

CITY COMMISSION MEETING MINUTES  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
CITY COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> St.  
TUESDAY, FEBRUARY 14, 2017

**A. CALL TO ORDER**

The meeting was called to order by Mayor Steve Green at 9:00 a.m., who presided and Renee Cantin, City Clerk-Treasurer, acted as Secretary of the meeting.

**B. INTRODUCTION**

**1. ROLL CALL**

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

Hon. Steve Green, Mayor  
Hon. Sandra Whitehead, Mayor Pro-Tem  
Hon. Kathy Clark, Commissioner (by telephone)  
Hon. Rolf Hechler, Commissioner  
Hon. Joshua Frankel, Commissioner

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

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

**2. SILENT MEDITATION**

Mayor Green read a statement to become a part of the permanent record, related to the recent passing of Jay Hopkins. It is unfortunate that a city can't value the worth of those citizens that participate in community life through volunteerism and activism and carry them on the books as an asset. If that were true we would have the best balance sheet in the state. Just recently we lost one of those assets in the personage of Jay Hopkins. Jay impacted our lives through music sometimes playing alone and other times with George Szigeti and Charles Flink in the group called Cat Alley. Appearances at Point Blanc, Grapes, A Little Slice of Heaven, The Black Cat, the Grapevine, Farmers Market, and Fiesta, just to name a few were appreciated and enjoyed. On Wednesdays, he went with Laura McDonald from Amber Care and volunteered to play at a hospice in Hatch. He was such a member of the Recycling Committee and due to his Wednesday commitment, we changed our meetings to Thursdays. Unfortunately, Jay was not able to attend that first Thursday meeting. He was involved with the Community Chorus with visits to the Veterans Home and other locations. He was a passionate recycler and served on the Bountiful Alliance Recycling Committee and was one of the founding members of TV for T or C.

Mayor Green continued saying his sudden passing has made him realize how tentative life is and that we need to live each day as if it were our last. Jay's contribution to our community will live on in our memory. He asked all to keep that memory alive by your actions and your thoughts.

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

### **3. PLEDGE OF ALLEGIANCE**

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

### **4. APPROVAL OF AGENDA**

Commissioner Hechler requested to move I.1 and I.2 of the Unfinished Business Section after the Consent Calendar.

**Commissioner Hechler moved to approve the agenda including moving Items I.1 and I.2 of the Unfinished Business Section after the Consent Calendar. Commissioner Frankel seconded the motion. Motion carried unanimously.**

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

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

Ron Fenn addressed the Commission related to:

1) First, responded to Mr. Green's response to his comments at the last meeting. He thinks it was totally unfair of him to mention or divert attention of the people from the fact that he was presenting by trying to dismiss it because he spoke a public figure's name. A public figure who blasted in her newspaper about being involved in the \$25,000 expense to the people for her rodeo arena improvements.

2) You can use all of the diversion you want, but it doesn't change the facts. In fact, he just modified the Golf Course now. The subsidy from the people of Truth or Consequences to the Golf Course amounts to \$12,919.75 per month. On the other hand, this month marks the 24<sup>th</sup> month that we have lost our Recreation Center and the rents collected for that amount to \$672 per month. To take away a Recreation Center from the people and \$12,000 a month to give to a handful of golfers.

3) Next he asked Mr. Fuentes by what right and authorization he has to violate the lease which was an illegal lease in the first place, for the Recreation Center for not collecting rent for the last two months and most likely for this month and next month. Who told you that you can just tell Follow the Sun Tours that is leasing our building, that they don't have to pay rent because Spaceport America is not operating. It's not anybody's problem, and there is not a bank in the world that would give you your rent if you were going away for a month or two. And yet, the city does that. You've taken our Recreation Center and given it to a commercial company, and oh, you don't have to pay for it. It's

CITY COMMISSION FEBRUARY 14, 2017 REGULAR MEETING MINUTES

not your money, Mr. Mayor and Mr. Fuentes. It's our money, it's due to us, the Citizens that pay for all of this. Good Day.

Jim Paxon, 2550 Veater St. addressed the Commission related to:

1) He really appreciates this group of citizen volunteers who work the good of our community. He thinks Mr. Fuentes has a hard job, especially in a small community, coordinating the high demand for limited funds and limited assets and manpower. So hat's off to ya. He knew Rolf Hechler when he had hair and he knows this has been contributory to that demise, but he's looking good for the shape he's in.

2) Later we are going to consider the Local Government Road Fund. He lives at the little farm on Veater St. just this side of the Wastewater Treatment Plant and across from the Rodeo Arena. Mayor Green and he have discussed some possibilities for some renovation and improvements to the Rodeo Arena. His wife, Debbie and he, very sincerely appreciate and support that effort. They have 9 grandchildren who all participate in the events and they have a passion for youth. He is hoping that little stretch of Veater can be considered for some road improvement. They've worked closely with Mr. Don Armijo since they've been back. He thinks tried some clay binder to try to make that road more stable because when it rained it got pretty muddy. Mr. Armijo was immediate in getting some gravel out there and making that a safer situation. But when you look at the LGRF if there are some highway millings or a pavement project in the future or anything associated with the rodeo improvements, they would like to see that road stabilized so there is not so much dust and it's stable on the turn. Millings Rd. would help a bunch. He knows pavement is a difficult thing because of all of the Federal Funds and the requirements for curbs and gutters and sidewalks and those things. He may not be able to stay for the meeting when Mr. Armijo discusses the Local Government Road Fund with you, but he asked if you would consider that for us, we would certainly appreciate it and he thinks it will help the community as well.

Suzanne Carlsteadt, 520 Grape St. addressed the Commission related to:

1) Wanted to say a few words in favor of the Brewery. She thinks they will be a welcome addition to our downtown and she appreciates the city and other entities working with them to make that happen.

Klaus Whittern, 618 Charles addressed the Commission related to:

1) Just a short comment on the Public Hearing coming up later on. He would just change on the Manager's position, the name and suggests they consider Deputy City Manager rather than Assistant City Manager. He thinks it would give more clear direction to that position.

Audon Trujillo addressed the Commission related to:

1) He wanted to address three ordinances which are on the calendar for discussion and approval today. He has no doubt that each of them will be passed. Each of these proposed ordinances attests to how this City Manager has violated existing Ordinances since assuming his position over 4 years ago. That may seem a harsh statement. But, he thinks he has been quite vocal for many years that various City Ordinances are being ignored and thus violated. City Ordinance Section 2-92. Responsibility. States

## CITY COMMISSION FEBRUARY 14, 2017 REGULAR MEETING MINUTES

"The City Manager shall be charged with the enforcement and carrying out of all Ordinances, Rules, and Regulations passed or enacted by the Governing Body. (Code 1962, § 1-10-2) This Commission, as well as previous Commissions have allowed this City Manager to ignore carrying out existing Ordinances with respect to how the City is to have an Assistant City Manager and how it is to have a City Attorney hired as an employee.

2) The City Ordinances establishes for there to be 13 board to assist the Governing Body, this has not been happening. Five of these boards are not functioning today. Four, for many years, the City Planning & Zoning Board, for over one year.

3) Today this Commission will be passing an amendment to the Ordinance dealing with the Office of the City Attorney. He thinks it's a mistake. It's also a mistake not to acknowledge that the City is and has been in violation of the existing Ordinance. History will repeat itself.

4) Changing the Ordinance language dealing with the Assistant City Manager is another mistake. Today the Commission will act in a development proposal provided by a recent business without having any input from its (Non-Existent) industrial and Economic Development Board. We also do not have a current Economic Development Plan for the city that he knows of. He tried to get that and hasn't been able to. He doesn't think this Commission has the expertise to evaluate the proposal without input of individuals who have experience in the field of Economic Development. He would appreciate and value a response from Commission Member's and he has a longer version he will be providing via email.

Linda DeMarino, MainStreet, an Economic Development organization addressed the Commission related to:

1) She is here to tell them they fully support your actions for business development in our downtown. Anything we can do to bring new businesses and create jobs helps the downtown and the whole community. So we applaud your efforts on that and in addition, they are also supportive of the Lodger's Tax change because it costs no more money for our local businesses and citizens and it brings in more money to the community.

Hans Townsend, Chamber of Commerce and Owner of the Desert View Inn addressed the Commission related to:

1) Commented related to the Economic step forward which we hope it will be. The Chamber has put a lot of hard work and resources to provide for this community a Visitor's Guide that will compete with any other in the state for the attention of travelers who know nothing about us. That is what the printed thing is for. It's to be picked up by people who don't know us already. Then we have the online app. Now to give extensive and growing info. We're still working and building on it. To the digital world, with more input about the community. This app is now also in production under the Titles of Elephant Butte and Truth or Consequences so that anybody searching for those will also come across our comprehensive app. The Sierra County app is a great digital tool for improving everybody's knowledge about our county, especially tourists. But it's widely ignored by both the authorities and other organizations who could spread the word and help us promote this for everybody's economic advancement. That

disappoints him because there's a lot of work in there. And the fact that people don't use it, but the fact that they don't promote it. It's not on the City Website or anybody else's like the Tourism Website or nobody. Everybody wants to do their own thing and they ignore the tools that are already there. Because of this there are a lot of organizations here that work hard to improve a lot of our communities in many ways. And a lot of you already know it's been my opinion that more coordination between these entities and authorities could grease the wheels and improve a positive effect of the resources committed; both labor and financial. He would like to again suggest perhaps we could have quarterly formal or informal get-togethers which would be beneficial to all in achieving results. By that he means all these organizations and somebody from the authorities with the knowledge of what's going on from that side of the formula, should get together and knit these things together to use them to much more advantage than they are used at the moment. For more than three years, the Chamber has both verbally and in writing that the city consider local incentives for attracting new businesses to our area. We've seen in the newspapers and heard through the grapevine this subject is being pursued by the city and county authorities. Why are we, as an organization committed to economic improvement, not kept official up to date with any progress or results that might help our efforts? These things should be on the websites. We can't put it up there if you don't tell us about it. The Sierra County app is a great tool for improving everybody's knowledge. And this getting together and using that information is imperative if we are going to improve the way we use our resources.

Ariel Dougherty addressed the Commission related to:

1) She heartily supports community development and the potential for Economic Development monies coming from the state. She finds however, the proposed Ordinance 677, for the Brewery is overly vague and missing critical accompanying documentation. Most glaring, there exists no "adequate safeguards to protect public monies" as the opening preamble of the Ordinance states. As someone with extensive fundraising, project development and budgeting experience it is a startling omission to have absolutely no full budget nor a project description for the Brewery available for us in the public to review. What percentage of this budget are we tax-payers being asked to pay for? Exactly how is this \$125,000 development money to be used? How many jobs will the Brewery provide? Where is the business plan? What is the duration of this Economic Development/LEDA these and other things need to be considered for a project prior to passage of such an ordinance? In compliance with NM Section 5-10-1 through 5-10-13. Additionally, there is no provision for "a substantive contribution from the qualifying entity" as called for in the City's Ordinance 668, Section 2-440. Nor is the necessary security to entity's obligation specified.

She continued, as we in the public have no idea of the total cost of the project nor really the scope of the project, we are left in the dark about its full nature of Ordinance 677 and what its benefits are to the public good. Section 5 calls for a Project Participation Agreement, an interdepartmental Agreement and Guaranty Agreement to be attached to the ordinance. She thinks those in the public have a right to see those 3 agreement prior to any Public Hearing on this ordinance. Section 6 is particularly vague. A timeline

## CITY COMMISSION FEBRUARY 14, 2017 REGULAR MEETING MINUTES

would be very useful. The Commission might find it beneficial to broaden its reach by enacting Division 6 of the City Code to appoint members to the existing Industrial and Economic Development Advisory Board. Their more focused work and expertise could lift some burdens off your shoulders by doing the leg work. Section 2-313(b) specifically states, such a board would provide a comprehensive industrial and economic development plan that includes a long range development vision. Further, such an advisory board can provide the necessary transparency and accountability to the city's Economic Development processes. It will move this vital community need into a more formal and open process, beyond a seemingly whim and fancy.

Ed Williams, Williamsburg addressed the Commission related to:

- 1) Just wanted to say to all the Commission and employees present and all of those employees in the field. Thank you!

Ron Pacourek of the Public Utility Advisory Board, but he's speaking for himself addressed the Commission related to:

- 1) Just a little background, a year ago, our City Manager brought to us that we needed to have an Impact Fee board. And if we would be interested in adding two members to the Public Utility Advisory Board which would be the Public Utility Advisory Impact Fee Board. And two members would have two year terms and the requirements would be one would be a contractor, and one would be a realtor. We discussed it and on April 18<sup>th</sup>, 2016 we voted to add two members to our board. He's assuming that this would have been brought to the Commission to look at and discuss and vote on if that was acceptable to you to add the two members for Impact Fees. Now it's 10 months late and as far as he understands, this has never been on the meeting to vote on. He asked and was told City Staff is currently reviewing this item. They need people, things came up and they lost members and got Gil and Ed and Randy are interested. Personally he would like to see Ed come on board also. He's curious why it hasn't been brought to the Commission.

Marilyn Pope, Geronimo Springs Museum addressed the Commission related to:

- 1) She echoed what Mayor Green said about Jay Hopkins. He with Tommy Sullivan on the piano use to really rock the museum on their 100 year old piano. And it went from Opera to Blue Grass or whatever anyone wanted to hear at the time. They're both really missed.

- 2) Banquet on Saturday night. Guest Speaker will be Dr. Doug Scott. He is an internationally known Archeologist, so they are thrilled to have him. They invited the Commission to the banquet and will need reservations today or tomorrow. Sandy Chatfield will be doing the meal. We have a fabulous Silent Auction; Glen Hamilton will be doing the music; and it's at the Civic Center.

- 3) April 2<sup>nd</sup>, Linda Sanchez (who is a noted speaker in the Southwest) will be speaking about Apache Cradle Boards at the Albert Lyons Center.

- 4) They are getting a new POS System which is due to the generosity of Board Members and a sharing public. They have over 60 Consignees at the museum, most of them are from local artists, they try to promote them and local business in their facility. They try to keep their gift shop totally Southwestern. They have only one item which is

post cards from Germany and they got them because of the Spaceport. They didn't have anything related to space in the gift shop.

5) The big news is they have published a book Apache Lands, by T Humphries, it was done years ago and those books are long gone so the museum has published with the help of several people from Dona Ana County who very generously help us with this. They will be available at the banquet and at the museum and on Amazon. They have a discounted price on the ones at the museum.

6) They have an exhibit on El Camino Real coming up in May and they have to have more space for that. They have three other new exhibits coming up and are working with Suzanne on one.

7) Getting closer to 50<sup>th</sup> Anniversary. So they will have a big blow out for that. In the meantime, thank you for all of your help.

Mayor Green read comments from Chuck McCoy who lives at 1706 Glenn St near where it crosses Sheriff's Posse Rd.:

1) The West side of Glen was chip sealed but the east side, approximately 400 feet was not. It is dirt and when it rains it creates ponding and the road is almost impassable. There are school children who have to walk on this part of Glenn to get to the School Bus Stop. He and his neighbors have a signed petition by everyone that this is also a safety issue since depending on the amount of rain, the flooding will possibly restrict access by emergency vehicles. Please consider this request for your road funding. He apologized for not being able to attend the meeting.

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

Mayor Green said it's always nice to have kind words said on your behalf. So those who spoke out on the hard job of the balancing act this Commission does, and is constricted by the many financial challenges they appreciate the support and thank you.

Commissioner Hechler appreciates what Hans Townsend said about the App the Chamber of Commerce developed and he would hope the city would link that app in some way to the webpage to get some extra exposure for the Chamber and this community.

#### **E. PRESENTATIONS**

1. Presentation of a Proclamation for Truth or Consequences Volunteer Fire Dept. Appreciation Day on September 2nd, 2017.

Mayor Green presented the proclamation. He asked Chief Tooley to introduce those who attended. He introduced Neil Weeks and Carl Testin who is an Ex-Chief of the department. Mayor Green said certainly when it gets closer we will do something to remind the community of your service to us. He asked for a rousing round of applause for what they do for the community.

2. Presentation/Discussion/Action: related to MainStreet Truth or Consequences and Tourism. Linda DeMarino, Executive Director

Mrs. DeMarino gave a presentation about MainStreet and a suggested change in the way Tourism is currently done. Why the new structure? They are aware that currently the city handles all of the Lodger's Tax marketing money and that is quite a job and you were looking for an entity to manage that. But also, because the current structure that we're in right now with the Recreation and Tourism Board of Sierra County. We seem to have gotten caught up in this structure and there are some things we kind of need to do better as we move forward and do better branding for our community. The next question would be: Why MainStreet? 1) MainStreet already functions like a boots on the ground entity. When we no longer had a Tourism Director locally, we took up the responsibilities. Specifically with tours around town and with Travel Writers. They are an Economic Development Organization and they develop Economic Transformation Strategies as their goals. And one of those goals actually relates to Tourism and increasing tourism. They had a table out at the Drone Summit representing Sierra County and Truth or Consequences with some other entities. They are one of the higher functioning MainStreets in the state. They would be cheaper than hiring a Full-Time tourism Director and really what they are asking for is letting them take this over for one year. They would be helping to establish a new structure.

So the Lodger's Tax Board and the City Commission determined an amount of money to give to each organization. Both the marketing money and the Griffin and Associates money would go to them to manage. She showed a picture of the structure where the City of Truth or Consequences would be over MainStreet; within MainStreet they would have a Tourism Committee (with tentative members); We already have a seat on the Recreation Tourism Board and we would participate with them. If this was put together they could work with the Tourism Board to see how we could work together as a county for our communities, which is kind of the pint of that board anyway. They presented an action plan, a budget, and some recommended changes to the Lodgers Tax. We need more press and more publicity, we don't have nearly enough stuff going out about all of the events that we do. You guys fund a lot of events but a lot fo them don't make it past the County Line as far as publicity. They would like to send out a Press release for all activities that use Lodger's Tax funds. They also suggest that the organization list events on pre-determined calendars like Public Radio, State Tourism Department, and also require Social Media Event pages. As far as she knows MainStreet has been the only entity that has received an event grant from the NM Tourism Dept. and in order to get their grant they do similar things. Some of what she is presenting is looking at what they did, because they did a really good job of stretching the money they gave us. The rationale for that is marketing and putting out ads in local papers, to get Heads in Beds and if organizations want money they should be able to utilize other outlets. The other need is to have consistency in branding. This is taking a page out of New Mexico True and whatever branding message we decide to go with should be on all the ads that go out of here. The next need would be to put out a believable message, right now we're spending like \$13,000 on ads. The problem with that is people don't necessarily believe ads because anybody can take out an ad. But they are more likely to believe articles, so she thinks we should utilize that money to bring in travel writers and we'll get more bang for our buck.



The next part would be to know the Return on Investments. We should do more tracking with our local Lodging Facilities and Restaurants and Shops. Because if you guys don't know what's putting Heads in Beds, then how can you determine who should get funded. Like she said before, to stretch our dollars and support local businesses, as a Non-Profit, most newspapers we don't have to pay Gross Receipts and last year you guys paid about \$3,000 in Gross Receipts. While we think there will be some that will charge us, we can actually use that money for promoting our town instead of spending it on tax. Also, more of the money staying locally, some of the money could go to a local graphic designer with the consistency in branding. She showed the current budget and if you add that and the Lodger's Tax management fee, and their proposed budget. Some would be for Gross Receipts and some would be for accounting fees because some of the transactions. Basically what you're doing is giving MainStreet \$16,500 to hire a person to help manage all of this. You will be getting a lot of press releases and tracking. That's a good price for someone who will be doing the job the Tourism Director would do. That person would also be putting in the structure as we move forward. The Cop Marketing Grant was \$10,000 and the County had given \$10,000. That grant is really earmarked for the TV Commercial so that would stay in place. And we wouldn't be putting that together, we would to people who can do it, such as Griffin & Associates. Just summarizing the recommended changes to Lodger's Tax would be to develop design guidelines, require details to be submitted from which they could develop a press release, incorporate the branding message, require the event to be listed on the calendars, have a Facebook Page. Now we realize that not everybody would be tech savvy and we would be serving as a helper to help develop these skills. Other things would be; Utilize professional graphic design services; developing an After Action Report for each event and in the future setting aside more Lodger's Tax money for graphic design. In some communities, they give money to one entity and if there is an event or project that needs money, they determine how much money they will get and help with the marketing of that event. So it still meets the consistency and design of all of those needs for marketing. She feels this would be a good change for the city. Right now we are in a collaborative effort and there are so many things we need, but we need to develop our own identity first.

Commissioner Clark has a couple of questions and comments. She was involved in SCEDO years ago and is part of the Sierra County Tourism Advisory Board. Over the years they have tried various things. She appreciates the suggestion about branding. And they had a problem reaching something that would work for the entire county. For a period of time they did hire a Tourism Director and the obligation was for the person to promote the entire county. Then we went to hiring an outside entity who has done an amazing job but they are dependent on the state matching funds. Also noting the majority of the funding does come from the Lodger's Tax from the City of Truth or Consequences and the County has put in some. The City of Elephant Butte has gone on their own and they've done a very nice job for themselves. The proposal she is hearing, is we know there have been some cuts in the state which could hurt the matching funds. But we may not have the funding for things to continue as they are. She likes that Linda's proposal has put a lot of thought into helping the situation. It

## CITY COMMISSION FEBRUARY 14, 2017 REGULAR MEETING MINUTES

could be advantageous to Truth or Consequences and give us the brand that we've always been looking for. Possibly what we need is to take some time prior to this next budget, to really think things out and see where the biggest bang for the buck will come from. While her proposal may or may not be the best for the city, she doesn't have the best answer for that. She does know there has been dishevelment in Santa Fe for us to maybe take our own initiative to cover ourselves and make sure we don't lose any of the momentum we have gained.

Mrs. DeMarino said the Tourism Department changes is definitely something she is aware of. This budget they put in front of them is just about what the city pays already anyway and takes into consideration the possible loss of the Coop Marketing money.

Mayor Green appreciates that they see a need and possibly an opportunity and are stepping up. MainStreet has been doing an awesome job for the city and is a critical part of the growth in our community. He wants to make sure it's under the mission of the MainStreet entity organization. He would like to hear from Santa Fe, Rich Williams, the Director of the MainStreet program for the state that they are comfortable with this. And that it won't move them sideways to keep them from doing what they are now. He wants to make sure they don't put the support they have now in jeopardy because that's critical.

Mrs. DeMarino said Sazi Marri did talk to Rich Williams and we do have his blessing and she added we would not be the first MainStreet community in the state doing something like this. It's not really that uncommon.

Mayor Green went on to discuss the salary of \$16,543 which would be to cover the PR Releases and management of the Lodger's Tax portion of this to take it off of staffs table. Is this just a concept or do you specifically have a person in mind. Mrs. DeMarino responded that is just a concept. That person would be helping with everything, with tracking; helping organizations that need help. She thinks having that person with MainStreet, they as an organization will be able to do more.

Mayor Green asked City Manager Fuentes, the county has \$10,000 available and we have an existing contract with Griffin & Associates that is due for renewal. How does the timing work, having done business with an organization that has done a good job for the city. He would hate to jump the gun and do anything to jeopardize that. He asked when that was going to be brought forward on the agenda. City Manager Fuentes responded, he believes the county already voted on the extension of the contract with Joannie Griffin, so the funding has been designated. We have scheduled Ms. Griffin's contract renewal at the next meeting. Then again depending on which action is taken today, if it's postponed then we can hear her presentation for the consideration of another extension of her contract as we have done in the past. Mayor Green asked if it can be a month to month extension. City Manager Juan Fuentes said it would be for a one year extension because again we tied in with the county's contract. They are the ones who issued the original and have already executed and approved an extension.

## CITY COMMISSION FEBRUARY 14, 2017 REGULAR MEETING MINUTES

Commissioner Clark added having our budget starting in July and the contract from February to February creates a little bit of an imbalance. One consideration is to spend a couple of months for Ms. DeMarino's proposal and asked if Griffin would be comfortable in going to a partial contract while we look at the state funding.

Mayor Green received a note from Commissioner Hechler wondering if a workshop may be needed. Mayor Green said we have to be incredibly protective of the dollars that we have and we've got to demand or seek investment and be sophisticated in time tracking and becoming more aware of where these dollars should be spent. He certainly would not just send a letter to Joannie Griffin to say we are changing direction. But he likes the idea of hearing from her at the next meeting to analyze that thing and come up with a product that will go into effect at July 1.

Commissioner Clark asked Commissioner Hechler what his envision of a workshop would be. He appreciates the presentation by Mrs. DeMarino and he also thinks Joannie Griffin has done a fair to good job for this community. He would like to hear what other members of the public feel about it. Mayor Green suggested maybe we can include this topic in the Public Forum already set for February 27<sup>th</sup> from 4-6 at the Civic Center. Commissioner Clark wondered if they could ask Ms. DeMarino could pass some of what was presented to make it available for the meeting. Mayor Green added we could ask her to have some of the copies of the presentation as a handout to be available to those who are participating at the Town Hall. She mentioned she can have the presentation on their website by Friday at: [torcmainstreet.org](http://torcmainstreet.org).

**Commissioner Clark moved to approve inviting the concepts from MainStreet and Griffin & Associates to get input from the public on the 27<sup>th</sup> before we make a formal decision one way or another and to ask Manager Fuentes to invite Joannie Griffin or a representative of her organization to appear before the Commission on the 28<sup>th</sup>. And to notify Griffin & Associates to give a presentation on the 28<sup>th</sup>. Mayor Pro-Tem Whitehead seconded the motion. Motion carried 4-0-1 Commissioner Frankel abstained because he's a member of MainStreet.**

### **F. CONSENT CALENDAR**

1. City Commission Special/Executive Session Minutes, January 24, 2017
2. City Commission Regular Minutes, January 24, 2017
3. Public Arts Advisory Board Minutes, October 17, 2016
4. Accounts Payable, January 2017
5. Lodger's Tax 2<sup>nd</sup> Quarter Reports, FY 16/17
6. Authorization to Open Checking Account for LEDA Projects.
7. Resolution No. 24 16/17 supporting House Bill 266 of the 2017 Regular Legislative Session, relating to Occupancy (Lodger's) Tax; removing an exemption for certain short-term occupancy rentals.
8. Resolution No. 25 16/17 supporting House Bill 63 of the 2017 Regular Legislative Session, the "County and Municipal Fuels Tax Act".
9. Authorization to invest Water/Wastewater Capacity Funds with the New Mexico State Treasurer's Office.

**Mayor Pro-Tem Whitehead moved to approve the Consent Calendar amending Item 3 to be the minutes for October 17, 2016, not 2017. Commissioner Frankel seconded the motion. Roll call vote was taken because of the two Resolutions. Motion carried unanimously.**

**UNFINISHED BUSINESS WAS MOVED AFTER THE CONSENT CALENDAR**

1. Discussion/Action: Naming the Dog Park as the Carole Wheeler Dog Park.  
Renee Cantin, Clerk-Treasurer

Mayor Green gave a quick overview. Ms. Wheeler did take the request back their board.

**Mayor Green moved to approve naming the Dog Park as the Carole Wheeler Dog Park in honor of her activism and volunteerism and a member of the group of people she has been able to surround herself with to bring this project around to where it is now. Commissioner Frankel seconded the motion. Motion carried unanimously.**

2. Discussion/Action: Appointment to fill vacancy on the Public Utility Advisory Board. Applicants are Randy Ashbaugh and Edward Williams.

Mayor Green announced the applicants are Rand Ashbaugh and Ed Williams and he noted the recommendation by the board was to appoint Randy Ashbaugh.

**Commissioner Clark moved to approve following the recommendation of the board and appoint Randy Ashbaugh to the Public Utility Advisory Board. Mayor Pro-Tem Whitehead seconded the motion. Motion carried by a vote of 4-0-1. Commissioner Hechler abstained due to be related to Mr. Ashbaugh by marriage.**

Mr. Ashbaugh would like to thank the Commission.

**G. PUBLIC HEARINGS**

1. Public Hearing: Final Adoption of Ordinance No. 675 amending Chapter 2, Article III, Division 5 of the Code of Ordinances related to the City Attorney.  
Juan Fuentes, City Manager

City Manager Fuentes gave an overview the proposed ordinance would amend the method by which the city would hire the city attorney. Historically, the city has hired the City Attorney through contract. The current code the way it is written has caused confusion and in a municipality it is usually done by contract. In order to clarify the code to be consistent with historically way this has been handled in the city, the recommendation is to amend the second sentence so the city has the option to appoint by contract or employ and individual to be the City Attorney. In addition, as requested by the Commission, they wanted to make it gender neutral and make it his/her appointment as to such time he/she may be removed by the Commission.

## CITY COMMISSION FEBRUARY 14, 2017 REGULAR MEETING MINUTES

### Opponents:

Audon Trujillo stated if you are going to change this the way you want to you need to get out the Office of City Attorney to just the City Attorney, because it's no longer the office. Typically when you have an office you have a place where the Federal Employee is. So if you want it contracted, you should change it to that. He fore the life of him doesn't understand why you would want it to be contracted. Whoever came up with it wanted it to be an employee. It didn't have to be full-time, it could be a part-time attorney. That's for you all to decide. But you have an office of the City Attorney just like you have other offices. If you have an office, an employee fills the office. If you have a contractor it's a little bit different. He asked during this if someone else can respond besides a smirk from Mr. Fuentes. Commissioner Hechler said

Mayor Green said so what he is hearing is he takes exception to the word office because it might be an in-house or a contracted. Mr. Trujillo said if you're going to make a change the Office of the City Attorney is no longer an office.

Commissioner Hechler asked what his suggested verbiage is. Mr. Trujillo suggested they change it to "There is hereby creates either an office of City Attorney which would be an employee or will hire a contractor to become the City Attorney". The stronger point is you really need a City Attorney who works for you as an employee.

City Manager Fuentes suggested striking out the first sentence. Mr. Trujillo is fine with that change. Either way the City of Taos has a Full-Time Employee as their Attorney.

Seeing no other Opponents or Proponents, Mayor Green closed this portion of the Public Hearing.

2. Public Hearing: Final Adoption of Ordinance No. 676 amending Chapter 2, Article III, Division 3, Section 2-99 of the Code of Ordinances related to the Assistant City Manager. Juan Fuentes, City Manager

City Manager Fuentes stated the purpose of this amendment is to clarify and make the adjustments that the position of Assistant City Manager is not a mandatory requirement to submit a name for an Assistant City Manager rather than just making it an option. It amends the first sentence where it states, there shall be employed by the City Manager, to strike shall be employee and insert may be employed and again use the gender neutral he/she. Historically the city has not always had an Assistant City Manager. The last Assistant, we had was a combination with the Community Development Director. He served as the Assistant in the absence of the City Manager. So this was just to make that option available due to limited funding and the budget is not always feasible to have a separate stand-alone position.

### Opponent:

Audon Trujillo stated Klaus suggested to change the name to the Deputy City Manager. That seems like a good idea. He asked them to think about what they've done here.

The last Assistant City Manager was the Community Development Director and that office has never been approved by the Commission. All departments should be official approved by the Commission and that didn't happen. It's not something you voted on, so if you want to keep the office you should create the office. Why not reward your existing Manager's to serve as the Assistant City Manager and give them a pay raise. Juan's not going to be here for everything. He could be at a training and then you will have one if something happens without rushing at the last minute for someone to be appointed. And he should let you, the body, select amongst the managers in the city. He doesn't have specific language for that, but that's his proposal. He suggested the language to be changed to one being appointed by the existing Department Directors.

With no additional comments, Mayor Green closed the public hearing.

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

1. Discussion/Action: Final Adoption of Ordinance No. 675 amending Chapter 2, Article III, Division 5 of the Code of Ordinances related to the City Attorney. Juan Fuentes, City Manager

City Manager Fuentes added if the will of the Commission is to leave as presented or amend and delete the first sentence.

**Commissioner Hechler moved to delete the first sentence and to read as follows, "the attorney may be appointed on a contract basis or as a city employee by the governing Body and shall hold office for the duration of his/her appointment or until such time as he/she may be removed by the Commission." Mayor Pro-Tem Whitehead seconded the motion. Roll call was taken by the Clerk. Motion carried unanimously.**

2. Discussion/Action: Final Adoption of Ordinance No. 676 amending Chapter 2, Article III, Division 3, Section 2-99 of the Code of Ordinances related to the Assistant City Manager. Juan Fuentes, City Manager

City Manager Fuentes said there are no further proposed suggested changes as presented.

Commissioner Hechler asked what he sees the Assistant City Manager's position to be. Is it an all-encompassing position and should all operations be involved. City Manager Fuentes said he is comfortable with the way the ordinance is written, it is an all-encompassing position where in his absence they would have the authority to act on his behalf. He feels it's written enough to give the flexibility and not intended to be a job description. Again we are a very small municipality, most small municipalities don't have both a City Manager and an Assistant City Manager. In the past, the city has appointed the past City Clerk's in the City Manager's absence or in the case of a vacancy. He thinks because of the word shall, means it's mandatory. If there is an opportunity and someone steps up and shows they are willing and a good fit, then that would be allowed.

**Mayor Green moved to approve the Final Adoption of Ordinance No. 676 amending Chapter 2, Article III, Division 3, Section 2-99 of the Code of Ordinances related to the Assistant City Manager. Commissioner Hechler seconded the motion. Roll call was taken by the Clerk. Motion carried unanimously.**

3. Discussion/Action: Ordinance No. 677 16/17 for publication to approve the Truth or Consequences Brewing Company Proposal for Economic Development. Juan Fuentes, City Manager

City Manager Fuentes introduced Christine Logan from the New Mexico Economic Development Department to give an overview of the process related to the Local Economic Development Act.

Christine Logan is the Regional Representative covering the Southwest part of the state including all of Sierra County. Today you have several different items on your agenda related to the Local Economic Development Act for T or C Brewing Company. She would like to take some time to tell them about the process and what specific roles and responsibilities the city has. She knows they are all fairly familiar with the project. LEDA is the product of a state statute and New Mexico has a very strong Anti-donation where the government cannot provide anything to a business. Then there's a constitutional amendment which allows in the case of Economic Development it's one of the exceptions to the Anti-donation. After the state statute was adopted the City of T or C enabled that by ordinance which was recently revised early last year. That enables the local use of the Local Economic Development Act. Even though you've enabled it, this is the first time it has been used in the city or anywhere in Sierra County. Each time you use this power of the state statute, it has to be done by ordinance. Within the statute it defines where it has to be a qualifying entity, someone who is based in manufacturing or making something. In this particular case, they are making beer, so what comes in is different than what comes out. It has to be a qualifying project which means there must be private investment to match the local or state assistance. LEDA can only be used for land, building, and infrastructure. It must be private sector job creation, and the company has to go through a vetting and due diligence process to prove they have the financial and organizational capability.

The Economic Development Dept. has been working with T or C Brewing Company for at least six months and going through that process. Then we quantify the public benefit, they prepared and Economic Impact report which has been provided to the city which shows what the tax revenue will be and the impact on the state, city, county, school district, etc. T or C Brewing Company has submitted a full application, business plan, and financial history on the owners (which is confidential for business purposes). The proprietary information is confidential and tax records. The project has laid out their costs and projected revenue for the next 3-5 years. It's a little bit less than a million dollar investment project to purchase the land, completely renovate the building, utility upgrades, and also to provide equipment and some of the startup costs, such as attorney fees that are part of the project. With the help of the state and the investment

of the T or C Brewing Co., they will be able to create nine production jobs. In this case there will also be an equal amount of jobs in retail in serving the beer. But those are not part of the LEDA funds, just the manufacturing. There are several different actions included on the agenda. First is the ordinance, and the Project Participation Agreement, and Intergovernmental Agreement. She explained each one. That lays out the possible investment is about \$900,000 and they will create 9 jobs and they will provide wage statements, securities.

Upon execution of the agreement, the state would transfer all of the \$125,000 of funds to the city immediately. Then the company would request reimbursement for expenses they incur after everything is approved, not for anything they've already done. They submit the request to the city and the city would have it reviewed by the state before they make the payment. The intergovernmental agreement does require that it would be the city that would foreclose on the company should they not meet their obligations. If for instance they only create half of the jobs, they have to give back half of the money. If they are up and running and create 20 jobs in three years, but then they move away, they have to give back absolutely all of the money. It is the responsibility of the city to hold that mortgage and foreclose if necessary, but the state would pay the expenses incurred by the city to do that. The city is acting on our behalf so the state would pay for any costs to foreclose on the property. Again, the city manages the funds, has a long term relationship with the company, and doing the reporting.

**At 10:38 a.m. Commissioner Clark was no longer on the telephone.**

Mayor Green thanked Ms. Logan and feels she laid it out crystal clear. He appreciates her coming here to explain this exciting and wonderful adventure for our community.

**Commissioner Frankel moved to approve Ordinance No. 677 16/17 for publication to approve the Truth or Consequences Brewing Company Proposal for Economic Development. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously by a vote of 4-0-0.**

4. Discussion/Action: Resolution No. 21 16/17 LEDA Building Permit Fees.  
Juan Fuentes, City Manager

City Manager Fuentes presented the changes to the current LEDA Building Permit Fees which includes the option to waive certain fees for current LEDA Projects.

**Commissioner Hechler moved to approve Resolution No. 21 16/17 LEDA Building Permit Fees. Commissioner Frankel seconded the motion. Mayor Green added this sends a message to the world that the city is open for business, we are aggressive, we are partnering with the state and we are looking for people to come into our community and to invest. Roll call was taken by the Clerk. Motion carried unanimously 4-0-0.**



CITY COMMISSION FEBRUARY 14, 2017 REGULAR MEETING MINUTES

5. Discussion/Action: Resolution No. 23 16/17 authorizing and providing for the incurrence of indebtedness for the purpose of providing and portion of the cost of acquiring, construction, enlarging, improving, and/or extending its Wastewater Treatment Plant Facility. Traci Burnette, Grants/Projects Coordinator

Grants Projects Coordinator Burnette presented before you, we have a required resolution for Phase 2B for the Letter of Conditions. She turned it over to Chris Muirhead who is our Bond Counsel.

Chris Muirhead with the Modrall Firm who is the bond counsel for the city and have done the recent work with USDA. This is a continuation for Wastewater System Improvements. When these start USDA provides a thick 17-18 pages you have to do. It also lays out the financing structure and this one is very favorable to the city. You would have a loan of \$715,000 but a grant of \$4,515,400. Within this Letter of Conditions, is a requirement to adopt the resolution that's in front of you. It's a standard form from the Federal Government to incur indebtedness but it does do important things that are worth mentioning. First, page 2 paragraph 17 is the singular opportunity to accept that grant of \$4,515,400. The remainder of the resolution recognizes that the city will incur a bond for \$715,000 and that's done by a separate ordinance further down the road. As you get this letter complete, USDA will authorize the city to move forward with the ordinance which will be the actual debt instrument for the bond. The terms, you can borrow up to 40 years at a 1.6% Interest Rate for the term of that 40 years. He will be here to explain that in much more detail. In the Resolution paragraphs 1-17 all provide different provisions and covenants of these were different than what was done in the previous funding or will be contrary to what's in your bond ordinance. He went over other benefits to this funding and the rates.

**Mayor Pro-Tem Whitehead moved to approve Resolution No. 23 16/17 authorizing and providing for the incurrence of indebtedness for the purpose of providing and portion of the cost of acquiring, construction, enlarging, improving, and/or extending its Wastewater Treatment Plant Facility. Commissioner Hechler seconded the motion. Mayor Green thanked Traci Burnette for her work on this. Roll call was taken by the Clerk. Motion carried unanimously by a vote of 4-0.**

**I. UNFINISHED BUSINESS**

1. Discussion/Action: Naming the Dog Park as the Carole Wheeler Dog Park. Renee Cantin, Clerk-Treasurer

Was discussed after the Consent Calendar.

2. Discussion/Action: Appointment to fill vacancy on the Public Utility Advisory Board. Applicants are Randy Ashbaugh and Edward Williams.

Was discussed after the Consent Calendar.

**J. NEW BUSINESS**

1. Discussion/Action: Intergovernmental Agreement between the New Mexico Economic Development Department and City of Truth or Consequences. Juan Fuentes, City Manager

City Manager Fuentes feels Ms. Logan did an excellent job in explaining the process. The purpose of this agreement is to place the primary responsibility on the city for overseeing and administering the Economic Development Departments funding for this project.

**Commissioner Hechler moved to approve Intergovernmental Agreement between the New Mexico Economic Development Department and City of Truth or Consequences. Commissioner Frankel seconded the motion. Mayor Green added we would be discussing this and voting on it if it were not for John and Marianne for finding us and investing in our community. Motion carried unanimously by 4-0-0.**

2. Discussion/Action: Public Participation Agreement between the City of Truth or Consequences and the Truth or Consequences Brewing Company. Juan Fuentes, City Manager

City Manager Fuentes added this is the other instrument that lays out the responsibilities between the brewery and the city.

**Mayor Green moved to approve the Public Participation Agreement between the City of Truth or Consequences and the Truth or Consequences Brewing Company. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously by 4-0-0.**

3. Discussion/Action: Subrecipient Guidelines. Juan Fuentes, City Manager

City Manager Fuentes explained the proposed changes for the upcoming fiscal year. On page 3 one of the changes will be under eligibility to require for a Non-Profit to provide the record of Non-Profit status on file with the Internal Revenue Service and the Secretary of State. One the following page, page 4 under the 5<sup>th</sup> bullet point, the applicant must submit the previous year's financial report or the previous year's financial statement with the application. The application must be completed and submitted by the deadline, and we want to emphasize that the deadline is final and no other recourse is available. As we have had in the past where deadlines have been missed, and he knows the Commissioners have granted waivers but also have expressed a need to follow the deadline dates. Moving on to page 5, we are requiring the contractor to designate and representative and alternate to serve as the point of contact and authorized representative to spend funds. And again, the reason for that is sometimes we have changes within an organization and sometimes we don't have a record of. We don't want to give anyone financial information that has not been duly authorized or any reimbursements to that individual. The following bullet point will require the contractor shall be subject to losing 505 of the quarterly draw if the information is not submitted by

the due date. Again, its tying into what we have dealt with in the past with reports and quarterly invoices not being submitted in time. This would make it an automatic 50% reductions. Moving on to page 7, under contractor responsibilities, we would add the status of the contractor must contain their Non-Profit status and would relinquish any portion of the contract if they determine they will not be utilizing the funds by the years end. That way the city can put it back into the ending cash balance and use it for the following year. Moving on to page 9, which is part of the quarterly report, one of the things we would require is a detail of the service provided for each quarter. A lot of times we get very little detail on what it's be used for. Basically, that is the major highlights for the proposed changes for these guidelines. With that I will stand for any questions.

Mayor Green added this has been discussed at the Commission level and wanted them to come up with something that was not only fair to the applicants but fair to staff. We have had some who were submitting late and we are sitting here playing King Solomon all the time. So he thinks this makes it cleaner, crisper, less aggravation for staff, and an open transparent process. With no more comments, he thanked staff and Linda Sparks for getting this where we are.

**Mayor Green moved to accepting the guidelines for the grants as presented by Manager Fuentes. Commissioner Frankel seconded the motion. Motion carried unanimously by a vote of 4-0-0.**

4. Discussion/Action: Authorization to proceed with financing options for Regional Public Safety Complex. Juan Fuentes, City Manager

City Manager Juan Fuentes began announcing we have been working on this complex for a number of years and we already started with the Animal Shelter. Now we have to look at the instrument with finance options with George K. Baum.

Mark Valenzuela, George K. Baum and Company gave his presentation which will be make part of the agenda packet files. They are assuming the \$3 million pricing, they understand it could likely come in below that, but they wanted to look more into the worst case scenario. They looks at the difference between the public offering where you would take the bonds and sell them out to investor's, or they compared it to a USDA financing. USDA offers very competitive rates but in some respects they also have some limitations. So they wanted to put both side by side to give you a perspective on what it looks like. George K Baum would serve as the fiduciary and their goal would be to get the best financing with the lowest terms and the most flexibility. So they are indifferent as to whether it was a public offering or a USDA offering. He proposed some scenario's to be considered. Scenario 1) Selling bonds to investors, assuming a 30 year financing, annual payments are around \$170,000 per year at \$5.16 million; Scenario 2) a 20 year financing, with annual payments around \$210,000 at \$4.2 million which saves almost one million dollars; Scenario 3) USDA Loan for 30 years, payment around \$182,655 per year at \$5,479,656. He also provided a Market Update where interest rates are increasing but are still historically very low. In their view this could be a very

## CITY COMMISSION FEBRUARY 14, 2017 REGULAR MEETING MINUTES

strong offering as par as public financing, there has not been a bond activity in the market. So if you were to put it out there he thinks we would have a tremendous demand and a lot of activity from investors to purchase those bonds.

Mayor Green sees that the action item is basically to authorize staff to do more research and come back at a later date. City Manager Fuentes added we wanted to present to the Commission the possibility to proceed with the mechanism for financing this project and to come back and present them to the Commission. We also have other resources we can pursue for this project. This gets us one step forward. We do have an RFP for Architectural services so we will have a better idea at the cost for the project.

Commissioner Frankel asked Mark how their standing is now with litigation in Colorado with a School District and with the Better Business Bureau or anything like that. Mr. Valenzuela responded George K. Baum has one of the best records on integrity. You can look us up on Finra Broker Check and of the thousands of Brokerage Firms that are out there in the country, you can pull up the big ones like JP Morgan and you will see thousands of sanctions and fines they've written because of their bad behaviors and for George K. Baum and Company you will see two. Which are the incident in Colorado that you're mentioning and an incident where every investment bank agreed to settle with the FCC for disclosure issues. And that's a new thing that's happening in the Municipal Bond world. They are very proud to be one of the only firms that only has two marks against them. He explained in the Colorado case, their client actually testified on their behalf.

**Mayor Green moved to authorize staff to proceed with the Law Enforcement Regional Complex financing options and bring information back to the Commission. Commissioner Hechler seconded the motion. Motion carried unanimously by a vote of 4-0-0.**

5. Discussion/Action: Award of ITB: 16-17-005 for Animal Shelter. Pat Wood, CPO

Central Purchasing Officer Wood let them know they are here to discuss the bid award. The bid opening was held on February 7<sup>th</sup> at 11:00 a.m. and they received 7 bids for this project. The recommendation from RMCI is to award the bid to SmithCo in the amount of \$495,000.

**Commissioner Hechler moved to accept the award of ITB: 16-17-005 for the Animal Shelter to SmithCo Construction in the amount of \$495,000 excluding NMGRT. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously by a vote of 4-0-0.**

6. Discussion/Action: 2018 Local Government Road Fund (LGRF). Don Armijo, Public Works Director

## CITY COMMISSION FEBRUARY 14, 2017 REGULAR MEETING MINUTES

Public Works Director Armijo presented the streets that are in need of improvements for the 2017 LGRF funding including: Golf Club Drive, Veater (from Iron to Arroyo), Veater (from Hyde to Arroyo), City Street (dead-end to Myrtle), City Street, (Myrtle to Henson), City Street (from Henson to Radium), Marshal (Platinum to Tin), Marshal (Tin to Coal), River Road (Tin to bottom of Hill), West Riverside (Wyona to Daniels), Kruger (8<sup>th</sup> to 7<sup>th</sup>), East 7<sup>th</sup> (Kruger to Tingley), East 8<sup>th</sup> (Coleman to Tingley), East 8<sup>th</sup> (Coleman to Kruger), or Locust (6<sup>th</sup> to 7<sup>th</sup>), Locust (6<sup>th</sup> to 5<sup>th</sup>), and Locust (5<sup>th</sup> to 4<sup>th</sup>).

Mayor Green asked what the due date is for this grant. Public Works Director Armijo said before March 15<sup>th</sup> the letter needs to be into NMDOT to participate with the project they are selecting.

Commissioner Frankel commented on West Riverside from Wyona to Daniels would be a huge impact to downtown.

Mayor Pro-Tem Whitehead's concern with the safety issue as well as health and welfare on the citizens at East 8<sup>th</sup> and Coleman and Tingley.

Commissioner Hechler added we had a citizen who talked about Veater by the Rodeo Arena. Public Works Director Armijo said Veater is one of the major carriers. If they start doing more events it will increase more traffic on that road which will bring out more dust. And when it rains it's a mess in that area. To get that road in a good shape would require a lot of improvements.

Commissioner Hechler asked Public Works Director Armijo in his professional opinion, which roads would he like to see handled. Public Works Director Armijo said that's a tough one, the area around Kruger would be nice to get done and also the area around the Rodeo Arena.

Mayor Green wants to talk about Veater also. We are partnering with the County for \$50,000 to make the much needed improvements to that area. It's unfortunate, that we can't do all of them. He asked if he could narrow it down to two or three which will have the biggest impact on the most houses. He would like to task staff to put this on the next agenda with 3 or 4 choices.

Mayor Pro-Tem Whitehead commented on East 8<sup>th</sup> from Coleman to Tingley needs to be a safe area to drive.

**Mayor Pro-Tem Whitehead moved to send the 2018 LGRF projects back to staff and to bring back to the February 28<sup>th</sup> meeting. Commissioner Frankel seconded the motion. Motion carried unanimously by a vote of 4-0-0.**

7. Discussion/Action: Approval to make an Annual Proclamation designating September 2<sup>nd</sup> as the Truth or Consequences Volunteer Dept. Appreciation Day. Steve Green, Mayor

Mayor Green would like to make this an annual proclamation.

**Mayor Pro-Tem Whitehead moved to make an Annual Proclamation designating September 2<sup>nd</sup> as the Truth or Consequences Volunteer Dept. Appreciation Day. Commissioner Frankel seconded the motion. Motion carried unanimously by a vote of 4-0-0.**

**K. REPORTS**

- a. City Manager
  - 1. City Offices closed on Monday in observance of Presidents Day.
  - 2. Capital Outlay requests have been submitted. While some feel there may not be a lot of money available for the requests, at least we are in the game for possibly seeking funding for our Law Enforcement complex.
  - 3. As you all saw with the needs for the Road improvements and with the need for Capital Outlay, he appreciates the support from the Commission on the House Bill for Fuels Tax which we hope will be approved and will be signed by the Governor.
- b. City Commission

**Mayor Pro-Tem Whitehead wished everyone a Happy Valentine's Day.**

**Commissioner Hechler interim review of the City Manager will be sent out for the City Manager in March. Mayor Green mentioned he appreciates Commissioner Hechler taking this one.**

**Mayor Green reminded them we have the Town Hall on February 27<sup>th</sup> from 4-6 at the Civic Center. He also thanked Gary Whitehead who hosted a Celebration of Life at Point Blanc for Jay Hopkins and did a wonderful job. It was joyous in a sad way.**

**L. ADJOURNMENT**

**Mayor Pro-Tem Whitehead moved to adjourn at 11:45 a.m. Mayor Green seconded the motion. Meeting was adjourned.**

Passed and Approved this 14<sup>th</sup> day of March, 2017

  
Steven Green, Mayor



ATTEST:

  
Renee L. Cantin, CMC, City Clerk