

CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
WEDNESDAY, JUNE 8, 2022

A. CALL TO ORDER:

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

B. INTRODUCTION:

1. ROLL CALL:

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

Hon. Amanda Forrister, Mayor
Hon. Rolf Hechler, Mayor Pro-Tem
Hon. Destiny Mitchell, Commissioner
Hon. Merry Jo Fahl, Commissioner
Hon. Shelly Harrelson, Commissioner

Also Present: Bruce Swingle, City Manager
Angela A. Torres, City Clerk-Treasurer
Jay Rubin, City Attorney
Traci Alvarez, Assistant City Manager
Victor Rodriguez, Chief of Police

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

2. SILENT MEDITATION:

Mayor Forrister called for fifteen seconds of silent meditation.

3. PLEDGE OF ALLEGIANCE:

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

4. APPROVAL OF AGENDA:

Mayor Pro-Tem Hechler made a motion to approve the agenda with the removal of item G11. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

C. PRESENTATIONS:

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

City Manager Swingle and Sonya Renfro, Utility Office Manager presented an Employee Service Anniversary Award to Jessica Halsey for 1 year of service with the City of Truth or Consequences.

City Manager Swingle noted that Officer Zachary Zavala has an Employee Service Anniversary Award for 2 years of service with the City of Truth or Consequences. Officer Zavala could not attend the meeting.

City Manager Swingle and Victor Rodriguez, Chief of Police presented an Employee Service Anniversary Award to Ted Ontiveros for 17 years of service with the City of Truth or Consequences.

D. PUBLIC COMMENT (3 Minute Rule Applies):

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

Nate Stevens addressed the Commission with comments related to:

- (1) He urged the Commission to do their due diligence when selecting members to sit on the Planning & Zoning Commission because Truth or Consequences has the opportunity right now for development and growth in a positive direction, and we need members on that board who will make decisions that will benefit the city.

E. REPORTS:

City Manager Swingle reported the following:

- It looks like we will have the employee pay plan on the agenda for the next meeting. We will discuss it with senior staff on Monday to make sure that it looks appropriate before we have it on the agenda, but it looks good at this point.
- Animal Shelter will have a reduced adoption rate today, June 8, 2022 through Saturday, June 11, 2022. It will be 505 off for the adoption of both cats and dogs. They are pretty much at capacity so they want to try and move some of those animals out.
- We continue to have vacancies on the Airport Advisory Board, Golf Course Advisory Board, Lodgers Tax Advisory Board, and Impact Fee Advisory Board. Anyone interested in serving on those advisory boards, please contact the City Clerk's Office.
- The Forest Service sent us a card thanking us for assisting them thus far through the black fire. We have extended a lot of resources to them. It's a really big fire. Something that we haven't seen before in this area.

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- Commissioner Fahl is interested in having a Workshop at the next meeting. As he understands it, it will be from 9:00 a.m. to 10:00 a.m. before the next board meeting if she intends to pursue that.

City Attorney Rubin reported the following:

- We have another lien foreclosure sale coming up for the property of 1515-1517 Corzine. It is scheduled for June 14, 2022 at 9:30 a.m. at the courthouse. A lien was placed on the property by the city for the demolition of a building and the removal of the debris.

City Commission Reports:

Commissioner Mitchell had no reports.

Commissioner Fahl reported the following:

- The Sierra County Historical Society asked her to represent the city on their board, and she is very honored and excited to do that.
- Jornada is still gathering input on their trail, and she has a survey form that she would like people to fill out, including the Commissioners.
- She has been talking to the County Emergency Management Director to see what we can partner up with on learning about helping our citizens and us as Commissioners be more prepared on wildfire concerns in our community, and to also learn more about wildfire and Firefighter safety. We want to do a little workshop to bring some info to the Commissioners if you want to proceed forward. The workshop would start at 9:00 a.m. on June 22nd, and the regular meeting would immediately follow the workshop.

Mayor Pro-Tem Hechler had no reports.

Mayor Forrister had no reports.

F. CONSENT CALENDAR:

1. **City Commission Budget Workshop Minutes, May 17, 2022**
2. **City Commission Regular Minutes, May 25, 2022**
3. **Acknowledge Regular Lodgers Tax Advisory Board Minutes, March 7, 2022**
4. **May 2022 Accounts Payable**

Mayor Pro-Tem Hechler moved to approve the Consent Calendar with an amendment made to the Consent Calendar on item F2. Mayor Pro-Tem Forrister needs to be changed to Mayor Forrister. Commission Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

G. NEW BUSINESS:

1. Discussion/Update: Film Liaison Report:

Cary “Jagger” Gustin gave a brief presentation regarding the Film Liaison Report. (Complete copy attached hereto and made a part hereof).

2. Discussion/Action: Consider the appointment of Cary “Jagger” Gustin to serve another 2 year term as the Film Liaison:

Commissioner Fahl made a motion to re-appoint Cary “Jagger” Gustin to serve another 2 year term as the Film Liaison. Commission Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer.

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

Motion carried with a 3-0 vote with 1 recusal.

3. Discussion/Action: Approval of Contract with Coppler Law Firm for the 2022-2023 fiscal year:

City Manager Swingle explained that John Appel from Coppler Law Firm is our second attorney for the city. He handles things that are within his expertise, and it is really nice to have two attorneys on contract. It gives attorney Rubin the opportunity to consult with other legal counsel on certain matters, and it also helps share some of the work load with another person. John Appel’s contract is expiring at the end of the month so we are asking for a renewal of his contract from July 1, 2022 through June 30, 2023. The only difference between this contract and the old one is that his firm has increased their cost from \$190 an hour to \$200 an hour. That is their corporate rate. Staff recommends to approve the contract.

Commissioner Mitchell moved to approve the Contract with Coppler Law Firm for the fiscal year 2022-2023. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

4. Discussion/Action: Approval of Award and Agreement for Sub-Recipient allocations from General Funds:

City Manager Swingle reviewed the following subrecipient allocations from General Funds:

- Companion Action Team in the amount of a \$1,000 contract.
- Domestic Abuse Intervention Center in the amount of a \$2,000 contract.

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- Sierra Joint Office on Aging in the amount of a \$35,000 contract.
- The Club of Sierra County in the amount of a \$5,000 contract.

Commissioner Mitchell moved to approve the awards and agreements for Sub-Recipient allocations from General Funds for Companion Action Team; Domestic Abuse Intervention Center; Sierra Joint Office on Aging; and the Club of Sierra County. Mayor Pro-Tem Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

5. Discussion/Action: Approval of Award and Agreement for Sub-Recipient allocations from the City's Portion of Lodger's Tax:

City Manager Swingle reviewed the following subrecipient allocations from the City's Portion of Lodger's Tax:

- Geronimo Trail Scenic Byway in the amount of a \$5,000 contract.
- MainStreet Truth or Consequences in the amount of a \$45,000 contract.
- Sierra County Recreation Tourism and Advisory Board in the amount of a \$17,000 contract.
- Sunny 505 in the amount of a \$25,000 contract.

Commissioner Mitchell moved to approve the award and agreements for Sub-Recipient allocations from the City's Portion of Lodger's Tax for Geronimo Trail Scenic Byway; MainStreet Truth or Consequences; Sierra County Recreation Tourism and Advisory Board; and Sunny 505. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

6. Discussion/Action: Review, Approve, and/or Allocate Funds for Geronimo Trail Scenic Byway; Sierra County Arts Council; Chamber of Commerce, and Sierra Health Council:

City Manager Swingle reviewed the following allocations approved by the Lodgers Tax Advisory Board:

- Geronimo Trail Scenic Byway for \$1,267.28.
- Sierra County Arts Council for \$1,562.40.
- Chamber of Commerce for \$3,059.92.
- Sierra County Health Council for \$3,000.00

Commissioner Fahl made a motion to allocate funds to Geronimo Trail Scenic Byway; Sierra County Arts Council; Chamber of Commerce and Sierra Health Council for the amounts noted. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

7. Discussion/Action: Amendment No. 1 and Amended Promissory Note for the City of Truth or Consequences Clean Water State Revolving Fund (CWSRF) 098 to lower the interest rate to 0.01%:

City Manager Swingle explained that this is an amendment to reduce our interest rate to 0.01%. It will result in significant savings to the city. The total value on the loan portion was \$373,000.

Commissioner Mitchell moved to approve the amendment No. 1 and amended Promissory Note for the City of Truth or Consequences Clean Water State Revolving Fund (CWSRF) 098 to lower the interest rate to 0.01%. Mayor Pro-Tem Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

8. Discussion/Action: Approval of Fiscal Year 2023 State of New Mexico Tourism Department Cooperative Agreement:

City Manager Swingle explained that this is the New Mexico Tourism Department Cooperative Agreement. We worked with Sunny 505 on this project. This is something that you funded in the preliminary budget. This is executing the agreement that the state requires. We have a deadline to submit this by the 15th.

Commissioner Mitchell moved to approve the Fiscal Year 2023 State of New Mexico Tourism Department Cooperative Agreement. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

9. Discussion/Action: Review and Approval of the Memorandum of Understanding between the Truth or Consequences Police Department and the Bureau of Alcohol, Tobacco, and Firearms:

Victor Rodriguez, Chief of Police explained that this is a Memorandum of Understanding between the Truth or Consequences Police Department and the Bureau of Alcohol, Tobacco, and Firearms to assign an Officer if we have the staffing to their task force to assist them in their mission which ultimately assists us in our mission to try to serve our community and increase public safety.

Commissioner Fahl moved to approve the Memorandum of Understanding between the Truth or Consequences Police Department and the Bureau of Alcohol, Tobacco, and Firearms. Mayor Pro-Tem Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

10. Discussion/Action: Approval of the Field Service Request and Agreement between the New Mexico Mounted Patrol and the Truth or Consequences Police Department:

Victor Rodriguez, Chief of Police explained that this is a Field Service Request and Agreement between the New Mexico Mounted Patrol and the Truth or Consequences Police Department to assign an Officer if we have the staffing to their task force to assist them in their mission which ultimately assists us in our mission to try to serve our community and increase public safety.

Mayor Pro-Tem Hechler moved to approve the Field Service Request and Agreement between the New Mexico Mounted Patrol and the Truth or Consequences Police Department. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

11. Discussion/Action: Interview and Selection of board members to fill the 3 vacancies on the Planning & Zoning Commission:

Item tabled until the next meeting.

H. EXECUTIVE SESSION:

1. Limited Personnel Matters (City Manager) Pursuant to 10-15-1(H.2).

Mayor Pro-Tem Hechler made a motion to go into executive session at 9:44 a.m. to discuss Limited Personnel Matters (City Manager) Pursuant to 10-15-1(H.2). Commissioner Mitchell seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

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

Mayor Pro-Tem Hechler certified that only matters pertaining to Limited Personnel Matters (City Manager) Pursuant to 10-15-1(H.2) was discussed in Executive Session.

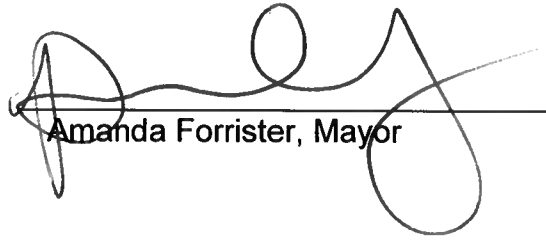
No action was taken.

I. ADJOURNMENT:

Mayor Forrister adjourned the meeting at 11:32 a.m.

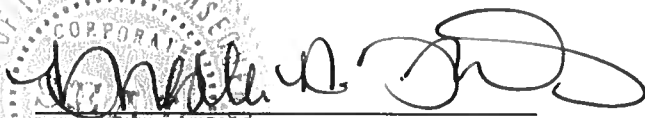
Passed and Approved this 22nd day of June, 2022.

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Amanda Forrister, Mayor

ATTEST:



Angela A. Torres, CMC, City Clerk

