

CITY COMMISSION MEETING MINUTES  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
CITY COMMISSION CHAMBERS, 405 W. 3<sup>RD</sup> St.  
TUESDAY, FEBRUARY 28, 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 expressed our deepest sympathy to Tony Archuleta, his family, and his friends on the passing of his wife. He 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 Mayor Pro-Tem Whitehead to lead the Pledge of Allegiance.

**4. APPROVAL OF AGENDA**

**Commissioner Hechler moved to approve amending the agenda to move items C & D after New Business and Items H.1; I.2; and I.1 to immediately after the Consent Calendar. Mayor Pro-Tem Whitehead seconded the motion. Motion carried unanimously.**

*Mr. Ron Fenn as leaving the building commented saying this is ridiculous, you're going to pass things without Public Comment. Mayor Green announce to Mr. Fenn, he is out*

*of order and to please leave the building. Mr. Fenn continued saying this is the way democracy works here. Mayor Pro-Tem Whitehead called for Rules of Procedure and Police Chief Alirez escorted Mr. Fenn out of the meeting while Mr. Fenn commented to put him in cuffs so he can buy a new car.*

*Mayor Green apologized for the interruption. He continued by saying if Mr. Fenn had had the common courtesy and decency to sit here, he would've heard his following words. Commissioner Clark as you will probably hear by her voice, has to leave early for an appointment. We have changed the agenda to accommodate her schedule and we apologize for any inconvenience. This was not done underhandedly or anything other than the respect that this Commission gives to its fellow Commissioner.*

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

Moved to after New Business.

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

Moved to after New Business.

### **E. PRESENTATIONS**

1. Presentation by Griffin & Associates on marketing for the City of T or C.  
Joannie Griffin, Griffin & Associates

Ms. Griffin began her presentation and LaRena Miller joined her as one of the Committee Members. The presentation is part of the agenda packet. They applied for two grants, One for T or C (\$8,000 with match), and one for Sierra County (\$10,000 with match) and they were successful in getting both. This is substantially lower than the \$40,000 they had in previous years but the \$18,000 has to be spent by May of this year. She notified them of the ads that will be run with the funding. She outlined some of the projects they have done this year in advertising. Billboards that are posted are consistent with the New Mexico True regulations so we are eligible for our grant reimbursement. She added T or C is the number three destination for Travel Writers that are coming to the state. #1 is Santa Fe, #2 is Taos, and #3 is T or C. They are actively working on bringing more Travel Writer's to the city. She gave an overview of all of the plans they have related to tourism and marketing for the city.

Ms. LaRena Miller notified the Commission they have a monthly teleconference with Joannie and the members of the Tourism Board to discuss what's going on so she has some local viewpoint feedback.

Commissioner Clark commented the disappointing thing to her is to have the Tourism money cut down to \$18,000 from \$43,000 but the fact that she was willing to get us \$18,000 is impressive and remarkable. She feels we need to sit down and take a look at all of the tourism funds in our area so we can pool it and use it the best way. She asked if there is a way to look at more in-house as oppose to dependent upon the state.

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Ms. Griffin responded we can definitely look at that and will know more in the next month after the Legislative Session to see what the Dept. of Tourism will have available. This year it's been cut dramatically. She has no issue with looking at other opportunities. Commissioner Clark said that was the main comments she had and she wanted to get Ms. Griffin's input. If we are not bound by the states rules and regulations, we might be able to find something more extensive. We'll know more in the next month or so and we can have a get together in April to brainstorm when we have a better idea of what we have to work with.

Commissioner Frankel was concerned about the billboard being after Socorro instead of before it. Ms. Griffin added that was a typo and the billboard is actually North of Socorro. Commissioner Frankel added about the poster we should have a consistent marketing plan that has the same message. He doesn't see Hot Springs on there and "Hot times, cool vibe" doesn't portray the Hot Springs. He was concerned that we may have lost sight of the Hot Springs. Ms. Griffin invited him to participate in the calls they have on the first Friday of the month where the committee meets to make these decisions. Commissioner Frankel wants to make sure we don't have different brands out there.

Commissioner Hechler concurred that "Hot Springs" should be included in that brand. He feels it was great to hear we were the Number three in the state for destinations for Travel Writers. When we do have travel writers come to town, we would like a heads up of when that will happen so the right representatives who want to promote this community can have a chance to meet with that person. Ms. Griffin agreed to send that out to the Commission when they have someone scheduled.

Ms. LaRena Miller announced something is being done right if our visitors are going up 36% and not down.

Mayor Green asked about the process for spending the state money and Ms. Griffin responded as to the process which has to be done by the middle of April. Mayor Green added we appreciate the County has seen fit to partner with certain projects with the city and realize one entity cannot do it alone. He appreciates the support the County has given us. He added with knowing magazines are going electronic, how are they making this happen when on one hand, the boss is saying, don't go out there because I have to pay your expenses. How does that work?

Ms. Griffin let them know they use a software with a database of Travel Writer's all over the world and they sent notifications to all of them. It's more regional and the state does have the money to fly in the A-List media to fly them in and host them, and we piggyback on that because we don't have the budget. Mayor Green clarified that she works closely with the state to verify when someone may be coming in so we can work with them. Mayor Green pointed out the Adventure Guide which points out the budget friendly hotels in Truth or Consequences where they are talking about the Hot Springs. The Hot Springs is what makes us special and different. He asked if this is the perception of the writers who are producing this or is this her view of reality. Ms. Griffin said it's both. We are so influenced by the media.

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Mayor Green asked if there is any way we can get some information to track how this is working out and is the money being spent wisely. He asked how we can come a little more sophisticated in tracking our stats. Ms. Griffin said we do track with Pandora to see how many people interact with the App, and obviously you can't track the billboards but you can track the online visits. We do both audio and video ads on Pandora because we get a better return rate.

Ms. Miller added on their sign in sheet they have some of the responses that shows the date, how many people came, and what brought them to our city. And the highest response is because of the Hot Springs. She does keep the major statistical sheet and they don't have December yet, but it tells how many people are coming from where. She does share the year-end report with Renee to distribute.

Commissioner Clark is not entirely clear on the money from the County. She asked if the county money has to be spent by F18. Ms. Griffin responded in order to get \$18,000 we have to spend \$36,000 first, then we submit for the reimbursement of the \$18,000. Commissioner Clark added the \$10,000 from the county will be spent before the May 15<sup>th</sup> date.

### 2. Presentation introducing the DWI Program and staff. George Lee, Sierra Co. DWI Program

Mr. Lee began with his presentation and he introduced his staff. Sandra Lucero, Vanessa Segura, and Michael Sulzer. He just wanted to explain a little of what they do. The program is funded primarily with funding through the State and Sierra County is the fiscal agent. They provide numerous services for Municipal, Magistrate, and District Courts and also provide drug testing. They currently have about 153 clients in the program in the DWI, and other side is the misdemeanor compliance for other violations not DWI related. They have 45 people on active probation for DWI convictions; then about 60 people on probation for other misdemeanor crimes. There are 53 people on conditions of release. In one year it's gone from 30 to 53 people on conditions of release. As the Coordinator, he oversees all of the programs. He explained the funding they receive. They have a number of programs he explained in detail including prevention; safe ride service; enforcement; screening for treatment; compliance; tracking; monitoring; coordination; and planning.

He's requested \$6,000 for prevention and he would like to start a Silver Streak ride program for those who have been drinking to stay safe and off the roads. If during holidays, they are at the lake and want to come downtown and visit the businesses or the new Brewery, we can provide transportation for rides. He's looking at other programs to use as an example and if he gets the funding that will happen. He added the new Brewery was very interested in the service and very supportive. He went on to notify them of other funding that will be needed, including DWI saturation patrols.

His vision would be to have a joint city/county Misdemeanor Probation Department. The County currently pays wages and benefits for their Misdemeanor Probation Officers. Statistics show the majority of the offenses were committed in the city. He doesn't know what it looks like or how we would get there, but he would like to see it more of a partnership between the City and the County to fund these probation services. There is going to be more grant opportunities, they will be looking at to find a way to provide more treatment.

Commissioner Clark thanked Mr. Lee for all of the hard work he has done on this.

Mayor Green thanked him and wishes his organization didn't have to exist but because we have to, he thanks them for what they do. Did he hear that with the people convicted and not incarcerated, there are fines involved, and does Judge Brown give them an option? Mr. Lee responded, yes, community service. Not only is it a possibility we will do our best to find community service programs for them to serve. There are some restrictions on that. He referred to the compliance officer.

Ms. Vanessa Segura responded to the question. If the Judge court orders fees for the court, he does let them do community service for his fees. That has nothing to do with them. They do provide a list of community service providers, and the city is on that list. And the person decides where they are going to do their community service. For their office, because they are dealing with budget cuts, it's hard for them do the community service with the \$50 program fee. They do work with us and we do let them go work at the jail or something that will benefit our program. Unfortunately, they can't do it with everybody.

#### **F. CONSENT CALENDAR**

1. Public Utility Advisory Board Minutes, January 21, 2017
2. Lodgers Tax Board Minutes, August 27, 2016
3. Service Agreement Renewal with Sierra Vista Hospital

**Mayor Pro-Tem Whitehead moved to approve the Consent Calendar including the Public Utility Advisory Board Minutes for January 21, 2017; Lodgers Tax Board Minutes for August 27, 2016; and Service Agreement Renewal with Sierra Vista Hospital. Commissioner Frankel seconded the motion. Motion carried unanimously.**

Will discuss Items H.1, then I.2, then I.1 after the consent calendar.

#### **H.1 Discussion/Action: Marketing Contract renewal for Griffin & Associates. Juan Fuentes, City Manager**

City Manager Fuentes added we have already heard the presentation and he asked Ms. Griffin to come forward for any further questions the Commission may have.

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Commissioner Clark would like to have her look at what next year would look like. Mayor Green clarified what he thinks she is saying is bring them with us up to the end of June until the new Financial Calendar comes into effect we will have a better idea of what will be available.

Mayor Green said on the attachment it lists the county for \$10,000, the city for \$25,000 and Elephant Butte as \$5,000. He thought Elephant Butte pulled out of this. Ms. Griffin responded the City of Elephant Butte pulled out. They are going another route now. We do coordinate so we are not stepping on each other's toes. She has no issues with what Commissioner Clark is asking. As soon as we here from the state we will know better what we can do.

Mayor Green asked for clarification on where the money goes and who controls the money. Ms. Griffin responded it goes into the marketing budget. It goes into Sierra County because they are both married and done together. Ms. Griffin encouraged the Commission to reach out to their Legislative Officials about Tourism dollars. She touched on some of the changes that have been made and what it has to be used for.

Mayor Green asked if we are charged for doing the grants. Ms. Griffin said she does that gratis. They have a template they use and they beef it up, normally we did one for only Sierra County and now Elephant Butte does one on their own to get additional grant money.

Commissioner Frankel clarified if this motion would be for the contract to stand here as presented or taking into consideration Commissioner Clark's idea to take Item No. 3 for the term to end in June.

**Commissioner Clark moved to approve Marketing Contract renewal for Griffin & Associates to prorate that contract and get this year finished and then in April put a more comprehensible marketing plan together with more of the Lodger's Tax money.** This would be to prorate to get through this year to look at another renewal this year. Ms. Griffin said it will not be so easy to prorate for four months. They have to spend the advertising, they have to produce the advertising. There is also Public Relations, Account Management, and Newsletters which are not covered by the grant. It's not so cut and dry that you can break it down by months.

City Manager Juan Fuentes asked if the contract would then expire in June of 2018? Commissioner Clark said they meant 2017. She asked what extra would be involved to get us to July 1<sup>st</sup> yearly contract with her. Ms. Griffin added they will spend the lion's share between now and June 30. Then her intent is to get more money from the state to move them into next year. They have to spend it to get the reimbursement. Commissioner Clark is trying to find out if there is a way to finish this with the state and doing something different.

City Manager Fuentes asked Mr. Coppler about the termination clause and if it gives the Commission the flexibility to say three month. Mr. Coppler asked if it has the 30 day

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termination clause then they could negotiate a different arrangement at that time. If you see budget problems coming forward

City Manager Fuentes added he believes the county's contract is similar to this and it is in effect until January 21<sup>st</sup> of 2018. He asked if this is something the Commission wants to incorporate in this contract, or do they want to pursue forward, or if we want to proceed with a 30 day notice. Commissioner Clark is concerned because we don't want to lose the momentum Griffin has established for us. Mayor Green asked if she would like to condense it and make it to a workable motion.

Commissioner Clark would like whatever we do renew covers us through the fiscal period to June 30. And knowing the County's and City's money will be spent, she believe we should know by June 30<sup>th</sup>.

Commissioner Frankel said is sounds like we would change the February date to June 30<sup>th</sup>. With July 1<sup>st</sup> looking at a new contract at that time. Commissioner Clark asked if that \$25,000 is already earmarked. She suggested this be renewed with a new renewal date to July 1<sup>st</sup>, 2017.

City Manager Fuentes said if the intent is to end the marketing contract to the end of June and begin a new marketing firm to begin July 1<sup>st</sup>. We would need to ask the county if they would want to go into a new RFP.

Commissioner Clark said the question is if the county has already designated that \$10,000 for this. City Manager Fuentes said they have been not notified that the county does not want to continue with this funding. He doesn't see why they wouldn't want to allocate that from their Lodger's Tax.

Commissioner Clark said back to what the lawyer said, the contract does have a 30 day termination.

Mr. Frank Coppler said you could change the wording to a shorter clause for termination, which is an option for you and would give you more flexibility. There is nothing to stop you from including a 10 day clause in order to give you more flexibility.

Ms. Griffin asked them to consider renewing the contract and have a planning meeting sometime in May to see if we need to shift our course. She thinks we can work it out to analyze where we are at.

Mr. Coppler said the contract does require the city to pay the consultant for stuff that has been incurred prior to the termination. So even if it's a ten day clause, if they contractor incurs cost prior to the ten days, they are entitled to reimbursement.

**Commissioner Clark moved to approve the extension of this contract with the privy of knowing that we will meet with the County, the City, and every other entity in May and if we need to do a quick round about, we have that 10 day clause in order**

**to be able to do so. Commissioner Hechler seconded the motion. Motion carried with a vote of 3-2, Commissioner Frankel and Mayor Pro-Tem Whitehead voted nay.**

did not have a second to the motion City Clerk Cantin suggested the first motion should be withdrawn and was notified that it so that was not necessary.

**I.2 Discussion/Action: MOU between the City of Truth or Consequences and the New Mexico Spaceport Authority for the use of the Lee Belle Johnson Center. Juan Fuentes, City Manager**

City Manager Fuentes notified the Commission that Follow the Sun Tours terminated their contract to operate the tours and manage the Visitor's Center at the Lee Belle Johnson Center. We have been in discussion with the New Mexico Spaceport Authority to use the Center, they will be paying \$300 a month for the use of the Center and it is in compliance in accordance with Section 58-31-5.B. This is an MOU for five years between the city and the Spaceport. In the future, if there is another entity it will give the city the opportunity to negotiate with that entity.

Commissioner Frankel has a few concerns with this as it compares with our last contract with Follow the Sun Tours. He is wondering if five years might be too great of a time for letting this asset out of our control and if the defrayed cost of utilities. He understands there are other communities doing a lot more to get the Spaceport there.

City Manager Fuentes added there is a termination clause in this contract. We understand things do take time but as we understand, we think this is a reasonable term. Commissioner Frankel feels we put the Temporary Visitor's Center to the people who spoke in favor of this. He's wondering if this might be something that might be on the ballot next year during the election as to whether we want to continue this on an on-going basis.

Mayor Green responded as for the Utility Bill, there is only one Electric hook up. We asked staff to run some numbers to see what the usage was for previous years. Previously when it was used as a recreational building, it also held a few concerts. We also have the Library in there and the Geronimo Scenic Trails in there. The building on average was running on \$268 for the entire building. He thinks \$300 is a fair and reasonable fee. There is nothing driving our community other than economic development. We need to work with our citizens to buy local and help raise our GRT. He feels we should get on with this and not take it to the voters.

Commissioner Clark appreciated City Manager Fuentes reiterating there is a termination clause and Ms. Miller's numbers on the visitor's with an increase of 38%. There is an intangible amount of money we will never be able to put a number on.

**Mayor Green moved to approve MOU between the City of Truth or Consequences and the New Mexico Spaceport Authority for the use a portion of the Lee Belle**



**Johnson Center. Commissioner Clark seconded the motion. Motion carried unanimously.**

**I.1 Discussion/Action: Award RFP 16-17-004 for Legal Services to Jaime Rubin, Attorney at Law and Coppler Law Firm. Pat Wood, CPO**

Central Purchasing Officer Wood notified the proposals were opened on February 3<sup>rd</sup> and we received two proposals. The selection committee is recommending to award it to Jaime Rubin, Attorney at Law and Coppler Law Firm.

**Mayor Pro-Tem Whitehead moved to approve the Award of RFP 16-17-004 for Legal Services to Jaime Rubin, Attorney at Law and Coppler Law Firm. Commissioner Frankel seconded the motion. Motion carried by a vote of 4-1, Commissioner Clark abstained.**

Mr. Rubin addressed the Commission saying he is enjoying the opportunity to come back. He asked about the time frame and whether there is a contract that will need to come back to the Commission.

**Commissioner Clark, who attended by telephone, left the meeting at 10:42 p.m.**

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

1. Discussion/Action: Resolution No. 26 16/17 Budget Adjustment. Melissa Torres, Finance Director

Finance Director Torres presented the budget adjustments which include: 1 ½ Ton Truck and 1 Ton Truck for the Electric Department; 2 ½ ton Trucks for the Solid Waste Department; Adding a Revenue & Expense Accounting Line for the LEDA project; Transfer out from the Water & Wastewater Fund to the correct revenue fund; Increase to Police Department GRT Fund to replace an aging IT equipment with a new server for security measures.

City Manager Fuentes added in reference to some of these projects, some of the fleet vehicle need to be replaced. Some of the funds that are healthier will be purchasing new vehicles and some of the better vehicles will be transferred over to other departments to be used. As we go through our Fleet Schedule, then we'll try to do the same every year. Unfortunately, some of the other departments in the General Fund, as we all know, have limited resources. He added we appreciate Andy and Bo for allowing us to transfer those other vehicles. And just for clarification on some of the transfers out, the first deposit was made in error and that's why we are putting them where they belong. The Commission had previously approved the investment of those funds because they are tied into litigation, with the State Treasurer's office. If approved, once these transfers are made, we will in turn deposit to the State Treasurer's Office until the litigation is over.

**Mayor Pro-Tem Whitehead moved to approve Resolution No. 26 16/17 for the Budget Adjustment. Commissioner Hechler seconded the motion. Roll call vote was taken by the Clerk. Motion carried by a vote of 4-0. Commissioner Clark is absent.**

2. Discussion/Action: Resolution No. 27 16/17 opposing CS/HB 174 related to the Local Election Act. Renee Cantin, Clerk-Treasurer

City Clerk Cantin presented this item saying as most of you know she has been following this House Bill very closely on behalf of all of the Clerk's in the state. The detailed description is in the Commission Action Form. This bill has been before two Committees so far. She has been to Santa Fe four times to testify on this bill. We feel municipalities should be able to hold their own elections, and if the County Clerk's Office holds the elections that we would lose the personal touch that we have built over many years. The other things they are looking at in this bill is combining ours with other Non-Partisans which includes: school districts, special hospital districts, community college districts, technical and vocational institute districts, learning center districts, arroyo flood control districts, special zoning districts, soil and water conservation districts, and water and sanitation districts which will result in long and confusing ballots. They will be separate than the General Elections because they would be in November of odd years. When it went to the House Floor it was only approved by a vote of 38-29 so we were that close. We would really like to get all of the municipalities on board with passing the Resolution to oppose the bill. The other issue would be the Special Elections which would be required to be done by mail ballot which could potentially cost a lot more for a special election because you would have to do postage to mail it and return postage which would be about \$1.00 per voter. Some of the other things wrong with this is the County Clerk's office would charge the municipalities for the cost of the election. We like to keep track of our own charges because we won't have any control or approval for the election. With this we are requesting official support to oppose this bill to continue with the process. She presented a revised Resolution that was presented to the Commission.

Mayor Green thanked City Clerk Cantin because he knows she has been following this closely in Santa Fe.

**Mayor Pro-Tem Whitehead moved to approve Resolution No. 27 16/17 opposing CS/HB 174 related to the Local Election Act. Commissioner Frankel seconded the motion. Roll call was taken by the Clerk. Motion carried by a vote of 4-0-1. Commissioner Clark is absent.**

#### **H. UNFINISHED BUSINESS**

1. Discussion/Action: Marketing Contract renewal for Griffin & Associates. Juan Fuentes, City Manager

Presented above.

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

Mayor Green started by saying we have asked Mr. Armijo to go back and bring the Commission a more simplified list of the most important streets to include in the project for our community.

Public Works Director Armijo let them know they reduced it to two blocks on Veater St. and then from 7<sup>th</sup> to 9<sup>th</sup> on Kruger St. and then on 8<sup>th</sup> Street the continuation towards Kruger and he was asked to put Glenn St. on their also. He reminded them this is depending on what the state gets and we may have to get it out of the roads fund for additional streets.

Commissioner Frankel asked what the current understructure is on these streets picked. Public Works Director Armijo said most of the understructure is older, once you get in and do the compaction there is a chance it could create problems. He did put out a call to Marty about the understructure and did not get back with him. Basically everything there has been there for several years. Commissioner Frankel would like to have the lines inspected before the street is done so any necessary repairs can be made.

Mayor Pro-Tem Whitehead understands sometimes we pull some projects ahead of others when we have improvements involved. Our residents are just as important as some people who are coming in to visit. She feels it's important to keep those in mind. She mentioned Mr. McCoy and Jackson St. Public Works Director Armijo responded that section we picked up from the county and the problem is the drainage. He explained how it doesn't run to Cuchillo Creek like it should, it just runs across the properties there. If we do that area we need to do something with the drainage because we can't leave it the way it is now. If Cuchillo Creek ran full it could be a problem and it's not a quick easy answer.

Mayor Green asked Mr. Armijo if he's heard about the Governor dipping into that fund or does he think it will be ok. Public Works Director Armijo said they will have a meeting in the near future where they can meet with the District Engineer to get an idea of what's going on. There was one time they didn't have funds and at that time they did not give funding for a year and asked us to hold our projects and they funded it the following year. Mayor Green added he wished there was more money and he agreed with Mayor Pro-Tem about the Citizens should be first and then the visitor's. But he also said it doesn't make sense to partner with the County to make the upgrades and then the night before the event it rains and it becomes a mud puddle and they can't use it. He drove all of the roads and feels the section of Veater to South Broadway and some other block that would impact the most citizens and houses and is a safety issue for our citizens. He met with Mr. McCoy and Glenn St is nasty. What he is hearing is even if we pave it or chip seal it, the drainage is a problem. Public Works Director Armijo described from Glenn to Rodeo Arena Road to south to the culvert on the corner of 51 and Rodeo Arena Road.

Mayor Pro-Tem Whitehead clarified she meant Glenn street and not Jackson St. She thinks we should go by what Don's ideas are and it all depends on how much money we have available.

Public Works Director Armijo said the idea that the Mayor came up with doing Veater and one of the blocks would work. If we do any new construction then we do have to make it ADA Compliant, but chip seal is not under that ADA law.

Mayor Green thinks he's hearing Veater to Iron and if anything is left over we will try to do something at Glenn and Rodeo Arena Road. He believes Mayor Pro-Tem Whitehead mentioned East 7<sup>th</sup>, Kruger to Tingley and clarified that is the one with the small housing complex.

**Mayor Green moved to approve to authorize staff contingent on funding ot include Veater St to Iron St.; East 7<sup>th</sup>, Kruger to Tingley, and anything else left get rid of the swamp at the corner of Glenn and Rodeo Arena Road. Mayor Pro-Tem Whitehead seconded the motion. Motion carried by a vote of 4-0-1. Commissioner Clark is absent.**

Public Works Director Armijo assured Commissioner Frankel he will check on the understructure. Mayor Green added if he could also check the culvert at the end of Daniels St. and to clean it out if it needs to be and to please keep it cleaned. Public Works Director Armijo would like to talk to him later if City Manager Fuentes doesn't mind so he doesn't take up more of their time.

## **I. NEW BUSINESS**

1. Discussion/Action: Award RFP 16-17-004 for Legal Services to Jaime Rubin, Attorney at Law and Coppler Law Firm. Pat Wood, CPO

Discussed after Consent Calendar.

2. Discussion/Action: MOU between the City of Truth or Consequences and the New Mexico Spaceport Authority for the use of the Lee Belle Johnson Center. Juan Fuentes, City Manager

Discussed after Consent Calendar.

3. Discussion/Action: Request by the Sierra County Cooperative Extension Service to have a City Representative on the Planning Committee. Joshua Boyd, Cooperative Extension Agricultural Agent/County Director and Mary Jo Fahl

Ms. Fahl commented and turned it over to Mr. Boyd.

Mr. Boyd presented this item and gave an overview of what they would like to see in the facilities which will benefit so many kids at the County Fair Barn and in the area. Ms. Fahl and Sierra County has agreed to help look for funding. There was a private donation of \$25,000 which was given to the Extension which can be accessed once we have a plan in place. He is here today to see if they want to have a member on the Planning Committee. Mayor Green asked what the time commitment will be. Mr. Boyd said he hoping to have a full committee by the end of January and the first meeting by the end of March. The process will be determined at that first meeting to as whether it will be monthly or bi-monthly.

Ms. Fahl is hoping to have a diverse group on this committee to get ideas from both the city and the county, as well as, the Tourism Board, and Bountiful Alliance to enhance everybody's projects. Once the planning committee gets together to brainstorm, they will need a board to help coordinate events and other stuff and will be set up later. This planning committee may only need to meet two or three times so we aren't taking away from anything we are doing now.

Mayor Green asked them for a map to see where the county line begins. Ms. Fahl showed them on the map. He asked about the positioning of the building. Mr. Boyd stated he would like to put the beautification and hoop house by Cook St. Mayor Green said on Cook St. there might be some objections there. Mr. Boyd said that's the purpose of the building to house the animals.

Mayor Green asked if there is anyone who would like to volunteer for this particular committee to be a part of the planning.

Mayor Pro-Tem Whitehead volunteered to serve on this committee. She doesn't know anything about farming, but she be willing to serve on the committee.

**Mayor Green moved to approve Mayor Pro-Tem Whitehead to serve as the city Representative on the Sierra County Cooperative Extension Service Planning Committee for this project. Commissioner Frankel seconded the motion. Motion carried by a vote of 4-0-1. Commissioner Clark is absent.**

Mr. Boyd added his job as the Extension Director is to educate and to provide that service for our community.

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

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

Audon Trujillo addressed the Commission related to:

1) Feels there are errors in the Memorandum of Understanding for the Spaceport. He commended them for looking into the cost. And the comments Commissioner Frankel

made about having a vote, he feels that really should happen. There is not 1 meter, there are 2 meters in that building and he believes the cost is not an average of \$300 but about \$1,300 per month. He asked them to check that and he's pretty sure it's true because he's seen figures about six months ago Ron has been keeping track of. He keeps track of everything. He asked them to just look at it. That should have made a big difference in the way you all voted and the way it was worded in here. You are allowing the memo to be terminated by the Spaceport Authority on their own or by mutual agreement. But the city can't say we need it for something else or we voted on that and you can't use it for that. You are supposed to defend and protect the city, not the contractor.

2) The Audit found three things, the city did not obtain an appraisal from a certified appraiser. The city did not determine whether the property was valued at \$25,000 or more, and the city did not follow by placing an ordinance of its intention to lease the property. He thinks we are not following 3-54-1 and you all don't seem to care about that. And obviously the audit did too because you were found copiable of that. You are sole sourcing this now again with one entity. You have another committee with the Convention Entertainment Board who is supposed to take precedence in deciding what goes on at the Civic Center. Please read what that ordinance says about the Convention & Entertainment Board. It's on the books and you all are ignoring it.

Commissioner Frankel read comment by John Masterson who couldn't be here today.

John Masterson, Truth or Consequences Brewing Company addressed the Commission related to:

1) Expressed their support and commitment to partner with the Sierra County DWI Program to make sure everyone gets home safely every time. If there is anything they can do to support or promote a sober ride home program or community shuttle service, please let them know.

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

None.

#### **J. REPORTS**

##### **a. City Manager**

- 1) He & Finance Director Torres will be working on the budget schedule for the next two months. The Preliminary Budget will require approval either the first part or the second meeting in May. He knows we've heard a lot about these projects and people requesting certain items. The budget is a very important tool because it's a roadmap of what we will do for the next year. He asked when we go into this cycle to keep an open mind for all of the needs.
- 2) The Rodeo Arena improvements are well underway, scoreboards were installed. We are looking at an early April ceremony with the Little League folks who have participated and an invitation will be sent to the Commissioner's.

##### **b. City Commission**

CITY COMMISSION FEBRUARY 28, 2017 REGULAR MEETING MINUTES

**Mayor Pro-Tem Whitehead** thanked everyone who participated in the public forum. We had a lot of great ideas.

**Commissioner Hechler** passed out the evaluations and asked for an Executive Session at the second meeting in March and first meeting in April to present completed forms to City Manager Fuentes. He doesn't want the public to be alarmed, this will just be the scheduled evaluation. He asked the Commission to begin filing in the forms and get them back to him. This is an interim evaluation and not the final one. But we certainly want to give that direction to the Manager and if we want to change directions we can do that or anything else we may want to add.

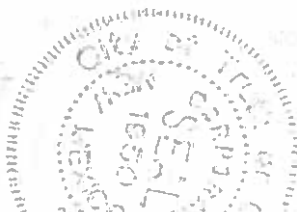
**Mayor Green** addressed a couple of things and if he misspoke it certainly was not his intention, he believes he heard there was one meter hookup but he will double check that. He asked the Commission if they recall, he had asked them to bring a relocation packet to City Hall at the last meeting. He would like to put that on the agenda next time, to review the relocation packet. He would like to look at it and what is being distributed and whether it tells the story of who we are and what we are and why people should come to our community. And if it works fine, and if it doesn't then we can take a look at it.

**K. ADJOURNMENT**


**Commissioner Frankel** moved to adjourn at 11:39 a.m. **Mayor Green** seconded the motion. Meeting was adjourned.

Passed and Approved this 28<sup>th</sup> day of March, 2017.

  
Steven Green, Mayor



ATTEST:

  
Renee L. Cantin, CMC, City Clerk