 21600 Streets	\$ -	
	30400.2002.54030.7007	Maintenance and Repairs-Grounds & Roadways		\$ 61,988
1/7/21 This should have been booked in 21600. Will process a BAR in LGBMS to reduce this 30400 and move to 21600				

# DOCUMENT #3

<b>FINAL 2020-21 BUDGET</b>				
<b>39900 OTHER CAPITAL PROJECTS EXPENDITURE DETAIL 1/5/21 move to 30900</b>				
			<b>Revenue</b>	<b>Expenditure</b>
<b>NMDOT Aviation Division Electrical Vault Design Construction (FAA Grant - \$214,522/NMDOT State Grant - \$11,919) (7006)</b>				
	39900.0001.47699.7006	Federal-Other	\$ 214,522	
	39900.0001.47398.7006	Other State Distributions (operational)	\$ 11,919	
	39900.0001.61100.7006	Transfer In (315 Capital Improvement Reserve 315) Pending	\$ 11,919	
	39900.2002.58010.7006	Buildings & Structures		\$ 238,360
			<b>\$ 238,360</b>	<b>\$ 238,360</b>
1/5/21 will process a BAR to move to 30900 as follows:				
Please process a BAR to move money for project listed below from 39900 to 30900				
Project: NMDOT Aviation Division Electrical Vault Design Construction				

# DOCUMENT #4

60200 INTERNAL SERVICE FUND EXPENDITURE DETAIL			2020-21	
<b>60200 MAINTENANCE SERVICES</b>				
			\$ -	
	<b>SUBTOTAL PERSONNEL SERVICES</b>			\$ -
60200.2006.56020.0000	Supplies - General Office		\$ 500	
60200.2006.56030.0000	Supplies - Field Supplies		\$ 2,000	
60200.2006.56040.0000	Supplies - Furniture/Fixtures		\$ 3,000	
60200.2006.56090.0000	Supplies - Safety		\$ 1,000	
60200.2006.56110.0000	Supplies - Uniforms/Linen		\$ 500	
60200.2006.56120.0000	Supplies - Vehicle Fuel		\$ 6,000	
60200.2006.56121.0000	Supplies - Vehicle Lubricants		\$ 2,000	
60200.2006.56122.0000	Supplies - Vehicle Tires		\$ 2,000	
60200.2006.57130.0000	Rent of Equipment/Machinery		\$ 1,000	
	<b>SUBTOTAL OPERATING COST</b>		\$ -	
				\$ 18,000
			\$ -	
	<b>SUBTOTAL CAPITAL</b>			\$ -
<b>TOTAL 60200 MAINTENANCE SERVICES</b>				<b>\$ 18,000</b>



Truth or Consequences

# Cash Report Account Summary

Date Range: 07/01/2020 - 01/31/2021

Account Name  
Fund: 600 - Internal Serv  
600-7003-10129 INTERNAL SERVICE FUND

	Beginning Balance	Total Activity	Ending Balance
Total Fund: 600 - Internal Serv:	73,027.89	-3,486.91	69,540.98
<b>Grand Totals:</b>	<b>73,027.89</b>	<b>-3,486.91</b>	<b>69,540.98</b>

Budgeted Cash 9,500  
Budgeted Revenue 8,500  


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18,000

beg. Cash 73,027  
Bud. Cash <9500>  


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Cash Available 63,527

Budgeted Expenses <18,000>  


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# DOCUMENT #5



May 28, 2020

City of Truth of Consequences  
Attn: Traci Burnette  
505 Sims Street  
Truth or Consequences, NM 87901

Re: NMFA Local Government Planning Fund Grant Award No. PG-5239 for an Asset Management Plan

Dear Ms. Burnette:

The Board of Directors of the NMFA met today to review your application for an LGPF grant for an Asset Management Plan. The City received conditional approval by NMFA for a grant for 100% of the cost of the planning document, up to \$50,000.

You will have **18 months** to complete the AMP, obtain approval from NMFA, and close on the grant. The following deadlines must be met and included in the contract with the professional services provider:

1. Submission of the contract to NMFA within 5 months: **October 28, 2020**
2. Submission of the AMP to NMFA within one year: **May 28, 2021**
3. Approval of the AMP within 15 months: **August 28, 2021**
4. Close on the grant within 18 months: **November 28, 2021**

Once NMFA has approved the AMP, we will start the closing process and additional information will be required. Please read the attached AMP Guide Sheet for more information.

Feel free to contact me with questions at (505) 992-9658, or email me at [LGPF@nmfa.net](mailto:LGPF@nmfa.net).

Sincerely yours,

A handwritten signature in black ink, appearing to read "M.L.F.", is written over a faint, larger version of the signature.

Mary L. Finney  
Local Government Planning Fund Coordinator

Enclosure

cc: Alfredo Holguin, (505) 715-2541, [alfredo.holguin@wilsonco.com](mailto:alfredo.holguin@wilsonco.com)

**Truth or Consequences, City of  
Asset Management Plan  
Local Government Planning Fund**

Application No. PG-5239

**A. Executive Summary**

<b>Applicant:</b> Truth or Consequences, City of	<b>Board Date:</b> 5/28/2020
<b>NMFA Analyst:</b> Susan M. Rodriguez	<b>Project:</b> Asset Management Plan
<b>Compliance with NMFA Policies:</b> Yes	<b>Amount:</b> \$50,000.00
<b>Recommendation:</b> Approval	

**B. PROJECT AND APPLICANT CRITERIA**

**Project Scope:**

Truth or Consequences is seeking funding for a Sanitary Sewer Asset Management Plan that will itemize and identify the current conditions of all wastewater assets. This plan will assist in planning the operation, maintenance, repair and replacement of critical assets. The current aging components are subject to leaks and exfiltration leading to contamination of the surrounding areas and shallow groundwater. The City plans to use this document towards applying for USDA-RD loan and Colonias Infrastructure Fund monies.

**Grant Structure**

<b>Project Amount</b>	\$75,000.00
<b>Local Match Requirement</b>	\$25,000.00
<b>Grant Amount</b>	\$50,000.00

**Entity Profile**

Applicant Profile		Percentage of State		Award Calculations		
Entity MHI	\$27,511	% State MHI	59%	MHI Award	50%	\$25,000
Local Burden Rate	1.41	Local Burden Ratio	211%	Local Burden Award	50%	\$25,000
<b>Grant Waivers</b>						
Local Match Waiver	0%		\$0			
Reason for Waiver:						
<b>Grant Award</b>						
Project Amount	\$75,000	Cash Available for Project	\$25,000			
Unmet Need	\$50,000	Maximum Grant Amount	\$50,000			

**System Profile:**

<b>Number of Certified Operators</b>	5	<b>Number of Connections</b>	2,577
<b>Document Preparer</b>	Wilson & Company	<b>Document Reviewer</b>	NMFA

<b>Local Government Planning Fund</b>				
<b>Project Number</b>	<b>Planning Document</b>	<b>Closing Date</b>	<b>Project Status</b>	<b>Grant Amount</b>
PG-2963	LEDA/Comprehensive Plan	6/19/2015	Complete	\$50,000.00
PG-2656	Preliminary Engineering Report	1/18/2013	Complete	\$50,000.00
PG-3313	Water Conservation Plan	12/2/2016	Complete	\$35,615.56
PG-5240	Economic Development Feasibility Study		Request for approval	\$50,000.00
PG-5239	Asset Management Plan		Request for approval	\$50,000.00
<b>Total</b>				<b>\$235,615.56</b>

**C. Readiness to Proceed**

Final approval of this project is based on the submission of certain readiness to proceed items. The following have been submitted to NMFA:

1. NMFA Application;
2. NMFA Application Resolution;
3. Most current Audit, Approved Final Budget, Supplemental information; and
4. Open Meetings Act Resolution

Prior to funding of this application, NMFA will require the entity to submit or meet the following criteria:

1. Approved Professional Services Agreement within five months of board approval;
2. Submittal of the planning document for approval within one year of board approval;
3. Close the grant agreement within 18 months of board approval; and
4. Any additional information requested by the NMFA.

# DOCUMENT #6



May 29, 2020

City of Truth or Consequences  
Attn: Traci Burnette  
505 Sims Street  
Truth or Consequences, NM 87901

Re: NMFA Project No. PG-5240, Economic Feasibility Study for the the City's River Walk Project

Dear Ms. Burnette

The Board of Directors of the NMFA met today to review your LGPF grant application for a Feasibility Study. The City received conditional approval by NMFA for a grant for 100% of the cost of the Feasibility Study, up to \$50,000.

You will have **18 months** from **May 28, 2020** to complete the planning document, obtain approval, and close on the grant. The following conditions and deadlines must be satisfied prior to closing and funding this grant:

1. Approval of professional services contract by NMFA within 5 months: **October 28, 2020**
2. Submission of the document to the reviewing agency within 12 months: **May 28, 2021**
3. Final approval of the document within 15 months: **August 28, 2021**
4. Close on the grant within 18 months: **November 28, 2021**

You will submit the document to NMFA to reivew and approve. Once the document is approved, we will start the closing process and additional information will be required.

Feel free to contact me with questions at (505) 992-9658, or email at [LGPF@nmfa.net](mailto:LGPF@nmfa.net).

Sincerely yours,

A handwritten signature in black ink, appearing to read "M. Finney".

Mary L. Finney  
Local Government Planning Fund Coordinator

Enclosure

cc: Mario Juarez-Infante (505) 715-2541, [Mario.juarez-intante@wilson.com](mailto:Mario.juarez-intante@wilson.com)

**Truth or Consequences, City of  
Economic Development Feasibility Study  
Local Government Planning Fund**

Application No. PG-5240

**A. Executive Summary**

<b>Applicant:</b> Truth or Consequences, City of	<b>Board Date:</b> 5/28/2020
<b>NMFA Analyst:</b> Susan M. Rodriguez	<b>Project:</b> Economic Development Feasibility Study
<b>Compliance with NMFA Policies:</b> Yes	<b>Amount:</b> \$50,000.00
<b>Recommendation:</b> Approval	

**B. PROJECT AND APPLICANT CRITERIA**

**Project Scope:**

Truth or Consequences is seeking funding for an Economic Development Feasibility Study that will provide an overall Master Plan for the City's River Walk Project. Elements include: Community Participation Process, Existing Conditions and Asset Inventory, Gaps & Market Analysis, Proposed Landuse Development Plan, and Implementation & Financing Plan. This document will be used to develop an overall vision, goals, and objective for the City. The City intends to apply for funding with the U.S. Department of Commerce Economic Development Administration.

**Grant Structure**

<b>Project Amount</b>	\$60,000.00
<b>Local Match Requirement</b>	\$10,000.00
<b>Grant Amount</b>	\$50,000.00

**Entity Profile**

Applicant Profile		Percentage of State		Award Calculations		
Entity MHI	\$27,511	% State MHI	59%	MHI Award	50%	\$25,000
Local Median Earnings	\$19,638	Wage Sufficiency Ratio	72%	Wage Sufficiency Award	25%	\$12,500
Local Job Availability	39%	Job Availability Ratio	72%	Job Availability Award	25%	\$12,500
<b>Grant Waivers</b>						
Local Match Waiver	0%		\$0			
Reason for Waiver						
<b>Grant Award</b>						
Project Amount	\$60,000	Cash Available for Project	\$10,000			
Unmet Need	\$50,000	Maximum Grant Amount	\$50,000			

<b>Document Preparer:</b> Wilson & Company	<b>Document Reviewer:</b> NMEDD
--	---------------------------------

<b>Local Government Planning Fund</b>				
<b>Project Number</b>	<b>Planning Document</b>	<b>Closing Date</b>	<b>Project Status</b>	<b>Grant Amount</b>
PG-2963	LEDA/Comprehensive Plan	6/19/2015	Complete	\$50,000.00
PG-2656	Preliminary Engineering Report	1/18/2013	Complete	\$50,000.00
PG-3313	Water Conservation Plan	12/2/2016	Complete	\$35,615.56
PG-5239	Asset Management Plan		Request for approval	\$50,000.00
PG-5240	Economic Development Feasibility Study		Request for approval	\$50,000.00
<b>Total</b>				<b>\$235,615.56</b>

### **G. Readiness to Proceed**

Final approval of this project is based on the submission of certain readiness to proceed items. The following have been submitted to NMFA:

1. NMFA Application;
2. NMFA Application Resolution;
3. Most current Audit, Approved Final Budget, Supplemental information; and
4. Open Meetings Act Resolution

Prior to funding of this application, NMFA will require the entity to submit or meet the following criteria:

1. Approved Professional Services Agreement within five months of board approval;
2. Submittal of the planning document for approval within one year of board approval;
3. Close the grant agreement within 18 months of board approval; and
4. Any additional information requested by the NMFA.

# DOCUMENT #7

FINAL 2020-21 BUDGET					
<b>21600 MUNICIPAL STREETS FUND EXPENDITURE DETAIL</b>				<b>2020-21</b>	
<b>21600 MUNICIPAL STREETS</b>					
	21600.5002.58020.0000	Equipment & Machinery	\$ 180,000		
	<b>SUBTOTAL CAPITAL</b>	2/17/21 This should have been to vehicles		<b>\$ 180,000</b>	
	<b>TOTAL 21600 MUNICIPAL STREETS</b>				<b>\$ 838,845</b>

# DOCUMENT #8

21700 (295) RECREATION-SWIMMING POOL FUND EXPENDITURE DETAIL						2020-21	
21700 RECREATION - SWIMMING POOL							
TYLER		LGBMS					
295-4803-46794	21700.4006.56999.0000	Supplies - Other (57999 other operating costs)		\$	1,000	This should be 57999 Other Operating Costs 12/28 Need BAR What is in LGBMS?	
<span style="background-color: yellow;">1ST Check LGBMS to see where we budgeted</span> If incorrect Process BAR							
				Increase	Decrease		
21700.4006.56999.0000		Supplies - Other		\$	1,000		
21700.4006.57999.0000		Other operating costs		\$	1,000		

# DOCUMENT #9

\$2,475,799

LOAN AGREEMENT

dated

August 30, 2019

by and between the

NEW MEXICO FINANCE AUTHORITY

and the

CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO

Certain interests of the New Mexico Finance Authority under this Loan Agreement may be assigned to BOKF, NA, as trustee under an Indenture, as defined in Article I of this Loan Agreement.

\$2,475,799  
TRUTH OR CONSEQUENCES, NEW MEXICO  
NEW MEXICO FINANCE AUTHORITY  
PUBLIC PROJECT REVOLVING FUND REFUNDING AND NEW MONEY LOAN  
Loan No. PPRF-4968

Closing Date: August 30, 2019

TRANSCRIPT OF PROCEEDINGS  
INDEX

1. Open Meeting Act Resolution No. 01 19/20 adopted July 10, 2019
2. Ordinance No. 705, adopted July 24, 2019, Agenda, and the Affidavits of Publication of the Notice of Intent to Adopt Ordinance and Notice of Adoption of Ordinance in the *Sierra County Sentinel*
3. Notice of Redemption of Loan No. PPRF-2246 to Finance Authority and Trustee
4. Correspondence related to Department of Finance and Administration Approval of Refunding
5. Loan Agreement
6. Intercept Agreement
7. General and No Litigation Certificate
8. Arbitrage and Tax Certificate with Form 8038-G and evidence of filing and Finance Authority Tax Representations Certificate
9. Delivery, Deposit and Cross-Receipt Certificate
10. Approving Opinion of Sutin, Thayer & Browne A Professional Corporation, Loan Counsel to the Finance Authority
11. Finance Authority Application and Project Approval (informational only)

TRANSCRIPT DISTRIBUTION LIST

Truth or Consequences, New Mexico  
New Mexico Finance Authority  
BOKF, NA  
Sutin, Thayer & Browne A Professional Corporation  
Jaime Rubin, Esq.

**Truth or Consequences, City of**  
**2019 Refunding & New Money**  
**Public Project Revolving Fund**

App # PPRF-4968

Loan Officer: Ron Cruz

Board Date: May 23 2019

**A. Executive Summary**

	Amount	Term (yrs)	Net Interest Cost
Tax Exempt Loan-Refunding	\$1,433,058.00	10	2.61%
Tax Exempt Loan-Infrastructure and IT equipment	\$888,657.00	10	2.53%
Disadvantaged Tax Exempt	\$228,432.00	10	0.10%
	<b>\$2,550,147.00</b>	<b>10</b>	<b>2.23%</b>
<b>Pledged Revenue</b>	Gross Receipts Tax		
<b>Coverage</b>	4.22x (1.25x coverage required)		
<b>Interest Rate Margin</b>	0.75%		
<b>Capitalized NMFA Fee</b>	N/A		
<b>Compliant with NMFA</b>	Yes		
<b>Waiver Request</b>	N/A		

**Project Description**

The City of Truth or Consequences (the City) has applied to the Public Project Revolving Fund to refund its 2009 loan (PPRF-2246) along with new money for municipal building infrastructure improvements, vehicles and IT equipment.

PPRF-2246 closed on January 23, 2009 with a par amount of \$2,958,802 for the purpose of improvement/upgrades to its existing municipal buildings and recreation facilities including but not limited to the following; swimming pool, tennis courts, parks and municipal court.

Under current market conditions, the refunding is expected to achieve actual savings of approximately \$222,795.03, which represents net present value savings of more than 14.42% over the life of the loan.

In addition to the refunding, the City requests funding for improvements to its existing municipal buildings and for the purchase of vehicles. The proceeds will be used for projects to include but not limited to:

- Building renovations of City Chambers-Design and construction;
- Ralph Edwards Park improvements;
- Pool Improvements and Construction;
- Administration vehicles

Finally, the City requests funding for an IT project which will replace Servers and PC's throughout City Government. The proceeds will be used for projects to include but not limited to:

- Desktop computers, monitors, servers and wiring;

The City will pledge its distribution of the State Shared GRT towards the repayment of this loan.

**Consulting Professionals**

Financial Advisor: N/A

Bond Counsel: N/A

Strengths	Weaknesses
Refunding will achieve substantial interest cost savings	None to Note
Debt Service Reserve Fund	
Current on all outstanding obligations with NMFA	

**Last Completed Audit** 2018  
**Opinion of Last Completed Audit** Unmodified  
**Number of Findings** 0

**Summary of Relevant Material Weaknesses and Significant Deficiencies**

<b>Material Weakness</b>	<b>None</b>	<b>Repeat</b>
<b>Significant Deficiency</b>	<b>None</b>	<b>N/A</b>

This is the first time this project has appeared before NMFA Board.

**Recommendation:** Staff recommends approval

**B. Project Financing**

**Sources:**

<b>Loan Number</b>	<b>Sources</b>	<b>Amount</b>
PPRF-4968A	Principal Amount	\$1,433,058.00
	Prior Debt Service Rsv Fund Gvt	\$287,642.67
PPRF-4968B	Principal Amount	\$888,657.00
PPRF-4968C	Principal Amount	\$228,432.00
<b>Total Sources</b>		<b>\$2,837,789.67</b>

**Uses:**

<b>Loan Number</b>	<b>Uses</b>	<b>Amount</b>
PPRF-4968A	Rounding	\$0.30
	Escrow Fund-Current Refunding	\$1,566,646.63
	Deposit to Debt Service Reserve	\$143,305.80
	Cost of Issuance-NMFA	\$10,747.94
PPRF-4968B	Deposit to Program Funds	\$793,125.00
	Deposit to Debt Service Reserve	\$88,865.70
	Cost of Issuance-NMFA	\$6,664.93
	Rounding	\$1.37
PPRF-4968C	Deposit to Debt Service Reserve	\$22,843.20
	Cost of Issuance-NMFA	\$1,713.24
	Rounding	\$0.56
	Deposit to Program Funds	\$203,875.00
<b>Total Uses</b>		<b>\$2,837,789.67</b>

**Security**

<b>Pledged Revenue</b>	<b>Category</b>	<b>Amount</b>
Primary	State Shared GRT- One Incr. (1.225%)	\$1,248,018
<b>Total Revenue</b>		<b>\$1,248,018</b>

**Distributing Entity:** New Mexico Taxation and Revenue Department

**Intercept Status:** Active

**Distributing Timing:** Monthly, commencing one month after the loan has closed and ending on the final maturity date

**Lien Status**

**Parity Lien Total Outstanding Debt** N/A **Parity**

**Additional Bond Test** 125%

**PrePay Provision** No Option

**Expected PPRF Funding** PPRF Bond Reimbursement

Loan PPRF 4968 A,B,C

**NEW MEXICO FINANCE AUTHORITY**

ATTN: PPRF ADMIN TEAM  
 207 SHELBY ST  
 SANTA FE, NM 87501

(505) 984-1454  
 FAX (505) 992-9635

**Activity Statement**

Mailing Address:  
 2019 B PPRF - CITY OF TRUTH OR CONSEJ  
 ATTN: FINANCE OFFICER  
 505 SIMS ST  
 T OR C, NM 87901

Property/Project Address:  
 RC PPRF-4968  
 REFUNDING TORC13 + NEW MONEY  
 KEEPS TORC13 2019B ,

Loan Number: **PPRF-4968-A**  
 Statement as of: **12/08/2020**  
 Interest Paid to: 11/01/2020

Period Beginning: 11/01/2020  
 Period Ending: 11/30/2020

Page No: 1

**Account Activity**

Date	Transaction Type	Activity Type	Memo	Amount	Balance	Due for
11/01/2020		Beg Balance	1300 Principal		1,269,816.00	
11/01/2020		Beg Balance	2011 Reserve Funds Payable		138,413.11	
11/01/2020		Beg Balance	4015 Administrative Fee		909.59	
<b>1020 Cash - Debt Servicing</b>						
11/01/2020		<b>BEGINING BALANCE</b>			<b>76,335.53</b>	
11/02/2020	Adjustment	Disbursement	11/1/2020 D/S PYMNT	-9,135.02	67,200.51	00/00/0000
11/19/2020	Receipt	Payment	D/S INTERCEPT REC'D	12,674.75	79,875.26	00/00/0000
11/30/2020	Receipt	Interest Earned	NOV 2020 INTEREST	0.61	79,875.87	00/00/0000
11/30/2020		<b>ENDING BALANCE</b>			<b>79,875.87</b>	
<b>2011 Reserve Funds Payable</b>						
11/01/2020		<b>BEGINING BALANCE</b>			<b>138,413.11</b>	
11/30/2020	Receipt	Interest Earned	POST INTEREST-NOVEMBER 2020	136.11	138,549.22	00/00/0000
11/30/2020		<b>ENDING BALANCE</b>			<b>138,549.22</b>	
<b>4010 Interest</b>						
11/01/2020		<b>BEGINING BALANCE</b>			<b>12,017.45</b>	
11/02/2020	Receipt	Adjustment	11/1/2020 INT/ADMN ADJ	8,500.11	20,517.56	11/01/2020
11/30/2020		<b>ENDING BALANCE</b>			<b>20,517.56</b>	
<b>4015 Administrative Fee</b>						
11/01/2020		<b>BEGINING BALANCE</b>			<b>909.59</b>	
11/02/2020	Receipt	Adjustment	11/1/2020 INT/ADMN ADJ	634.91	1,544.50	11/01/2020
11/30/2020		<b>ENDING BALANCE</b>			<b>1,544.50</b>	

# NEW MEXICO FINANCE AUTHORITY

ATTN: PPRF ADMIN TEAM  
207 SHELBY ST  
SANTA FE, NM 87501

(505) 984-1454  
FAX (505) 992-9635

## Activity Statement

Mailing Address:  
2019-D PPRF - CITY OF TRUTH OR CONSEQ  
ATTN: FINANCE OFFICER  
505 SIMS ST  
T OR C, NM 87901

Property/Project Address:  
RC PPRF-4968-B  
NEW MONEY FOR INFRASTRUCTURE &  
IT EQUIPMENT,

Loan Number: **PPRF-4968-B**  
Statement as of: **12/08/2020**  
Interest Paid to: **11/01/2020**

Period Beginning: 11/01/2020  
Period Ending: 11/30/2020

Page No: 1

## Account Activity

Date	Transaction Type	Activity Type	Memo	Amount	Balance	Due for
11/01/2020		Beg Balance	1300 Principal		815,358.00	
11/01/2020		Beg Balance	2011 Reserve Funds Payable		90,528.38	
11/01/2020		Beg Balance	4015 Administrative Fee		594.91	
<b>1020 Cash - Debt Servicing</b>						
11/01/2020		<b>BEGINNING BALANCE</b>			<b>60,994.21</b>	
11/02/2020	Adjustment	Disbursement	11/1/2020 D/S PYMNT	-5,601.33	55,392.88	00/00/0000
11/19/2020	Receipt	Payment	D/S INTERCEPT REC'D	10,129.50	65,522.38	00/00/0000
11/30/2020	Receipt	Interest Earned	NOV 2020 INTEREST	0.50	65,522.88	00/00/0000
11/30/2020		<b>ENDING BALANCE</b>			<b>65,522.88</b>	
<b>2011 Reserve Funds Payable</b>						
11/01/2020		<b>BEGINNING BALANCE</b>			<b>90,528.38</b>	
11/30/2020	Receipt	Interest Earned	POST INTEREST-NOVEMBER 2020	89.02	90,617.40	00/00/0000
11/30/2020		<b>ENDING BALANCE</b>			<b>90,617.40</b>	
<b>2020 Program Funds</b>						
11/01/2020		<b>BEGINNING BALANCE</b>			<b>809,506.47</b>	
11/30/2020	Receipt	Interest Earned	POST INTEREST-NOVEMBER 2020	533.64	810,040.11	00/00/0000
11/30/2020		<b>ENDING BALANCE</b>			<b>810,040.11</b>	
<b>4010 Interest</b>						
11/01/2020		<b>BEGINNING BALANCE</b>			<b>7,478.76</b>	
11/02/2020	Receipt	Adjustment	11/1/2020 INT/ADMN ADJ	5,191.79	12,670.55	11/01/2020
11/30/2020		<b>ENDING BALANCE</b>			<b>12,670.55</b>	
<b>4015 Administrative Fee</b>						
11/01/2020		<b>BEGINNING BALANCE</b>			<b>594.91</b>	
11/02/2020	Receipt	Adjustment	11/1/2020 INT/ADMN ADJ	409.54	1,004.45	11/01/2020
11/30/2020		<b>ENDING BALANCE</b>			<b>1,004.45</b>	

Program Funds = loan money available for projects  
designated by loan

PPRF. 4968 B  
PPRF. 4968 C

810,040.11  
208,223.09

1,018,263.20

# NEW MEXICO FINANCE AUTHORITY

ATTN: PPRF ADMIN TEAM  
 207 SHELBY ST  
 SANTA FE, NM 87501

(505) 984-1454  
 FAX (505) 992-9635

## Activity Statement

Mailing Address:  
 DL - CITY OF TRUTH OR CONSEQUENCES  
 ATTN: FINANCE OFFICER  
 505 SIMS ST  
 T OR C, NM 87901

Property/Project Address:  
 RC PPRF-4968-C  
 DISADVANTAGED FUNDING INFRASTR  
 AND IT EQUIPMENT,

Loan Number: **PPRF-4968-C**  
 Statement as of: **12/08/2020**  
 Interest Paid to: 00/00/0000

Period Beginning: 11/01/2020  
 Period Ending: 11/30/2020

Page No: 1

## Account Activity

Date	Transaction Type	Activity Type	Memo	Amount	Balance	Due for
11/01/2020		Beg Balance 1300	Principal		228,432.00	
11/01/2020		Beg Balance 2011	Reserve Funds Payable		23,270.59	
11/01/2020		Beg Balance 4015	Administrative Fee		152.93	
<b>1020 Cash - Debt Servicing</b>						
11/01/2020		<b>BEGINING BALANCE</b>			<b>131.44</b>	
11/02/2020	Adjustment	Disbursement	11/1/2020 D/S PYMNT	-114.22	17.22	00/00/0000
11/19/2020	Receipt	Payment	D/S INTERCEPT REC'D	19.04	36.26	00/00/0000
11/30/2020		<b>ENDING BALANCE</b>			<b>36.26</b>	
<b>2011 Reserve Funds Payable</b>						
11/01/2020		<b>BEGINING BALANCE</b>			<b>23,270.59</b>	
11/30/2020	Receipt	Interest Earned	POST INTEREST-NOVEMBER 2020	22.88	23,293.47	00/00/0000
11/30/2020		<b>ENDING BALANCE</b>			<b>23,293.47</b>	
<b>2020 Program Funds</b>						
11/01/2020		<b>BEGINING BALANCE</b>			<b>208,085.92</b>	
11/30/2020	Receipt	Interest Earned	POST INTEREST-NOVEMBER 2020	137.17	208,223.09	00/00/0000
11/30/2020		<b>ENDING BALANCE</b>			<b>208,223.09</b>	
<b>4015 Administrative Fee</b>						
11/01/2020		<b>BEGINING BALANCE</b>			<b>152.93</b>	
11/02/2020	Receipt	Adjustment	11/1/2020 ADMN ADJ	114.22	267.15	11/01/2020
11/30/2020		<b>ENDING BALANCE</b>			<b>267.15</b>	

# DOCUMENT #10

**State Grants-in-Aid to Public Libraries Agreement**  
**For FY2021**

This Agreement is entered into on the date of last signature, below, by and between the New Mexico State Library, hereinafter called NMSL, and  
**City of Truth or Consequences, T or C Public Library**  
located in **T or C, NM** , hereinafter called the Recipient.

WHEREAS, the State Librarian, the division director of NMSL, is required to administer grants-in-aid and encourage local library service and generally promote an effective statewide library system under NMSA 1978, Section 18-2-4;

WHEREAS, Section 18-2-4 also requires the State Librarian to make rules and regulations necessary to administer NMSL and the State Librarian adopted such rules for distributing state grants-in-aid to public libraries, codified as 4.5.2 NMAC; and

WHEREAS, NMSL has determined that Recipient qualifies for a state grant-in-aid under 4.5.2 NMAC.

THEREFORE, the Parties agree to the following terms and conditions:

- I. NMSL agrees to pay the Recipient a grant in an amount not to exceed  
**Six Thousand One Hundred Eight Dollars and Fifty Cents**  
**(\$ 6,108.50 )**  
to support Recipient's library collections; library staff salaries; library staff professional development; library equipment; or other operational expenditures associated with delivery of *library services* as defined in Section 4.5.2.7(B) NMAC.
- II. The Recipient agrees to:
1. Use the grant only for library collections; library staff salaries; library staff professional development; library equipment; or other operational expenditures associated with delivery of *library services*, as those services are defined in 4.5.2.7(B) NMAC;
  2. Continue to comply with 4.5.2 NMAC and other statutes and rules applicable to developing libraries or public libraries;
  3. Engage in good communication and the exchange of information with NMSL regarding library activities and the grant's use;
  4. Expend the grant according to the rules outlined in 4.5.2 NMAC, attached hereto as Attachment A;
  5. No later than August 10, 2021, provide NMSL with a report on how the grant was spent as part of the Recipient's annual report for the fiscal year; and
  6. Sign and return this Agreement to NMSL within 60 days from receipt of the Agreement, which shall be calculated from the date of postmark or electronic postmark. If Recipient does not submit this Agreement within the required time period, Recipient forfeits the grant award.
- III. The Laws of New Mexico shall govern this Agreement.
- IV. If the parties dispute the terms of this Agreement, the Recipient and NMSL hereby agree to and consent to New Mexico state court jurisdiction to decide the dispute.

V. Termination for Lack of Appropriations. The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. If sufficient appropriations and authorization are not made by the Legislature, this Agreement shall terminate immediately upon written notice being given by NMSL to the Recipient. NMSL's decision as to whether sufficient appropriations are available shall be accepted by the Recipient and shall be final.

The Recipient by its signature certifies that the Recipient will use the grant money only for the uses specified in this Agreement and will comply with all other applicable requirements of this Agreement.

Signed: Morris Madrid Date: 12/30/2020

By (name and official title): Morris Madrid, City Manager Authorized Agent of Recipient

I am the authorized agent who has authority to enter into a legal contract with the State of New Mexico

Signed:  Date: 12/30/2020  
55F31E9436424FA

By: Eli Guinnee, New Mexico State Librarian

**State Grants-in-Aid to Public Libraries**  
**Agreement For FY2021**

This Agreement is entered into on the date of last signature, below, by and between the **New Mexico State Library**, hereinafter called **NMSL**, and **City of Truth or Consequences, T or C Public Library** located in **T or C, NM** , hereinafter called the **Recipient**.

WHEREAS, the State Librarian, the division director of NMSL, is required to administer grants-in-aid and encourage local library service and generally promote an effective statewide library system under NMSA 1978, Section 18-2-4;

WHEREAS, Section 18-2-4 also requires the State Librarian to make rules and regulations necessary to administer NMSL and the State Librarian adopted such rules for distributing state grants-in-aid to public libraries, codified as 4.5.2 NMAC; and

WHEREAS, NMSL has determined that Recipient qualifies for a state grant-in-aid under 4.5.2 NMAC; and

WHEREAS, NMSL is the entity responsible for disbursement of funds to libraries under the Corona Virus Aid, Relief & Economic Security Act (CARES act).

THEREFORE, the Parties agree to the following terms and conditions:

- I. NMSL agrees to pay the Recipient a grant in an amount not to exceed **Eight Thousand One Hundred Thirty Four Dollars and Twenty Three Cents (\$8,134.23 )** to support Recipient's library collections; library staff salaries; library staff professional development; library equipment; or other operational expenditures associated with delivery of *library services* as defined in Section 4.5.2.7(B) NMAC.
- II. Pursuant to the ("CARES") Act, NMSL has received funding from the U.S. Federal Government for the purpose of supporting the role of the NMSL in responding to the Corona Virus Emergency. NMSL agrees to pay the Recipient a grant in the amount not to exceed **Two Thousand One Hundred Six Dollars and Thirteen Cents (\$2,106.13)** to defray certain costs incurred by the library related to the Coronavirus emergency. (See Attachment B)
- III. The Recipient agrees to:
  1. Use the grant only for library collections; library staff salaries; library staff professional development; library equipment; or other operational expenditures associated with delivery of *library services*, as those services are further defined and explained in 4.5.2.7(B) NMAC;
  2. Continue to comply with 4.5.2 NMAC and other statutes and rules applicable to developing libraries or public libraries;
  3. Engage in good communication and the exchange of information with NMSL regarding library activities and the grant's use;
  4. Expend the grant according to the rules outlined in 4.5.2 NMAC, attached hereto as **Attachment A**;
  5. No later than August 10, 2021, provide NMSL with a report on how the grant was spent as part

of the Recipient's annual report for the fiscal year; and

6. Sign and return this Agreement to NMSL within 60 days from receipt of the Agreement, which shall be calculated from the date of postmark or electronic postmark. If Recipient does not submit this Agreement within the required time period, Recipient forfeits the grant award.

IV. This agreement shall be governed by and construed in accordance with the laws of the state of New Mexico and subject to the federal CARES act.

V. If the parties dispute the terms of this Agreement, the Recipient and NMSL hereby agree to and consent to New Mexico state court jurisdiction to decide the dispute.

VI. Termination for Lack of Appropriations. The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. If sufficient appropriations and authorization are not made by the Legislature, this Agreement shall terminate immediately upon written notice being given by NMSL to the Recipient. NMSL's decision as to whether sufficient appropriations are available shall be accepted by the Recipient and shall be final.

The Recipient by its signature certifies that the Recipient will use the grant money only for the uses specified in this Agreement and will comply with all other applicable requirements of this Agreement.

Signed: Carol Kirkpatrick Date: 2/11/2021

Official Title: Finance Director Authorized Agent of Recipient

I certify that am the authorized agent who has authority to enter into a legal contract with the State of New Mexico

DocuSigned by:  
Signed:  Date: 2/11/2021  
55F31E9436424FA

By: Eli Guinee, New Mexico State Librarian

Pat O'Hanlon

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**From:** nmlibs-bounces@lists.zianet.com on behalf of Aragon, Carmelita, DCA <Carmelita.Aragon@state.nm.us>  
**Sent:** Tuesday, February 09, 2021 2:27 PM  
**To:** New Mexico Library Directors List  
**Subject:** [Nmlibs] Clarification on FY21 State Aid Total Amounts  
**Attachments:** 4\_IMLS\_CARES\_Act\_Funding\_Guidance\_Sheet.pdf; State\_Grants-in-Aid\_Expenditures\_Guidance\_Sheet.pdf; Attachment\_A\_-\_4.5.2\_NMAC.pdf; ATT00001.txt

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon library directors,

There seems to be confusion about the total amount of FY21 state aid that *eligible* libraries will receive.

Since we had to distribute FY21 state aid in two (2) disbursements this year (1<sup>st</sup> in December 2020, 2<sup>nd</sup> February 2021), and since we had to send out 2 separate grant agreements, I can understand why this may be the case. I hope the following information provides clarification.

- A full eligible public library, with 0 branches will receive a total of \$11,601.28 in FY21 state aid (*\$9,495.15 from state funds / \$2,106.13 from CARES Act funds*)
- ~~A full eligible public library, with 1 branch will receive a total of \$16,348.86 in FY21 state aid (*\$14,242.73 from state funds / \$2,106.13 from CARES Act funds*)~~
- A full eligible public library, with 2 branches will receive a total of \$21,096.44 in FY21 state aid (*\$18,990.31 from state funds / \$2,106.13 from CARES Act funds*)
- A full eligible public library with multiple branches (ABQ) will receive a total of \$92,310.14 in FY21 state aid (*\$90,204.01 from state funds / \$2,106.13 from CARES Act funds*)
- A developing eligible public library will receive a total of \$3,500.11 in FY21 state aid (*\$3,000 from state funds / \$500 from CARES Act funds*)

- o The one-time supplemental payment of CARES Act funding, must be spent on specific items related to COVID-19 (see the attached CARES act guidance sheet for more information).
  - There will be a designated section on the FY21 Annual Report to record how the one-time CARES Act funding supplemental amount of \$2,106.13 for a full public library and \$500.00 for a developing public library was expended. This will ensure we accurately and appropriately report to the IMLS for how the CARES Act funding helped libraries.
- o The remaining state aid funds can be spent as usual per the 4.5.2 NMAC (see the attached state aid guidance sheet for more information). You will report on these expenditures as has been done in previous annual reports. All FY21 state aid funds received must be fully expended by June 30, 2021.

Please let me know if there are any other questions.

Thank you.

*Carmelita Aragon*

State Data Coordinator  
New Mexico State Library  
Library Development Services Bureau  
Phone: 505.476.9740 / 800.940.3890  
[Carmelita.Aragon@state.nm.us](mailto:Carmelita.Aragon@state.nm.us)



# CITY OF TRUTH OR CONSEQUENCES

## AGENDA REQUEST FORM

MEETING DATE: February 24, 2021

Agenda Item #: H.1

**SUBJECT:** Request an extension of the National Park Service Technical Assistance Grant for the Sierra County Rio Grande Trail Project.

**DEPARTMENT:** City Clerk's Office

**DATE SUBMITTED:** February 19, 2021

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

**WHO WILL PRESENT THE ITEM:** Merry Jo Fahl, Jornada Resource Conservation & Development Council (RC&D)

**Summary/Background:**

Merry Jo Fahl, Jornada Resource Conservation & Development Council (RC&D) will be giving presentation on the on the status of the National Park Service technical assistance grant for the Sierra County Rio Grande Trail Project. She is also requesting an extension of the National Park Service grant.

**Recommendation:**

**Attachments:**

- 2019 RTCA Application
- RTCA Extension Letter
- TTN Project Map

**Fiscal Impact (Finance):** No

\$0.00

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

**Approved For Submittal By:**  Department Director

**Reviewed by:**  City Clerk  Finance  Legal  Other: Click here to enter text.

**Final Approval:**  City Manager

### CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. - Ordinance No. -

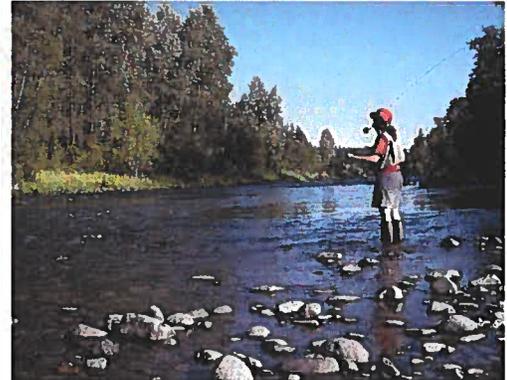
Continued To: - Referred To: -

Approved  Denied  Other: -

File Name: CC Agendas 2-24-2021



# Application Guidelines & Form



## About Us

The National Park Service – Rivers, Trails and Conservation Assistance program (RTCA) supports community-led natural resource conservation and outdoor recreation projects across the nation. Our conservation and recreation planning professionals partner with community groups, nonprofit organizations, tribes, and government agencies. This partnership assists local communities in realizing their conservation and outdoor recreation vision and goals by providing a broad range of services and skills. National Park Service (NPS) staff share their expertise to help your team turn an idea into reality. We offer this assistance on an annual basis with extensions based on mutual agreement. *No monetary grants are made.*

## National Park Service Mission

The National Park Service preserves unimpaired the natural and cultural resources and values of the National Park System for the enjoyment, education, and inspiration of this and future generations. The Park Service cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.

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## Our Focus Areas

Our projects typically fall within five focus areas, although we consider other projects that fall outside of these categories:

- **Build healthy communities through parks, trails, and outdoor opportunities:**  
Improve access to outdoor recreation and park amenities on land and water that support healthy lifestyles for all users
- **Conserve natural lands, rivers, and watersheds:**  
Strengthen the conservation and stewardship of public lands, waterways, and wildlife habitat
- **Engage youth in outdoor recreation and stewardship:**  
Connect young people to the outdoors to develop a lifelong appreciation of recreation and nature
- **Strengthen the organizational capacity of project partners:**  
Develop and strengthen effective and sustainable community organizations and partner groups
- **Support National Park Service and community networks:**  
Facilitate strategic planning and collaboration between national parks and communities to achieve shared goals



## Our Services

Our assistance is tailored to your needs. Examples of the types of assistance we provide are listed below. Visit our website to learn about current projects: <https://www.nps.gov/orgs/rtca/community-projects.htm>

- Define project vision and goals
- Inventory and map community resources
- Identify and analyze key issues and opportunities
- Engage collaborative partners and stakeholders
- Design community outreach and participation strategies
- Develop concept plans for trails, parks, and natural areas
- Set priorities and build consensus
- Identify funding strategies
- Develop a sustainable organizational framework to support the project
- Create project management and strategic action plans
- Coach teams, groups, and partnership networks

## Application Process and Timeline

Consulting a program manager prior to the application deadline is *a requirement* to help identify how our expertise can complement your project and to answer questions regarding the application. Please see the contact list at the end of this application to identify the program manager who serves your state.

- Application deadline: June 30
- Email completed applications to the program manager who serves your state or contact them for guidance on mailing a printed version (*see list at the end of the application*)
- Please include the following in your Application Package:
  1. Completed application form
  2. Site location map
  3. A minimum of three commitment letters that describe each partner's role, responsibility, and contribution to the project
  4. Optional supplemental information that can help us learn more about your project (for example, background documents, media coverage, additional maps, list of links to resources, project photos, etc.)
- Applicants will be notified of decisions by November 1.
- Project start times will be coordinated with applicants who have been selected for assistance.

## Project Selection Criteria

Applications for support from the Rivers, Trails and Conservation Assistance program are competitively evaluated based on the following criteria:

- The project has specific goals and results for conservation and outdoor recreation expected in the near future.
- Roles and contributions of project partners are significant and well-defined.
- There is evidence of broad community support for the project.
- The project fits with our focus areas (although proposals falling outside these areas are considered).



# Application Form

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Date: June 24, 2019

Project Name: Sierra County Rio Grande Trail

City and State: Truth or Consequences, NM

Congressional District(s) Number(s): CD2

Primary Applicant Organization(s): City of Truth or Consequences

Primary Contact: Morris Madrid Title: City Manager

Street Address: 505 Sims Street

City: Truth or Consequences State/Territory: NM Zip Code: 87901

Email: mmadrid@torcnm.org Daytime Phone: 575-894-6673

Website (if applicable): torcnm.org

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*Please review focus area descriptions (on page 1) and project selection criteria (on page 2) for guidance on addressing the following questions. Contact an RTCA staff member with questions or for additional information.*

## 1. Project Summary

*Address the following points concisely:*

- a. Summary of project - Tell us about your project idea and the specific outcomes you would like to achieve:

The goal of this project is to develop a multi-use trail system on the east side of the Rio Grande through the communities of Truth or Consequences and the Village of Williamsburg. The Sierra County Rio Grande Trail system will connect the east side of the Rio Grande with the existing Healing Waters Trail in Truth or Consequences via two footbridges that will allow users of the trail to loop through both communities. The initial phase of the project will create a "paddle trail" walking/floating loop with river access points on the Rio Grande. This trail project will dovetail with New Mexico's Rio Grande Trail, a 500 mile cross-state recreational trail currently under development.

In Williamsburg, the first phase will be to create a quality trout waters designation area. Later phases will create a riverfront dry camping area and an equestrian area with parking for horse trailers & corrals.

The implementation of this project will not only benefit the physical and mental health of our residents, but will enhance the existing tourism infrastructure of both communities.

## 1. Project Summary (continued)

- b. Describe any specific results anticipated within 5 years of project start-up (for example, greenway plan development or implementation, community events, land acquisition, sustainable organization formed, miles of trails developed, acres of land preserved/conserved, etc.).

A working group has already been formed & has been meeting for several months, researching land ownership issues and right of way access for trail usage. These working group meetings are facilitated by the Jornada RC&D, a 501(c)3 organization whose mission is natural resource conservation and economic development in rural communities. The working group includes Sierra County, the City of Truth or Consequences, the Village of Williamsburg, the Sierra Health Council, MainStreet Truth or Consequences, the Sierra County Recreation & Tourism Advisory Board, Hot Springs Marketing and the Sierra County Runners Club.

Year 1: In the first year we will develop a complex plan for foot and equestrian use and the development of a water trail. This plan will incorporate public input from a multitude of community stakeholders and will prioritize potential projects on the trail corridor.

Year 2: We will work with the Bureau of Reclamation to begin the NEPA planning process for future trail development on adjacent public lands. Meetings will be held to engage with community stakeholders on the design of footbridges that will be installed across the Rio Grande. We will secure an easement from the River across private property to an existing public road for trail use, and we will identify potential grants, apply for and secure grant funding to implement for the 1st phase.

Year 3: Begin implementation of the first project upon receipt of grant funds

- c. Describe any major project accomplishments to date:

Planning for this effort has already begun with local governmental entities joining together to secure technical assistance in the overall trail system plan. Efforts are underway to reach out to and educate the community on the concept and we are working with the health care industry to ensure that health concerns in the trail development are addressed.

- d. Describe anticipated benefits to the community (for example, recreational, social, environmental, economic, health, etc.):

**Health Benefits:** The County Health Ranking & Roadmaps report shows that Sierra County is ranked #28 out of New Mexico's 32 counties in Health Outcomes (Quality of Life & Length of Life). 22% of Sierra County residents are in fair to poor health. This project will provide an accessible option for active recreation for our residents and will encourage moderate physical activity.

**Economic Development Benefits:** Truth or Consequences is known as a wellness destination and this project will expand upon that. The existing Healing Waters Trail is already a tourism draw for our region; by enhancing our river corridor with additional recreational opportunities we will see an increase in venturesome travelers to our communities, a target market identified by the New Mexico Tourism Department.

**Environmental Benefits:** The treatment and removal of the invasive salt cedar growing along the river banks

## 2. Roles

- a. Describe your organization, its role in the project, and the time and resources that will be contributed:

The City of Truth or Consequences is the applicant for this program to receive technical assistance in the planning of this Rio Grande Trail project.

The City will work with private & public landowners to secure easements for the project, and will potentially be a fiscal agent for future grant funding.

- b. In the chart below, list the key partners committed to the project and their anticipated role(s) and contribution:

Organization Name	Project Role(s) and Contribution
City of Truth or Consequences	Applicant and will provide municipal support for the project
Village of Williamsburg	Co-sponsor; will provide municipal support for the project
Sierra County	Co-sponsor; will provide county support for the project
Jornada Resource & Conservation Development	The lead entity for this project & facilitator of community meetings and events; leading the logistics of trail implementation.
Hot Springs Marketing	Will commit dedicated staff to this project as part of the project team, providing Public Relations services, assisting with events and local government & community organization outreach.
MainStreet Truth or Consequences	Will organize and host community outreach efforts
Sierra Health Council	Will provide input on trail development to address the needs of the physical and mental health of our residents.
Sierra Soil & Water Conservation District	Creation of project maps

### 3. Community Support & Engagement

- a. Describe project support to date, including support from the general public, organizations, coalitions, government agencies, and elected officials. Share any relevant news media articles, sections of plans that propose the project, and/or government resolutions that illustrate this support:

Presentations have been made to the Truth or Consequences City Commission, the Village of Williamsburg Trustees, the Jornada R C & D Board of Directors, the Sierra Health Council, the Board of Directors of MainStreet Truth or Consequences, the Sierra County Recreation and Tourism Advisory Board and the Geronimo Trail National Scenic Byway Board of Directors. Each entity has given their full support. Both the City of Truth or Consequences and Village of Williamsburg governing bodies have adopted resolutions in support of this effort .

- b. Describe plans for future public outreach and engagement:

During the course of plan development we will have community meetings and outreach at community events from potential trail users to receive their input. Additional outreach efforts in Sierra County will be conducted with groups such as the 4-H Club, the Boys & Girls Club, fishing guides and rafting groups. Outside of Sierra County we plan to engage with the Sun Country Striders, Back Country Horsemen, the Audubon Society, Sierra Club, and the Nature Conservancy.

### 4. NPS Support Requested

- a. What are the major project challenges your organization faces?

Our biggest challenge will be to get a design for the footbridges that will meet our needs; we can't infringe on the water flow that meets the Rio Grande Compact.

Other challenges include securing access to the public road through private property, going through the NEPA process for trail development on public lands, and identifying and obtaining sufficient funding to construct the footbridges and waterway exits.

#### 4. NPS Support Requested (continued)

- b. Describe the types of assistance and specific deliverables you are seeking from the NPS staff that would complement your team. *For examples, see the description of "Our Services" on page 2.*

We need assistance with defining our project vision and goals, in developing a concept plan for the trail, and in identifying funding strategies.

#### 5. How Did You Hear About Us?

Have you worked with Rivers, Trails and Conservation Assistance in the past? If not, how did you hear about our program (for example, from a colleague, online search, NPS website, grants.gov, social media, email, or other)?

We have worked with Attila Bality, Outdoor Recreation Planner for the Intermountain Region, on the successful implementation of a previous project, the Healing Waters Trail in Truth or Consequences.

## 6. Attachments

Please include the following attachments with this completed application by June 30:

- Site location map
- Commitment letters from 3 or more project partners
- Optional supplemental information that can help us learn more about your project (background documents, examples of media coverage, additional maps, list of links to resources, project photos, etc.)

*Reminder: Ensure you have initiated contact with your individual state program manager for guidance prior to submittal.*

## Submitting Your Application

*After the application is completed, email your application materials to the program manager for your region and state, or contact them for guidance on mailing a printed version.*

**Pacific West Region**  
Barbara Rice, Program Manager  
pwr\_rtca@nps.gov  
California, Hawaii, Idaho, Nevada, Oregon, Washington, American Samoa, Guam

**Midwest Region**  
David Thomson, Program Manager  
mwr\_rtca@nps.gov  
Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin

**Northeast Region**  
Helen Mahan, Program Manager  
ner\_rtca@nps.gov  
Connecticut, Delaware, Maryland, Massachusetts, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia

**National Capital Region**  
Anne O'Neill, Planner  
ncr\_rtca@nps.gov  
District of Columbia, Maryland, Virginia, West Virginia (in counties along the Potomac River)

**Alaska Region**  
Paul Clark, Program Manager  
akr\_rtca@nps.gov  
Alaska

**Intermountain Region**  
Attila Bality, Acting Program Manager  
RTCA\_Apps\_IMR@nps.gov  
Arizona, Colorado, Montana, New Mexico, Oklahoma, Texas, Utah, Wyoming

**Southeast Region**  
Deirdre Hewitt, Program Manager  
ser\_rtca@nps.gov  
Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico, US Virgin Islands

Re: RTCA Program

To whom it may concern,

The City of Truth or Consequences first would like to express our appreciation of the RTCA program on a locally led project in our community- Sierra County Rio Grande Trail. The goal is to develop and enhance a walking, running and horseback trail system on the east side of the Rio Grande through the communities of Truth or Consequences and the Village of Williamsburg. This trail system will connect the east side of the Rio Grande with the existing Healing Waters Trail in Truth or Consequences via two footbridges that will allow users of the trail to loop through both communities.

The assistance provided to the City of Truth or Consequences and the community through the RTCA program this past year has been of great benefit. Accomplishments include:

- Established a focus group from the original planning group
- Selected three components of the Sierra County Rio Grande Trail-
  - Conservation/education
  - Walking trail system
  - River trail system
- Placed two community boards to solicit input on trail ideas
- Distributed postcards and brochures at local government offices, downtown businesses, and banks
- Prior to COVID restrictions participated in community events with a display board to gather public input
- Established regular conference calls for stakeholders
- Identified steering committee members of each component
- Steering Committees developing strategies for each component
- Created an action plan
- Established a Facebook page to engage community and gather input

The work accomplished to this point has been invaluable, but there are many steps ahead to truly get this project on the ground. Without the technical assistance provided by the RTCA program, the Sierra County Trail project would lose its focus and the momentum that has been created. Many of the groups involved in this project wear many other hats in the community and cannot contribute a lot of time individually to its success.

The City of Truth or Consequences requests that the National Park Service continue to provide technical assistance to the Healing Waters Trail project, through the RTCA program. We believe this project will not be successful without your assistance.

Sincerely,

Sandra Whitehead  
Mayor



# CITY OF TRUTH OR CONSEQUENCES

## AGENDA REQUEST FORM

MEETING DATE: February 24, 2021

Agenda Item #: H.2

**SUBJECT:** Order on Section 14-30 (e) Appeals.  
**DEPARTMENT:** City Clerk's Office  
**DATE SUBMITTED:** February 19, 2021  
**SUBMITTED BY:** Angela A. Torres, Clerk-Treasurer  
**WHO WILL PRESENT THE ITEM:** City Attorney Rubin

**Summary/Background:**

During the February 10, 2021 City Commission Meeting, City Attorney Rubin stated that he would like to draft an Order that would summarize the City Commission's decision in the event where there might be an appeal to District Court.

**Recommendation:**

Approval of Order on Section 14-30 (e) Appeals.

**Attachments:**

- Order on Section 14-30 (e) Appeals.

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

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

**Approved For Submittal By:**  Department Director

**Reviewed by:**  City Clerk  Finance  Legal  Other: Click here to enter text.

**Final Approval:**  City Manager

### CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. - Ordinance No. -

Continued To: - Referred To: -

Approved  Denied  Other: -

File Name: CC Agendas 2-24-2021

## **ORDER ON 14-30 (e) APPEALS**

**This matter** came before the City Commission for consideration at its regular meeting held January 27, 2021. The City Commission make the following findings:

1. Ronald Fenn, Lee Foerstner and Ariel Daugherty all filed timely appeals to the City Manager and the Electric Department Director in which the appellants were contesting the City's attempt to install "Smart Meters" on their respective properties.
2. By letter dated December 31, 2020 and signed by the Electric Department Director, City Manger and City Attorney, the appeals were denied.
3. The appellants then filed timely appeals to the City Commission pursuant to City Ordinance 14-30 (e).
4. The appellants were permitted to supplement their appeals with supporting documents.
5. At the January 27, 2021 meeting, each appellant was given five (5) minutes to supplement their appeals with an oral presentation.

After carefully considering the written materials submitted by the appellants and considering their oral presentations and being otherwise advised in the matter, the City Commission hereby **ORDERS** as follows:

- A. The appellants were all granted due process in having their appeals considered.
- B. The City administration's decision to deny the appellants' respective appeals is upheld, subject to the modification described in paragraph C.
- C. If any of the appellants still opt not to have Smart Meters installed, any of the appellants can retain their old meters by paying an additional fee of \$50.00 per month. This

fee would cover the City's anticipated costs, including the cost of the meter reader manually reading the meters.

D. If any other citizens desire to opt out of having a Smart Meter installed on their property, they must notify Electrical Department Manager and City Manager within a reasonable time pursuant to City Ordinance 14-30 (e). A "reasonable time" depends on the facts and circumstances of each particular case.

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Angela A. Torres, City Clerk

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Sandra Whitehead, Mayor