

CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
WEDNESDAY, MARCH 11, 2026

A. CALL TO ORDER:

The meeting was called to order by Mayor Rolf Hechler at 9:01 a.m., who presided and Angela A. Torres, City Clerk-Treasurer, acted as Secretary of the meeting.

B. INTRODUCTION:

1. ROLL CALL:

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

Hon. Rolf Hechler, Mayor
Hon. Amanda Forrister, Mayor Pro-Tem
Hon. Destiny Mitchell, Commissioner
Hon. Ingo Hoepfner, Commissioner
Hon. Chaz Glines, Commissioner

Also Present: Gary Whitehead, City Manager
Traci Alvarez, Assistant City Manager
Jay Rubin, City Attorney
Angela A. Torres, City Clerk-Treasurer
Jocelyn Holguin, Chief Financial Officer
Deanna Knull, Police Department Administrative Assistant

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

2. SILENT MEDITATION:

Mayor Hechler called for fifteen seconds of silent meditation.

3. PLEDGE OF ALLEGIANCE:

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

4. APPROVAL OF AGENDA:

Mayor Pro-Tem Mitchell made a motion to approve the agenda with the change of moving item G9 before G1. Commissioner Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

C. PUBLIC COMMENT (3 Minute Rule Applies):

Michael Donlan addressed the Commission with comments related to:

- I'm the son of an Irish cop and all my uncles were in law enforcement, so I've known law enforcement deeply since birth, practically. I'm a big believer in the concept of community policing, and our Truth or Consequences Police Department has demonstrated their commitment to this concept in their day-to-day operations. They work to be deeply engaged and involved in our community, right down to smiling and helping people whenever they can. I'm here today to lend my support to the matter of moving our department from a building that is no longer meeting our needs – and it does not meet state or federal accreditation guidelines, so we pay more for insurance because of that. The new location, I call it a "honk and wave" location because the police are coming in and out, we're going to be waving at them, seeing them, they're going to be more visible in our community, and they will become even more of a part of our community. The design of the new location creates a welcoming environment. I got to see this when they had the open house. The design and open environment creates things that will draw the public into the department building. There will be public art, a children's art wall where children can have their work up and feel good about going to the department, feeling good about being around policemen, and that's a real plus for our community. They'll even be able to go at Art Hop. The new location makes a statement of our community's pride in our department, and our commitment to public safety. I thank you for listening this morning.

Becca Eza, MainStreet Truth or Consequences addressed the Commission with comments related to:

- I have a few quick updates for you guys from MainStreet:
 - We are working on putting together the Levitt Amp Truth or Consequences Music Series. We have set the dates for those – this 2026 season is going to be in September and October, partly because Levitt puts some parameters around when we're allowed to do this, and it was a little bit too much to get it going by this Spring, we feel like Summer might be a little bit hot, so we're going to do the shows in September and October on Thursdays. We're trying that this year, to not conflict with all the things that happen on the weekends, from football games, to community events. So Thursday evenings at Ralph Edwards Park, we are working on our lineup of bands at the moment, and hopefully in a few more weeks, we'll be able to announce the headliner bands.

- In addition to that concert series, we are partnering with the city again to do the downtown Dancing in the Streetlights series. Those, we're planning on doing on the first Fridays in the Summer, so June, July, and August. The July date will be July 3rd which coincides with the day before Independence Day. Since Elephant Butte does their fireworks on Independence Day, we were planning on doing a city-wide T or C celebration of Independence Day, and the 250th anniversary of the US on the 3rd. Potentially, with a parade, and then the free downtown concert. We're partnering with city staff to work on that.
- We are putting together a business legacy planning seminar. That will be held on March 24th, from 3pm-4pm. It's a free seminar for any business owners, they don't have to be in the main street district, anyone in Sierra County can attend this. It's for business owners who want to either plan ahead toward retirement, whether that's soon or in 20 years, or they just want to plan for the unexpected with their business, so they can think about what will happen when they're no longer running that business. Whether it's transferring that to their children, if they don't have any heirs what will happen with that. So again, that's a free seminar open to any business owners. Anyone who wants to attend can email me for a signup link for that.
- We're working on several grants right now, as it is grant writing season, so one of those is on your agenda for the end of this meeting and we can talk a little bit more about that when we get there, we're asking for a letter of support from the city for that.
- We had a successful litter cleanup in February, as part of our Clean and Beautiful grant this year. We're scheduling another litter cleanup in coordination with the city-wide cleanup day at the end of April.
- This weekend is the Second Saturday Art Hop downtown, so if you are free, go downtown. As always, there will be lots of good things; live events, art openings, refreshments, a good time to be out. Thank you.

Ron Fenn addressed the Commission with comments related to:

- I'm reading a letter that I just gave to City Manager Whitehead: I write to inform you, and pertinent officials, that while still willing and interested in the Reed Rockets sculpture by Mr. Barbour. I will not conclude this transaction without an order of the District Court from Judge Shannon Murdock. As stated in her conclusion of the case D-721-CV-202400130, with a finding for the plaintiff Ron Fenn. Following over a year and a half of litigation and receiving the judgement, city attorney has filed a document with the court agreeing to the sale with a condition of it's completion by March 15th. I reject this ploy of Mr. Rubin, as it fails to acknowledge state law violations by the City Commission, in their attempt to sell municipal property by bid to city board members, barred by law, except in open public auction for the lowest price bid of \$300, contrary to 3-54-2C. In addition to the Commission's violations of oath of office, compounded with other specific statute violations, this ridiculous action has cost taxpayers thousands of dollars. Attorney Rubin has taken advantage of the Commissioners' apparent ignorance of the laws that they're obliged to uphold and enforce, and pad his

paycheck by more than \$3,000 in a failed attempt to prevent me from purchasing, in submitting the highest bid in accordance with the legal published terms and conditions. Mr. Rubin failed, over the year and a half, to explain the violations to the Commission, and has earned, by such omission, over ten times what the Commission was willing to accept for the artwork. In four Commission agendas, which he signed off as reviewed for legal, and in six executive sessions on this litigation, it seems that no rational actions were taken. The initial dismissal in 2024 was appealed by myself, the case was reversed, and sent back to District Court for two more hearings that concluded with a judgement for the plaintiff. Thank you.

D. PUBLIC HEARINGS (5 Minute Rule Applies)

1. Public Input/Discussion/Action: PNC building Plan.

City Manager Whitehead: It's good to be bringing this item to the next spot in its life. If you'll remember, the City had purchased the PNC building. Back when I first came on board, we made the decision to forego a bond issue, in a vote that would have required – potentially we were looking at about a \$1.5 or \$1.6 million renovation and purchase of the building. In looking at this, I made the decision that we would move this into a process called design build, which allows us to effectively work to find our own design, our own concept, and you can see in your packet, the basics of what our engineer put together for us. We will go out to RFP. The RFP is ready to go tomorrow, so it'll be published tomorrow. We'll be seeking qualified respondents to that RFP, that have the credentials, the background, and the ability to build this project. Then, they will finish, and do all the necessary engineering and design. This is a process that put the two together, so that we're not trying to build our design and running into those challenges you get where someone doesn't like the design. It's a really common process, it's really well-used for projects that are in the \$1-\$2 million range. In your packet, you'll see that during the budget process, we asked that you allocate funds. We were fortunate enough at the session last year to received \$375,000 in the legislative grant. We broke that out into our budget process under state fundings. The Commission set aside \$200,000 from its general fund, and then through the Police Department Gross Receipts Tax, we've set aside \$250,000. We have incurred costs this year, so we have paid our engineer for the design work that you're seeing. That's part of the RFP package. We have a very defined road map that we'll be looking for. When we started this process, we committed to having a couple of public hearings, we wanted to have one open house in the building so the public could view the building themselves, they could see the condition of the building, and they could see the concepts that we were working towards. We've done so, so today would be a second public hearing, really to get any last-minute feedback that we might have missed, concepts that we've not seen. Through our process, we've also identified some other grants and opportunities. At the last Commission meeting, you approved us going out for a solar application grant, which is available, and that plan would be to now add a covered parking structure at this particular area, so that our police units could be under cover. We're doing all those kinds of things, we keep finding ways and pockets of money and things to help along this project. Our belief is the building is in sound shape, I continue to say, it was an operating bank a few days before

we purchased it, the conditions of the HVAC, the electrical, and the plumbing are in order, they have been evaluated by our engineer to attest to the fact that those things are not necessarily in need of a replacement. There might be minor things that require code upgrades, and code items, and the engineer has identified those, and we will look for those. With that, we will stand for any questions that you might have about the process. You can see the basic floorplan in your packet, and we will try to answer some questions as far as we can. Obviously, tomorrow this will go out to RFP so our information on the exact design, and those items, will be a little privileged at this point. But with that, we will stand for any questions and certainly any public comments on things that we might not have seen or addressed. I will comment, the last thing I'll say is the piece that we're really excited about is the center of the building. It really sets itself up to be a beautiful art gallery, we focused on that, you guys have allowed us to center the money that we received from Capital Outlay, which requires that we do art in public places, so we have about \$20,000 (I'm rounding) that we will be able to use to put art in here, so this building will not only become the Police Department, but it should also become a walk path, a place where people can come in, a participant in Art Hop, all of those opportunities. I think, as Mike Donlan pointed out this morning, the public should see the police as part of their community, not just a building in the corner. With that, we'll stand for questions and look forward to comments.

Mayor Pro-Tem Mitchell: It looks great.

Commissioner Forrister: Excited that we're moving forward, and getting it to where they can get a step closer to moving in.

Mayor Hechler: Manager Whitehead, if everything falls into place, it's not inconceivable that we could be inhabiting that building by the end of the year, does that sound about right?

City Manager Whitehead: I'm an optimist; potentially. The bid opening is April, it'll probably take us the better part of 20-30 days to really settle in and get our cost right. So really, if everything went well, we could be building by June or July. Jocelyn has kind of given them a year, so we have about a year from the time we contract to get it done. But again, the building is in pretty good shape, so if it moves fast, yes, I would think so. I would think, certainly, by this time next year, we should be moving in.

Mayor Hechler: Certainly, the upgrades aren't anything major. They're moving around a few walls, I know we have some things to do that are inherent to the Police Department that make it compatible with what it's supposed to do, but it seems to me like – and I'm being optimistic – it would be nice to have it in by the end of the year, it's been a long time coming, so that's great. If the budget doesn't arrive where we want it to, and I know how much money we have put aside, but we still have that one ace in the hole where we have the old building we could sell if we needed to.

City Manager Whitehead: Correct. I think that's the general consensus amongst us, it still remains that the next step would then be to go ahead and sell the building. It

appraised at about \$300,000 so we think that we could use the proceeds of that, and that's paid for and that could be the money that we need to get over the top.

Mayor Hechler: And finally, we are applying for a grant for the solar, so that solar revenue isn't going to have anything to do with the revenue we have set aside for the PD right now.

City Manager Whitehead: No, that's correct. This is just an additional grant that Assistant Manager Alvarez found. It was available, so we just made the application, and it fit perfectly into the space that we had designed. It actually, because that grant is a \$1 million grant, it would actually cover what we call the bull pen, where their cars are going to park, we could do the customer/citizen parking along McAdoo on the back, and then potentially come all the way down to McAdoo, and then put covered parking next to our charging station. It looks like there's enough, if we received the full \$1 million, we would have enough to do all of that.

There were no comments from the public.

No action was taken.

E. REPORTS:

City Manager Whitehead reported the following:

- It's Spring, it feels good, we have longer days and more sun, so we have a lot going on. Every day at the city is busy. We're thankful the crew is working hard. Here are some of the events that have taken place:
 - Last week, we were lucky, the South Central Council of Governments hosted an NMDOT training in Elephant Butte that we were able to participate in. It was a wonderful training, four hours. I think both the Assistant Manager and I felt really enlightened on how we apply for road projects within our community. When I got here last year, I did these types of projects at the County, and they were a little simpler. This one was kind of big. We put in for 2 projects that were around \$700,000 to \$800,000 worth of projects and one of them was for \$339,000 and we received \$64,000. As you are going, it's kind of a shock to your system like wow. We went through all of that work, and we didn't get the full amount, but it's good to know and we were trained to say that the first project is kind of a maintenance style project and it is made to be that level. This year we were able to think about what we were going to do, and we put in for projects that meet those scopes. It was a really great training for us and hopefully we'll start preparing to get some roads done.
 - Earth Day is coming up on the 24th and the Mayor and I talked about this last year, and we would like to return to the practice of having the open ability to let citizens bring residential waste to the transfer station. In meeting with staff, they had some concerns about it because on a single

day it forms some congestion, and it makes for a long day. It takes a lot of effort, so we are trying to mature a plan that would allow us to do collections for 4 days. What we are proposing right now is from Saturday, the 18th through the 24th, we are thinking of a plan that would allow us to provide a stipend to the residential citizens. The idea is to give our residents a certificate that would allow them to dump, and then they could spread that out over the 4 day period so they could get in at a time that made sense to them. We're pretty close. We just have to figure out how to make sure every citizen gets the voucher. There are always conditions that might not work, but we are trying to figure out how to spread that out. The county also wanted to participate in this, so on Friday, April 24th, they will be hosting collection days at all of their transfer sites and then they are picking a few other spots like Engle, and then they will also put some dumpsters at the county fair grounds. On that day, we want to participate with them to make that kind of the Earth Day, and encourage schools, clubs, and organizations to pick a mile of road, or pick a place to clean, bag your trash, and then we're also going to put some dumpsters at the fair ground as well, so people can bring their free trash there. The landfill would be off-limits on that Friday, for collecting free trash at our transfer facility, but we would do it there in conjunction with the county. We're trying to work through that. The staff really wants to include Williamsburg, as they're our paying customers as well, so we'd need to figure that out, how we would get them a certificate that would allow them something like up to a ton of trash. Then at the end of the month, at the next meeting, I'd like to bring a proposal to you to allow us to charge the county our exact tipping fees. We pay just under \$69 per ton for our disposal, so I would like to reduce our fee for the county to \$70 so we at least cover our costs to get the work that they do in their areas for that particular day. So those are the ideas that we're working on for the Earth Day event, to see how it goes.

- Foch Street is moving along. They're pouring concrete today. As I've pointed out in the past, we had an issue with the gas lines, they were a little shallower than everybody expected. I spoke with the gas company earlier this week, they have a map strategy for the plan, they're trying to get that bid out at this point, so they've kind of changed the plan of the way they're budding Foch. So, they were going to start from the North side and go down, but that's where those gas lines are, so if you can see, they've turned and they're coming from the South up. Today they're pouring the sidewalks under the Money Man property, they should have those finished by tomorrow, and they have formed in front of Lee Belle, and they'll continue going. They're really on-time, just going at it at a backwards rate, so we're not behind. We should hopefully get those done, and in the next 30 days, we hope that we have a work solution with the gas company. I also want to just say publicly, to the gas company and their staff Joshua, I think we have not included them in some of our conversations of late. We include them in all of our water projects, they're

really participating well. When you work with all your partners, it's kind of nice, so thanks to them. I do want to comment, because we are receiving a lot of feedback that the road is not wide enough, and that it's going to be a one-lane road. The road width is 24 feet from curb to curb. The drive lanes are 9.5 feet wide. It's intended to be a slow traffic, that was the design that was intended. I'll remind the public that you're driving on an 11-foot drive lane on Date Street and Broadway, those two lanes are 11 feet. The standards are met, the engineers have verified, they have conferred and presented those plans to NMDOT, so the standards for our streets are met and it will be two-way. It is definitely going to be two-way traffic. I think it looks narrow, and trust me I walk by it, I saw it, I have measured it twice, I have taken a tape measure and measured it twice because it does appear narrow, but I think it's because it's dirt and the concrete is just sitting up there by itself. Again, also remember that all the park lanes are 45°, which if you think about it, ultimately that was the dream for Date and Main Street, was to try to get parking like this, so that's the intent of the road. All the curves, the angles, they all meet, they've all been inspected by NMDOT, they all meet standards, so we're not out of compliance legally, or by regulation. We are in compliance.

- Last week, we had a great meeting with the South Central Regional Transit Authority. I had some citizens request that we look for some new bus stops. One, primarily at the county health building, and one at Sierra Vista Hospital. The Transit Authority has agreed, they think those are good stops, and there's a route in which we could do it. The Mayor is going to try to get a letter of approval from the hospital so that we could put a stop in the parking lot. The Transit Authority agrees they could move the stop, because there's a bus stop in front of the courthouse, they would just move it to the back which would then cover the health building, and then they've also asked me if I can work with Walmart to get a letter to allow the bus to come into the parking lot. They're currently stopping off-site, but that does create some challenges for those that need ADA access, or those kinds of things. So we will try to work with Walmart to get that put in. It was a good visit with the Transit Authority, they're doing really well, their ridership is up, and they are moving people around so I'm excited to present that.
- This month is grant month, and we have been jumping trying to get grants in, you'll see we have one on the agenda that we need a resolution for, we kind of missed that, we thought it was just an application, so that's for today. We also have congressional funding due this month, so all four congressional leaders have asked that we submit plans. Representative Vasquez was the first portal to open, his closed yesterday. We did submit the Lee Belle building, for the exterior renovations, to go along with what we have, so we've asked for \$1 million from Representative Vasquez to do exterior stucco, a roof repair, HVAC upgrades, and potentially foundation work, so if we were able to get that funding, we would then have \$1.5 million to get the foundation and the structure of the building

back in order, so that was the ask there. We did receive a request from the Representative from the North, Representative Hernandez, a ledger. We did submit the same request, we think it's outside of the district, generally I would think she would want to fund projects in her own district, but we did make a request there as well.

- This morning, I'm happy to tell you that we're down to around 10 water leaks. We have 6 of those scheduled, so hopefully by the end of the week, we have 6 more of those repaired. It feels like they've kind of slowed down a little bit for us, so hopefully we can continue that momentum. We are putting a new water line in on Cherry Lane, the contractor has started that work, and that's one of the projects from the GO bond that we've agreed to, so we're starting to finally get those contracts out. The crews will also be overlaying Cherry Lane and Arrowhead, who will both have new water lines in that particular area, so that will be exciting. The water line is a new main, and then extension lines to the meters on both of those projects.
- Finally, the Morgan Street sewer upgrade has started this week as well, so again that's for the apartments that are on Morgan Street. We did not have sewer access for those to be connected to. The private developer has a line on his property, so we're working with him, he's paid for his portion to move a manhole, relocate, and then we'll be adding an 8-inch line, a short run to our manhole, so it's going to work really well, we have that contract in place, and that will be underway. The apartments that are going on Morgan, he'll have the access now to build as many of those as he wants to construct for upgraded rentals. With that, that's my report, I'll stand for any questions.

a. Police Department Update.

City Manager Whitehead: This morning, the Police Chief has the honor of sitting in yesterday and today on interviews for the new Police Chief in Belen, they asked him to sit on that panel, there were three Chiefs selected, and our Chief is up there having three interviews today, so his Admin Assistant is here to report.

Deanna Knull reported the following:

- Chief Tavizon would like me to report on our calls for service for February. We were at 989, those included:
 - 113 for animal control
 - 25 crashes
 - 3 for our school resource officer; not to mention his daily activities at the schools
 - 28 case follow-ups
 - 1 DUI/DWI
 - 9 for code follow-up or calls
 - 174 traffic stops, resulting in 151 citations and 28 arrests
 - We had a couple of trainings in February, not quite as much, we will be picking up on trainings again, but we did have Officer Villarreal go to

instructor development, trying to bring out more instructors in our department so that we can have field training officers and general instructors as well, because we are looking for more instructors. We also had a taser training, we got new equipment, so our officers had to go through new taser training. Just a quick mention, our Animal Control is carrying those as well, so both Tyler and Logan got tased.

Mayor Hechler: My general comment is that when officers have to get tasers, they have to get tased. So they actually put themselves under the same hospices and when they tase other people, so they don't take it lightly, nobody likes to get tased. Same thing with mace, they all get maced before they can carry it, so they understand what our public goes through. They don't make those decisions lightly to use those things in public when they need to.

b. Department Head Report.

OJ Hechler, Community Services Director, reported the following:

- I'd like to kind of update everybody on our skate park progress. The progress is steady. I met with the contractor over there this morning, they're finishing up the ramps, we still have a little bit of concrete to go on a couple of the ramps. Next, we have some railing that will go on the ramps. Additional phases after that, we're going to have to do something with our perimeter fencing, so we're working on that right now. We're also working on some signage for the skate park. Earlier in the month, I was hopeful that we were going to have it done the first or second week in April; the goal is Fiesta. We had a lengthy discussion this morning with the contractor, we let him know that we really need to have it opened up for Fiesta, so we're shooting for about the third or third and a half week of April to have it completely ready to open.
- The boat dock, if you've noticed, there hasn't been much activity over there lately. The beginning of the project, we didn't want water in the river, now we need water in the river to install the dock. BOR anticipates that they're going to start releasing water out of the river on or around April 29th, so we have the boat dock installers, EZ Dock, will be here around the second week in May. So the boat dock won't be ready for Fiesta, but under the circumstances, I think we can understand why.
- Currently, we're working on the proper signage that we need to put out there on the boat dock, and then also the angle iron. I know some of the Commissioners and some of the community members have seen the angle iron, so what we propose – and we got this approved through our engineer – is we're going to take 3/8" thick 1-foot plates, we will weld them to the top of the angle iron, and then pound them down. It will also hold the riprap down, and then you can't get snagged on the angle iron with the current, floaters, swimmers, and things of that nature.
- Staff is also actively preparing for the City Swimming Pool, all hands on deck so to speak. We have a full inspection scheduled for April 11th, we're planning a soft

opening April 15th. A big part of that will be the recruitment of lifeguards, we are advertising for lifeguards. We are hoping we can get a handful like we did last year, it seemed like it worked really well. We're chasing a really ambitious schedule over there this year, so that will be a big part of it.

- Little League has begun, we have 18 teams this year. 6 from Arrey, 12 from T or C. It seems like Arrey gets a few more teams every year, they're killing it out there with that baseball. Staff continues to support league activities throughout the season, and will ensure the field remains safe and playable. We are going to start advertising for seasonal employees for the Parks Department, the Golf Course, the Streets Department, and the Swimming Pool. If you guys know anybody who needs a job, we need the help, and we will have that in the newspaper probably next week. With that, I will stand for any questions.

Commissioner Forrister: Go advertise at the school.

Community Services Director: We will, we absolutely will.

City Attorney Rubin: So, of the 18 teams, I guess that would be T-ball, Minor League, and Major League?

Community Services Director: Correct.

Tara Manning, Animal Shelter Supervisor reported the following:

- Back in October, we presented our spay and neuter grant to you that we received from the state. We started running it back in January of this year, so it's only been running for about two months. We are proud to say that 84 animals have been signed up for the spay and neuter grant, and only 9 of those are shelter dogs. So we're getting a lot of community animals fixed, fully vaccinated, and ready to go, so hopefully we'll have less puppies and kittens, because the season is coming upon us.
- As you know, we had Jordan's Way, it seems like it was forever ago already, but it was a week ago today, two weeks maybe. We got our final numbers in, we raised \$8,700, which is about \$1,000 more than last year, which is really exciting. I am beyond thankful for the community that was involved, the people who watched on Facebook, the 4-H kids who came in, and boy were they willing to eat that scorpion for me. I'm so glad I didn't have to, but if I had to, those boys stepped right up. I am so thankful for that. With those donations we got, we are planning on saving that for the expansion that we are beginning. I know the grant for the expansion will cover the building itself, but what about bowls, supplies, all that other stuff to outfit it? So we've decided to hold onto that until we get the expansion, so that way we're not scrummaging for everything at the last minute, we can just order everything and be able to utilize it pretty much on day one.
- We had Dog As My Copilot last week, we were really excited to send 11 animals on a plane at 4am. Totally worth it, I was exhausted, though. Not only did 11 of our animals go, but there were 50 other animals that got to go on the plane as well. The plane ride was originally 146% capacity, so we were able to downsize

quite a bit, where no animal was turned away, which is really exciting. We are planning to do another one in the beginning of May, as well as in August, so hopefully we can get even more animals out with that.

- Even though we got 11 animals out, we are still very much over-crowded. I feel like I say that all the time, broken record, so we are still continuing to reach out to other rescues to see about help. We have a few coming up at the end of this month where Socorro will be helping us do the transport, because that's a really long drive that we can't make. Thank goodness for them. We also have Best Friends that we're working with, Project Fetch, so we have a lot of rescue transports that we have coming up, and hoping to keep the numbers down a little bit, at least maybe for a day or two.
- The other big exciting thing is we're planning the expansion, obviously, which we can't wait for. As far as the planning process, what we're doing, all that sort of stuff we're looking at either this month or the beginning of next month to do that. As you know, our original plan was to do an expansion onto the current shelter. We have decided that prefab buildings are definitely a better option to go with; more kennels, better pricing, all that good stuff. So we're going to be doing a campus idea, which is really cool. So, we'll have one building for sick animals, one building for the adoptable animals, and they won't cross contaminate, which is the best part of it all. The cool thing is that in May, I'm going to the Best Friends Conference in Salt Lake City. On the way there, I plan on stopping in Kanab, Utah, which is the Best Friends Sanctuary, where I will see the campus setup in full force, and how they make it work. I will take lots of pictures and ideas, and bring it back, so that way our campus setup is even more functional. With that, I'll stand for any questions.

Commissioner Forrister: How many animals can be serviced through that grant?

Animal Shelter Supervisor Manning: Enough to make the money go away. So, it varies, the vet charges by weight on the animal. So, it really varies with that, the grant also allows us \$5,000 for equipment such as feral cat traps, which we have started getting right now, so that's a plus. It also allows us to get cat vaccines and parvo/distemper vaccines, which I plan on buying in the next month or two because we are running – not low low, but we are getting there with the amount of dogs that are coming in, so we plan on using that a little bit for the vaccines, and it's pretty much whenever the money runs out.

Mayor Hechler: Thank you Tara, you always come in bright and cheery, you brighten up our days, and you have good news for us, I really appreciate that.

Bo Easley, Electric Department Director, reported the following:

- I'm just going to go over a couple of projects going on:
 - The electric car charging station – Somos is finalizing the engineering drawings as we speak. It should start groundbreaking in two weeks. The charger should be here the first week of April, so we'll be able to start seeing some efforts going on there.

- The substation – Asplundh was here two weeks ago, they tested the North and South transformers. While they were here, they also replaced and updated the high-side relays, that went well.
- Loves Truck Stop – Three-phase line is completed, the conductor's replaced, the hose have been replaced, the transformer has been set, so we're just waiting on electricians right now to run their secondary to the transformer, and then we can make connections inside the transformer, and it will be ready to fire up Love's Truck Stop when they're ready. I'll stand for any questions.

Mayor Hechler: What was the total value of the charging stations? The grant that we got for that.

Electric Department Director Easley: I think it was just a little over \$500,000.

City Manager Whitehead: \$640,000 is the grant.

Mayor Hechler: I'm trying to figure out what the threshold is going to be for us when we start having announcements to the community, and we do groundbreaking ceremonies and things of that nature. I don't know if that rises quite to that level, but certainly when we get a \$20 million project for water or something like that, we should probably start doing some of those things.

City Manager Whitehead: You're right. The first water project, I think we missed an opportunity, it just started so fast. I think there are a lot of projects we need to make sure we are kicking them off properly.

Mayor Hechler: I agree.

City Manager Whitehead: And if you haven't had a chance to drive up by Denny's all the way to Love's to see the work that's been done on the electrical lines, it's nice, and to remind you, now that whole side of town is really ready for anything that potentially would happen, it's as up to date as it can possibly be on that side of town.

City Commission Reports.

Commissioner Hoepfner reported the following:

- I see a lot of projects starting, it is amazing to see that when you are always here requesting approval for grants, going to Santa Fe, and you get to finally see it come to fruition, how the taxpayers money is being used in a positive way to better the lives of everybody. We are getting new sidewalks, new roads, and our streets are more and more ADA accessible, and improved. It's nice to strive toward the goal of every citizen being able to get around in a safe way. I'm really excited to see the progress on all the projects, and I want to say thank you to every department head and every team from the city, thank you for ensuring that

everything goes smoothly. Working together is the key to success, and to be able to make things happen.

- Like always, I will mention that Art Hop is coming up, everyone is invited to come out, check us out and enjoy a nice evening out.

Commissioner Glines reported the following:

- I fielded multiple emails, as per my request at the last meeting for constituents to be heard by elected officials. Some emails to be heard were thoughts on the discussion with Mr. Pharris at the last Commission meeting regarding the Sierra Gateway Alliance. I feel that those are heard and understood by myself. We will be representing in the future accordingly, everything I've heard from everybody. I have not responded to emails that I felt did not require a response, because I heard a lot of comments and ideas. Some of them required action, I worked through, understood concerns, and recorded my thoughts from the public that reached out to me. Of those that I've spoken to in person, I feel that you've been heard by myself. When you email me, feel free to ask questions also and that will give me more directives to respond to what you need to know. I don't know what's already been said to the other seats among the Commission, but I urge you to reach out to them as you have myself. We have guidelines from specific laws, and communication restrictions through the Open Meetings Act, but there are not restrictions for you reaching out to Commissioners and us being able to hear the same thing five different times. I did have someone reach out with ADA compliance questions regarding the Police Department, and I will summarize the question, "Does the T or C Police Department have access to an ADA-compliant wheelchair transportation option?" there is some stuff that should probably be added as a public comment, and I would just suggest sending emails to the City Clerk to be addressed as public comment, as well as myself. As I sift through different things on my radar, I'd like to hear the words "demand" and "require" less, as the development and structure of complexities within government are significant. I would like to see suggested solutions to problem, alongside the presentation as I'm receiving them. Regardless, I'm still happy to hear about it deal with problems accordingly and hopefully looking for solutions together.
- To end my report on something personal, I'm beside myself to say that I watched my son hit his first T-ball yesterday afternoon. It was a flush, it was really awesome, it got picked up and thrown to first base quick because he's still 3 and he's playing the 6-year-olds. Thank you.

Mayor Pro-Tem Mitchell reported the following:

- I have just a couple things to report on. I was unable to attend the Sustainable T or C meeting last Thursday, but they are gearing up in conjunction with several entities to do an Earth Day event in April, including an educational component, a recycling component, litter clean up, and possibly an art show. That's happening with the Sustainable T or C.
- If you didn't get a chance to go out to the rock and gem show this weekend, it was super awesome, everyone had a great time. Our SCRAGS community, they cultivate some of the best shops around the state and in Arizona. They had lots

of great vendors. Myself and my students helped paint rocks, that was free for everybody, the kids loved it. They had little projects where the kids could break open rocks and find dinosaurs and stuff, and all the kids had a blast. It was a really great community event.

- Finally, they had a Fiesta meeting last night where they have solidified the theme of this year's Fiesta, it is red, white, and blue. Coordinator Allison Hayes is in charge of putting on the event this year, along with co-coordinators. There's lot of City involvement, MainStreet involvement, trying to make sure that we're all geared up for our 76th annual Fiesta. So far, the sponsor forms are out, vendor forms are out, parade entries are out, and we're hoping we can cross-promote the parade for Fiesta with the 4th of July parade that the City hopes to put on as well. Those are my updates.

Commissioner Forrister: And we are running Fiesta the first week?

Mayor Pro-Tem Mitchell: The 1st, 2nd, and 3rd. And then Miss Fiesta is going to be Friday, April 25th. The weekend before Fiesta, which it hasn't been in a long time. They are going to be putting out a call for ladies to sign up for that, so that should be coming out in the next week or two.

Commissioner Forrister reported the following:

- Talking about Earth Day on April 24th, but our Winston Legging s4-H group went out on Sunday and did a trash cleanup, so we will also try to incorporate that planning next time a little bit better and do it more in conjunction with Earth Day. But those kids went down and picked up lots of trash, we're really trying to get it out there more.
- The 4-H kids went to the animal shelter and had an absolute blast there. All think they thought if they got hit with a lot of eggs they wouldn't have to go back to school, which was totally wrong, I made them wash off and go back to school.
- I'm glad Foch Street being two-lane was brought up, I have been bombarded with calls, emails, texts, Facebook, on if Foch is going to be a two-lane, and people are still very much saying "I don't care what they say, when there's someone stopped on Foch, there's no way to turn onto there." So I'm glad we're talking about it, it's going to be what it's going to be, but yeah that's been all I've been hearing about is, "What are we going to do about Foch Street?"
- I didn't get to go to the rock and gem show, but I was right across the street at the fields on Sunday from 1pm-7pm, and it was packed over there, it was insane, and I'm really going to try to make it a point to get out there next time. Hopefully I don't have to be at the ball fields from 1pm-7pm. If you haven't seen T-ball, go watch it, it's the best thing ever. That's all I have today.

Mayor Hechler reported the following:

- I've had a busy couple of weeks. I'll give you the highlights. No rest for the weary, I've been selected for jury duty. I never get selected because once I open my mouth and tell them I have 40 years of law enforcement experience, they don't want us on the jury for some reason. But it's been interesting, and I think it's

everybody's civic duty to do their job with juries. I show up, like I said, I try to get selected, but I don't have any luck.

- On March 5th, after the alliance meeting that we had here, I met with my counterparts, Mayor Holcomb, Mayor Stubblefield, and Chairman Paxon. We had a discussion about how we can work together on things for the future, and we had a special guest, AJ Forte, who is the Executive Director of the New Mexico Municipal League. Mr. Forte gave us some insight into the availability of some funds between now and the end of the year. I think what's happening is that we know there's going to be a change in administrations between now and next year, and they're trying to clean up the books and spend their money. So, there's some money available for certain things. We have a follow-up meeting on Friday, where we will talk with AJ's assistant, and a person that specializes in water and wastewater issues, and we'll make a pitch for a significant amount of additional funding for the future. I was going to try to hold off on that a little bit because we have a lot of money to spend already, and it's going to be difficult to spend all that, but I don't know if we'll have a better opportunity than this year on going for additional funds, because we don't know what's going to happen next year if there is a change in administration. So, we know there's about \$650 million available, state-wide. We know we have significant needs on top of the money we've already acquired, we have \$120 million in preliminary engineering reports that we have ready to go, and I think that will work as a catalyst to help us try to get some additional funds, knowing that if we were successful, it'll be a couple years before we are able to put them into the ground, so maybe it'll work out for us just right. But it's going to keep us busy, so we will work on that and we will find out after Friday if we are going to be successful or not, or what the mechanism is to apply for the additional funds.
- I've worked with and assisted Earl Greer in reserving the Civic Center for March 18th, where we'll have a public meeting with the Office of the State Engineer. We'll talk about our water issues, the availability of water or how much water isn't available, and what the releases are going to be like, and things of that nature. That will be a public meeting at the Civic Center. I'm also assisting the Bureau of Land Management to ask Copper Flat Mines to have a public meeting sometime at the end of this month, or the beginning of April, at the Civic Center. It's a requirement. Copper Flats Mines will have two meetings: one in Truth or Consequences, and one in Kingston. We have yet to determine those dates, but we'll try to make the Civic Center available to them so that we can have those public meetings.
- The last thing is that I'm working with Fiesta again this year, and I get to work on sponsors. That's been a lot of fun, and we have a new group this year, a new team, they're doing a nice job. I expect Fiesta is going to be just as good as it always is, so I'm looking forward to that event in May. That concludes my report.

City Attorney Reports.

City Attorney Rubin reported the following:

- I don't have a report, I do have a very strong temptation to respond to Mr. Fenn's comments this morning. The reason why I have to be careful is because I was notified yesterday that there is a staff conference set before the judge later this month, so the case is still technically in pending litigation, so I can't really go into detail. There is something I can say, this is regarding the notice that I filed on behalf of the city in December, which was of course with the instruction and consent of the City Commission, and it was a notice of compliance with the court's order. What I said in the notice was that the city was prepared to sign the agreement with Mr. Fenn, and he was encouraged to contact the City Manager by March 15th. That was what the court order had said. So that was done in December, and as far as I know, I don't think we've heard Mr. Fenn until this morning, I don't now, if anybody else knows something I don't, but those are the facts of the matter.

Commissioner Forrister: So, he was just coming to talk and tell us that he's not going to comply with talking to the City Manager by March 15th, is basically what I heard.

City Attorney Rubin: I better not comment any further than what I said, because again, I'll be in front of a judge in a couple weeks, but I'm just letting you know that I *can* comment on something that I filed as public record, and that's what I'm bringing up here.

Mayor Hechler: And I had some comments too, but I'll reserve those. I will make one comment, and that is that when we made the decision regarding the Reed Rocket for Mr. Barbour, I look at it as a dying man's wish. He came to us twice before the Commission, one time with his oxygen pack and everything else, barely able to walk in, and he asked us not to go the route of giving the Reed Rockets to Mr. Fenn. He had a different view for it. Morally, we made the right decision. It may have been the wrong decision legally, I understand that, but if I had to make that decision again, I would make it again based upon that, and because of the dollar amount, it was really insignificant. So I think we did the right thing, and it's funny that nobody else wants to bring that up, but I think it was the right decision that we tried to make for those reasons, and I'll stand on that.

City Attorney Rubin: And I will say that when I was arguing the matter in court, I said basically what you just said, Mayor. That is part of the public record. Thank you.

F. CONSENT CALENDAR:

- 1. City Commission Regular Minutes, February 11, 2026**
- 2. City Commission Regular Minutes, February 25, 2026**
- 3. February 2026 Accounts Payable**
- 4. Take Home Vehicle Form: Parks & Recreation Department**

Mayor Pro-Tem Mitchell made a motion to approve the Consent Calendar as submitted. Commissioner Hoeppner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

G. ORDINANCES/RESOLUTIONS/ZONING:

(G9) Discussion/Action: Publication of Ordinance No. 773 Authorizing the issuance of the City of Truth or Consequences, New Mexico Water System Improvement Revenue Bonds, Series 2026A, in the Principal Amount of Two Million Six Hundred Seventy-Three Thousand Dollars (\$2,673,000) for the purpose of Construction Financing.

Chris Muirhead, Modrall, Sperling: What you have in front of you is the introduction, first reading, of an ordinance similar to what you've seen before in terms of debt. This one relates because you have several things moving around the city here, to the USDA WSPI-2 financing, which is a total of \$9,900,000 for water system improvements tied to a letter of conditions from USDA, which describes the project as 13,983 linear feet of existing water lines with new and larger diameter sized pipe, as well as installation of new meter cans and water service lines. Of that \$9,900,000, \$7,227,000 is between two grants. That leaves \$2,673,000 as a loan. So, USDA, as you know, now requires that the City go out and get interim financing to pay for the construction, and then once it's all done, issue the bonds with USDA. They will then fund and pay off that bond that you're looking at today. So, this is with Bank of the Southwest, who has done a couple, at least two, with the city on doing some interim financing. It's for a three-year term, a line of credit is to draw down, up to that \$2,673,000 at 5% interest, the interest accruing as you draw the money down. So, it's not at closing when the money's available, but as it's drawn down, it gets interest at that point, with the interest accrued and principal due at maturity. So, it would be one payment when the USDA bond closes. It is a pledge of that net system revenues from the water system, consistent with a couple other outstanding bonds, it's not the GO full faith and credit pledge, is the most recent one that you've done, this is instead a limited pledge to those water system revenues. Again, for the new Commission, the total gross receipts revenues come in, pay the operation and maintenance to make sure the system remains operational and functioning. What is left are called net revenues of the system, that is the only thing that the city is pledging for repayment. If there should be a shortfall, the lender – in this case, USDA or Bank of the Southwest – could not look to any other city funds, no other property tax revenues, gross receipts tax revenues, or the like. Though, they can require you to raise your rates, which you've already been doing. Again, this is just the

introduction, it would come back at your April Commission meeting for adoption and then close in early May. I'm happy to answer any questions about it.

Commissioner Forrister: Bank of the Southwest is going through a changeover. Are we prepared to move everything right that way?

Chris Muirhead, Modrall, Sperling: Yes. We have, I think in the most recent meeting talking to the lender, we're geared up for that. This will get assigned or done in the new bank name.

Mayor Hechler: I did talk with the bank president yesterday, and he indicated that Bank of the Southwest is ready proceed, everything is done on their end, so all we have to do is make contact and they're ready to go.

City Manager Whitehead: I would concur. This is done through the local bank, so we're not dealing with anybody outside. The new owners of the bank are already working inside the bank, so there will be no issues with that at all. Again, the process, so the Commission knows, is once the project starts, we would be required to draw these funds down first. As we do pay applications to build out the process, we will work it all the way up to 95% of these funds, and then we would apply for the USDA to pay that loan off, put it in order, and then we would begin to work with the grant funds. That's the process, and we're doing that again on WSPI-1 as well, a similar process. I would also just say that we're fortunate to have Chris and his team, Mark and his team work well to keep us, and we're required to have legal representation on these bond issues, so they do a good job taking care of us. They attend a lot of our meetings even though it's not necessary. They attend a lot of the water meetings so they're aware of the process and the progress, so I appreciate that.

Commissioner Forrister made a motion to approve Publication of Ordinance No. 773 Authorizing the issuance of the City of Truth or Consequences, New Mexico Water System Improvement Revenue Bonds, Series 2026A, in the Principal Amount of Two Million Six Hundred Seventy-Three Thousand Dollars (\$2,673,000) for the purpose of Construction Financing. Mayor Pro-Tem Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

G1) Discussion/Action: Resolution 42 25/26 Authorizing the Execution and Delivery of a Loan Agreement and Intercept Agreement Between the City of Truth or Consequences and the New Mexico Finance Authority.

City Manager Whitehead: In your packet, you'll see all the documents prepared for us through the New Mexico Finance Authority. If you'll remember, in December, I requested permission to go out to the finance – it's called a PPRF fund – this is an equipment loan fund, made available through the New Mexico Finance Authority. The request was so that we could purchase a new street sweeper. The request is for \$200,000. We have some funds, we had prepared to lease a street sweeper this past

Summer, and we were unable to secure that. We were going to spend about \$30,000 so we have some funds. We would add cash to this. The street sweeper is going to be approximately \$250,000. We will be paying the \$50,000 from our Streets fund, and then we would carry this loan, this would be a five-year loan. We qualified for special funds, so the rate on this loan is going to be approximately .5%. The loan will settle once the loan has settled. Similar to Chris Muirhead being here, these were drafted by the New Mexico Finance Authority's legal team on behalf of us. We reviewed them, and they are standard documents. With that, if you approve the resolution today, then we would go to publication. The resolution, then, has to appear for up to 30 days, and the final loan closing would be April 24th, at which time we would begin working with the vendors. We would purchase off of a state-wide or CES contract for the item, and in this case, the Finance Authority helps us, so they would actually write the check of \$200,000 to the vendor, so we have some work to do to get that done.

Mayor Hechler: Would you explain the intercept agreement to us real quick?

City Manager Whitehead: The intercept agreement is that the New Mexico Finance Authority will take their payment from the state, so once gross receipts taxes are in – they're using gross receipts tax, that's the funding source, the pledge source on this – the New Mexico Finance Authority will take their payment before the State Tax and Revenue Department then sends us the total distribution for the balance that's remaining.

Mayor Hechler: This comes off the .25% that we normally get?

City Manager Whitehead: That's correct.

Mayor Hechler: And it's not a new tax, it's just of the existing tax?

City Manager Whitehead: It's not a new tax. We use and divide our gross receipts tax, we move a portion of our gross receipts tax to our Streets funds, so we already used the GRT to fund the Streets side. It's not a new tax, we're just pledging our revenues that we have in the Streets Department for this particular project. Hopefully, if everything goes well with the PNC building, and the bid is right, we will do the same loan application to try to buy four police cars in the next fiscal year, because we're entitled to \$150,000 in deferred loan payment so we can get the \$150,000 at 0%. But you're only entitled to that one time per fiscal year, so we'd do the same process for police cars.

City Attorney: So, by approving the resolution, you would be also approving the loan agreement and the intercept agreement, that's implied. As Gary pointed out, these are basically standard New Mexico agreements, so I don't see any issues with them.

**Commissioner Forrister made a motion to approve Resolution 42 25/26
Authorizing the Execution and Delivery of a Loan Agreement and Intercept
Agreement Between the City of Truth or Consequences and the New Mexico**

Finance Authority. Mayor Pro-Tem Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

G2) Discussion/Action: Resolution No. 43 25/26 Budget Adjustment Request.

Jocelyn Holguin, Chief Financial Officer: There are a lot of them, would you like me to go one-by-one or read them all off and pause for discussion?

Mayor Hechler: Well I've been through it pretty physically, does anybody have any questions regarding the BAR?

Commissioner Forrister: No.

Commissioner Glines: No.

City Manager Whitehead: I would, because it's the transfer of admin fees, I do want to make sure everyone's aware. We discussed this multiple times. As we've pointed out, the City takes care of the enterprise funds, and the only transfer that comes to the general fund is to fund the Utility Office. Each of the enterprise funds pays so that they can collect their bills. The manager's services, the Finance Director, the Procurement Officer, Accounts Payable, Payroll, HR, none of those items are covered. So this is effectively a 1% fee based on revenue that repays the general fund to compensate the general fund for the services those six departments – actually the Clerk could even be included in that as well, notices, all those items – so it is an eligible expense, it's proper under code, it's proper under law, so this would be a 1% based off of last year's revenues, to then compensate us for those portions.

Commissioner Forrister: And I see we have an increase to cover the lobbyist contract?

City Manager Whitehead: That's correct, our lobbyist was \$18,000 and in the budget, we only budgeted \$15,000 for that expense, so with GRT we're covering that, and then the other increase is because I didn't expect the cost on copiers, so everyone's getting a newsletter in their bills, and those color copies cost. We're paying for those in-house. So again, we're using some of the revenue from that transfer to then offset and cover those two costs where we were technically short in budgeting revenues. Other than that, it's a good resolution, it's in order, and we recommend approval.

Mayor Hechler: When does that lobbyist contract expire?

City Manager Whitehead: In July, it's a fiscal year contract.

Mayor Hechler: We'll have a discussion in July whether we want to renew it or not.

City Manager Whitehead: Correct.

Mayor Pro-Tem Mitchell made a motion to approve Resolution No. 43 25/26 Budget Adjustment Request. Commissioner Glines and Commissioner Hoeppner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

G3) Discussion/Action: Resolution No. 44 25/26 Approving the required Community Development Block Grant (CDBG) Annual Certifications and Commitments.

Assistant City Manager Alvarez: This is a required annual resolution that we have to do in order to keep us in compliance with CDBG. We have current CDBG funding for our water meter replacement project and then making us eligible to apply for future CDBG funding resources, they do require that you guys review the annual certifications. This is for citizen participation; fair housing, residential, anti-displacement, relocation assistance, section 3, and procurement. With that, I'll stand for any questions, if anybody has any questions regarding those certifications.

Mayor Hechler: This is kind of a housekeeping situation that we have to go through all the time?

Assistant City Manager Alvarez: Yes, this is required and we have to submit it annually to CDBG.

City Attorney Rubin: Basically, the same form we've been using.

Commissioner Forrister made a motion to approve Resolution No. 44 25/26 Approving the required Community Development Block Grant (CDBG) Annual Certifications and Commitments. Commissioner Hoeppner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

G4) Discussion/Action: Resolution 45 25/26 Authorizing and Approving the Submission of a Completed Application for Financial Assistance and Project Approval to the New Mexico Finance Authority Local Solar Access Fund.

Assistant City Manager Alvarez: The City Manager mentioned we found a funding source through NMFA for solar funding. They were soliciting for applications, I did locate the information a little late, applications were due March 6th, so we did submit an application. Part of the application process is that they require a resolution of support from the City Commission. We've applied for \$1 million. In your packet, you'll see a site plan of where we're planning on putting those canopies and covering them with solar. We're requesting for the Commission to support the application, and once we receive the funding, it will come back to the Commission.

Commissioner Forrister: So, it'll be Police Station parking, and then over here on McAdoo also, correct?

Assistant City Manager Alvarez: Yes, that will be adjacent to where we're putting the electrical vehicle charging station. Right along that area, and then at the PD it'll be over the gated area that the Police Department holds their vehicles in, and then the area that will be for customer and regular employee parking as well. It will offset some of the costs.

Mayor Hechler: If we get awarded, then I imagine we'd have to go through some type of engineering? Is that correct?

Assistant City Manager Alvarez: Part of the application process was that we had to submit a lot of information and documentation that I had no knowledge of when it comes to solar. So, I worked really closely with Steve House, he's kind of a solar guru, he's helping us with the electrical vehicle charging stations as well, so he jumped right on board with me and got me all of the required information. I think we submitted a really good application, which seems to be a new fund, so we have both the planning grant one, as well as the actual project fund. But because we had the support of Steve House, we were able to just reach straight out for the project funds instead of planning.

Mayor Hechler: I notice there's about 14,000 square feet here, do you think that's going to generate what we use, or will there be any excess? I'm just trying to figure out how much this is going to help us.

Assistant City Manager Alvarez: He did the calculations on all of that for the submission, and I really couldn't answer those questions, but I would be happy to provide the Commission with a copy of the application packet that we submitted with all of those. It was a very rushed project application.

Mayor Hechler: I understand that, and I was just kind of shooting in the dark here a little bit, it would be kind of interesting to know at some point. I'm sure we'll have another presentation down the road, especially when we get it engineered.

Assistant City Manager Alvarez: You bet. I'll provide everybody with the application packet via email.

Mayor Hechler: Thank you.

Mayor Pro-Tem Mitchell made a motion to approve Resolution 45 25/26 Authorizing and Approving the Submission of a Completed Application for Financial Assistance and Project Approval to the New Mexico Finance Authority Local Solar Access Fund. Commissioner Hoepfner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

G5) Discussion/Action: Resolution No. 46 25/26 T or C Municipal Golf Course Fees.

OJ Hechler, Community Services Director: I'd like to start off by saying we've changed the structure a little bit, and then we've added some additional membership fees to the structure. The cost, everything remains pretty close to the same on the fees that we have currently. We had a pretty healthy discussion with our recreation board, not this Monday but the Monday prior. What you'll see here is our proposed green fees:

- Monday-Friday:
 - 9 Holes - \$14
 - 18 Holes - \$20
 - Twilight* - \$10
 - All Day - \$25
- Weekends & Holidays goes up \$2:
 - 9 Holes - \$16
 - 18 Holes - \$22
 - Twilight* - \$12
 - All Day - \$30
- Junior Golfers:
 - All Day (Ages 13 and under) we're not going to charge. We want or junior golfers out there golfing as much as possible.
 - All Day (Ages 14-17) - \$5
 - High School Golf Team – we are going to have an agreement with the high school so that they can golf for free.
- Cart prices are as follows, to be paid in addition to the green fee per amount of holes. So for example, if you want to play 9 holes with a cart, you'd pay the green fee of \$14, then you'd pay \$8 for the cart, so you'd pay a total of \$22. For another example, you'd pay \$35 for 18 holes with a cart:
 - Golf or Disc Golf – 9 Holes (Per Cart) - \$8
 - Golf or Disc Golf – 18 Holes – 27 Holes (Per Cart) - \$15
 - Golf or Disc Golf – All Day (Per Cart) - \$20

Commissioner Forrister: Why does it say 27 holes? Is that disc golf 27 holes?

OJ Hechler, Community Services Director: That's golf, or disc golf. Pretty ambitious if you want to go around 3 times at the golf course.

City Manager Whitehead: Currently there are 36 baskets at the golf course, and I've worked with them. They've finished their tournament, had a good tournament last week, but we're doing a redesign where it's going to be up to 27 holes, we're going to change the way it flows, so that's the concept here, is to support that change that we're going to do with the disc golf baskets.

Commissioner Forrister: So that's what I was asking, that 18 holes is for golf, and the 27 holes is like your disc golf, right?

City Manager Whitehead: It's either. We're trying to get the layout to follow the cart path, so if there's somebody who wants to disc golf and also wants to rent a cart, they could rent a cart from us as well. Revenue generations.

OJ Hechler, Community Services Director: Golf Cart Trail Fees – so if I own a golf cart, and I want to take it up to the golf course, we're still going to charge a fee.

- Golf Cart Trail Fees:
 - We'd like to add a daily fee of \$5
 - 1 month - \$30
 - 3 Months - \$80
 - 6 Months - \$150
 - Annual - \$290
- Tournament Fees:
 - Golf Tournament (Per Day, With Cart) - \$15
 - Disc Golf Tournament (Per Day, Per Participant) - \$2
- Disc Golf Rates:
 - 9 Holes - \$2
 - 18 Holes - \$4
 - 27 Holes – All Day - \$5

OJ Hechler, Community Services Director: Our previous fee structure only had semi-annual and annual. We received some public comments where they wanted to see some additional membership passes on here. This is what we have:

- Single One Month - \$120
- Single With Cart - \$155

OJ Hechler, Community Services Director: So, I would say that for a single, one month, if you're going to golf more than 8 times, you should probably buy a membership. These stay pretty consistent on or around that number. Then you'll see your 1-month passes, your 3-month we added in there, your 6-month, and then your 12-month. Are there any questions on those passes?

Mayor Hechler: For tournament fees, is that in conjunction with the regular fees? Or how does that work?

OJ Hechler, Community Services Director: So, you're going to pay \$25 per day, then you're going to get a cart, plus you're going to pay your green fee.

City Manager Whitehead: That's not correct. When you host an event at the golf course, you would have 40 or 50 people, they would come in and say, "Give us a discounted rate to play." And so that discounted rate is \$15 per player, which includes a cart per day. So if I wanted to host a tournament for 2 days, it would cost me \$30, I have to pay the golf course for the facility.

Commissioner Forrister: Per person.

OJ Hechler, Community Services Director: On the last page, you've got your annual memberships, a family; a family will consist of 2 people from the same household and

all children are under the age of 17. You've got 1-month here, 3-months, 6-months, and 12-months. It really just gives an opportunity for community members to have more options as far as the membership passes go.

Mayor Hechler: Things have sure changed. I remember getting a membership at the golf course when I first moved here for \$600 a year. I guess I'm telling you how old I am.

Commissioner Forrister: So with the single, they're really benefitting if they buy the annual, because that's like less than 4?

City Manager Whitehead: We did the calculations on 5 rounds. If you were going to play once a week, you would break even with the memberships. If you felt like you were going to play two times a week, a membership would be – and I tried to look at it from keeping it kind of the same kind of rate that we had from the top, and then working it backwards.

Commissioner Forrister: I'm glad you guys did that, thank you.

OJ Hechler, Community Services Director: So I'll move onto the regulations and addendums:

- Governing Bodies and Compliance
 - All golf and disc golf participants must comply with the applicable governing rules for play and conduct. Generally, the United States Golf Association (USGA) governs golf rules for outings and events.
- City and Course Authority
 - Golf course management, in coordination with City management, reserves the right to modify or update these rules as needed and to refuse service or remove participants who do not accept or comply with City rules and regulations.
- Registration and Payment
 - All golf course participants must register in the Pro Shop and pay their fees in advance of play.
- Special Events and Tournaments
 - The golf course welcomes special events, including golf tournaments, benefits, and fundraisers.
 - All special events must be approved in advance by the Golf Course Manager and/or the City Manager.
 - Events must be scheduled and documented in a written agreement between the golf course and the organizing party(ies).
 - All fees and event-related costs are the responsibility of the organizing party(ies).
 - Organizers should plan and submit requests at least 30 days in advance of the event date.
- Retail Sales, Cash Handling, and Inventory Control
 - The City Manager shall develop and implement written policies and procedures to guide retail sales at the golf course, including cash handling, credit card processing, inventory control, and related internal controls.

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- Credit Card Processing Fee - \$2 is our standard rate
 - The City will charge a credit card processing fee on all transactions paid by credit card.
- Weekends and Holidays*
 - Weekends apply to Saturday and Sunday.
 - Holidays are posted City-recognized dates per City resolution approved by the Commission.
- High School Golf Team
 - A Memorandum of Understanding (MOU) between the City of Truth or Consequences and the Truth or Consequences School District will allow school participation at the golf course during the season.
 - Participation requires a written request from the coach and/or the principal.
 - Each coach will be allowed one golf cart during the season while performing coaching duties.
- Twilight*
 - Twilight begins at 2:00 p.m. during non-daylight savings time and 4:00 p.m. during daylight savings time.
 - Twilight ends one hour before sundown, or if no golfers are present, the course may close.
- Golf Cart Use Rules
 - 1 player: may take 1 cart.
 - 2 players: must use 1 cart.
 - 3 players: may take 2 carts.
 - 4 players: must use 2 carts.
- Group Size
 - The golf course will allow fivesomes.
 - Sixsomes are not recommended but may be approved by management.
- Junior Golfers*
 - Juniors (13 and under): play free all day.
 - Juniors (14-17): \$5 all day.
- Adult Definition
 - An adult is 18 years and up.
- Senior Discount
 - Seniors (60 and older) receive a 10% discount on all fees shown on this chart.
- City Employee Discount
 - Active City of Truth or Consequences employees are eligible for twilight rates for all-day golf.
- Family Membership Definition
 - A family membership includes two family members living in the same household and all children under the age of 17.
- Family Membership With Cart
 - The family membership with cart includes one golf cart only.
- Golf Cart Driver Requirements
 - A valid driver's license is required to drive a golf cart at the T or C golf course.

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- Juniors with a learner's permit may operate the cart only when a licensed driver is present.

Commissioner Glines: Do we still have a free play day on Monday? I misunderstood that. Is golf free, or disc golf free on Mondays?

City Manager Whitehead: The golf course is closed on Mondays.

Commissioner Glines: So, do we have a free day at all?

City Manager Whitehead: The golf course is closed on Mondays.

City Clerk Torres: If you're talking about when they came and did the report they said you guys could go and play, I think that's where that's coming from?

City Manager Whitehead: Initially, we were operating the golf course 7 days a week, and when we took it over and as I've been trying to work through this plan, one of the ways to spread our labor out was to say, let's close on Mondays, cut back on some labor force, and keep it going. We weren't busy at all. Since then, I think I indicated at that meeting that if somebody went up there and walked and played 9 holes, or somebody played disc golf, we're not going to go make a big deal, it doesn't matter. So there is no posted "free day" to play, but it does seem that people go up there and play

Commissioner Forrister: The golf course is closed on Mondays.

City Manager Whitehead: That's the best I can answer that. We don't want to make a big deal out of it, again, we do seem to get a lot of disc golf on Monday. We don't seem to get a lot of disc golf the rest of the week. Hopefully that will improve as we improve the facility. But certainly, we don't have the ability, and I'm not going to advocate that we enforce something. You know, it's a park, it's a city place. We want it to be inviting, so it's no big deal, but I would say again, the course is closed on Mondays.

Mayor Pro-Tem Forrister: But just so you know, if the pool is closed on Mondays –

Commissioner Forrister: There is no swimming if the pool is closed.

Mayor Hechler: So, I have a question. Let's say I'm in the Lions Club and I want to host a tournament for scholarships. Do I get a break?

City Manager Whitehead: No, you pay \$15. You're getting a break from the regular posted fees of \$14 – it will cost you \$35 per person to play if you pay the \$18 for the cart.

Commissioner Forrister: You're getting the tournament fees.

Mayor Hechler: Okay, because it's going to come up.

City Manager Whitehead: Yeah, we're trying to find those spots. You're absolutely right, that's exactly what the tournament fee is designed for, to say, "You know, we have to have staff there, we have to clean up the trash, we have to deal with stuff, the carts get used, and we're paying for all of those things." So that's a way for us to say, "Well if you \$75 per player, you're going to pay us \$15, and the balance is your benefit, for your fundraiser." And that's really standard across the board. A lot of golf courses don't even offer a discount, you're going to pay full rates.

Commissioner Forrister: Now, on Monday...

Commissioner Forrister made a motion to approve Resolution No. 46 25/26 T or C Municipal Golf Course Fees with the addition of adding daily golf cart fees to the Resolution. Mayor Pro-Tem Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

City Attorney Rubin: I have one question, by approving the golf course fees, does that include that we are approving the regulations addendums also?

City Clerk Torres: Yes, because it's part of the resolution.

G6) Discussion/Action: Resolution No. 47 25/26 Amending Park Fee Resolution to include the Louis Armijo Sports Complex User Fees.

OJ Hechler, Community Services Director: So the golf course was the easy one. I'd like to kind of skip to page 2, section 2. I think I need to make this very clear for the public: "Nothing in this resolution shall prohibit or restrict the public's general access and use of city parks." Okay, first-come, first-serve basis. The city parks are free to go use. If you want to *reserve* something, and ensure that it will be there for your availability, then you have to pay a fee. I just want to be clear on that, make sure everybody knows that they are public parks and they are free to use, so you can go use them. Now we get hit a lot with public benefits, "Can you waive the fees?", and you know, it's not fair to go into the Clerks office, the Clerks office comes to me, then I'm talking to the City Manager, we're seeing if we can get these fees waived, so we need something structured here, to just figure out what that looks like. I'll draw your attention to Section 3, page 2 of this resolution:

- Section 3: Authority to Waive Certain Reservation and Rental Fees for Community Benefit Uses:
 - A. Limited Manager Waiver Authority. The City Manager (or designee) may waive reservation and rental fees for the following items only when the eligibility criteria in Section 3(B) are met:
 - Park shelters
 - Gazebos/pergolas
 - Bleachers
 - Folding chairs
 - Tables
 - Healing Waters Plaza

- B. Eligibility Criteria (All Must Apply). A waiver may be granted only when the City Manager determines, in writing, that the activity:
 - Is a community-wide benefit event or program that is open to the general public (or broadly accessible to the community); and
 - Is not generating revenue for the organizer(s), including no admission charge and no sales activity intended to produce profit for the organizer(s) (fundraising may be considered only if it is incidental and clearly for a public purpose as determined by the City Manager); and
 - Is non-political and non-religious in purpose and content; and
 - Does not require extraordinary City staffing beyond normal operations (unless separately approved with cost recovery); and
 - Does not materially displace previously scheduled reservations.
- C. Non-Waivable Costs. A waiver under this Section shall not waive:
 - Any required refundable deposit (cleaning/damage or equipment deposit);
 - Charges for damage, excessive clean-up, or restoration;
 - Required insurance or hold harmless requirements;
 - Utility charges, solid waste service, or other pass-through costs unless specifically approved in writing by the City Manager as necessary to accomplish the community benefit purpose.
- Section 4: Explicit Exclusions
 - A. No Waiver for Special Events. Fees tied to any Special Event Application or equivalent special event reservation category shall not be waived.
 - B. No Waiver for Sports Uses. Fees related to sports leagues, sports tournaments, athletic field use, sports complex facilities, or similar sports activities shall not be waived, including any conference room, concession stand, tournament, or field/light fees associated with sports programming.

OJ Hechler, Community Services Director: Now the rest of this is mostly legality, so if we can move to the next page now, you will see on the top third of the page, that's not supposed to be there, so "the satisfaction of city" and "return of deposit" I ask that we take that off if that makes sense.

Mayor Pro-Tem Mitchell: Get rid of the deposits altogether?

OJ Hechler, Community Services Director: No, it comes back later on in the resolution. Somehow that jumped on the page, I'm not sure. Then if we can skip to exhibit A. A lot of these are consistent with what we had in our previous resolution. This is what we have now:

- Small Shelter:
 - Up to 2 hours - \$20
 - 2-4 hours - \$30
 - All Day until sunset - \$40
 - Refundable Deposit (per rental) - \$25

- Large Shelter:
 - Up to 2 hours - \$25
 - 2-4 hours - \$35
 - All Day until sunset - \$45
 - Refundable Deposit (per rental) - \$25
- Gazebo (Utilities not included):
 - Up to 4 hours - \$30
 - All Day until sunset - \$50
 - Refundable Deposit (per rental) - \$25
- Use of Utilities:
 - Electric (per outlet, until sundown) - \$10
 - South pedestals (all day until sundown) - \$50 (There are about 25 plugins over there)
 - Water Fees (single hose bib per day) - \$10
 - Multiple hose bibs (until sundown) - \$25

OJ Hechler, Community Services Director: For jumping balloons in designated areas – When we first renovated Ralph Edwards Park, we weren't going to allow jumping balloons over there at all, it sets a bad precedence to have jumping balloons all over our grass over there. After a couple of years, we found that we can allow them in the volleyball area, and then I think somebody even set up by the skatepark in the parking lot one time. So we'll designate those areas, it will be \$25, and that will require city approval, liability insurance, and a deposit of \$100. For inflatable water slides – this is another amendment that shouldn't be on there. We do *not* want to allow inflatable water slides. They are not allowed. Water toys, etc. we will allow. If somebody wants to rent the hose bib next to the large shelter, and wants to put a water slide there, we're okay with that. As long as it's within reason. These inflatable water slides gush water everywhere, it gets muddy, and it'll tear up the grass out there. That is one item that needs to just be edited right there. So here are our significant changes:

- Special Event Application (Full access to all park features per day):
 - Event Reservation - \$50
 - Gazebo Reservation - \$100
 - Electricity (per event) - \$50
 - Water Fees (Per hose bib, per day) - \$25
 - Solid Waste Service - \$25
 - Refundable Deposit - \$250

OJ Hechler, Community Services Director: In other words, I can have all-day access to the park for \$250, plus a \$250 deposit, and I'll have it all day. Setup and teardown will be the responsibility of the renter, and this is where we get into some of our changes. We're not going to waive fees anymore for a special event application. We're going to ask that the organizers reach out, and see if the event may qualify for Lodgers Tax. They must apply in advance, so if you want to host an event, you have to get ahead of the game, because I think Lodgers Tax only meets quarterly. These events may not have the fees waived. City Manager (or designee) may negotiate long-term agreements for extended use of the park for special events. Agreements shall not exceed 12 months. These events require city staff for support.

City Manager Whitehead: Just a couple of points; the \$50 event reservation fee got transposed in this presentation, so as we consider this we would want to add that as an amendment to the proposal. It's not there. Sorry about that, we went through many iterations of this, so I apologize for that. Back to the water events, so the water slides are the only thing that are not allowed. Effectively, our conversation was that if somebody is having a birthday party and they had water guns, we didn't want to exclude that, we just don't want people setting up a long water slide and having that be A) a danger, and B) damaging to Ralph Edwards park itself, and we have another accommodation for that. Again, as it relates to funding, Lodgers Tax is an eligible expense for facilities for us, so us being compensated for the park is an eligible expense. So our concept here, and again I haven't put this in writing for the Lodgers Tax board, but the concept would be that if Fiesta's going to be there, or if somebody wants to use the park for an event, do it properly, get in front of it, go make an application, get funding, and then pay the fees for the park, because we're taking it out of circulation for the whole day for the community, if you will. As opposed to us saying, "Yeah it sounds like this is a good community event." And we would expect those events would have vendors, they would be selling things, they would be doing things that are bigger than that particular issue.

OJ Hechler, Community Services Director: For Family Park, the small shelters and large shelters remain consistent. Use of utilities is \$10 per outlet. For jumping balloons and water sports, if you want to have your jumping balloon and you want to do your dunk tank, or anything of that nature, Family Park is your place to do it. The City needs to be made aware of it, we will designate a spot for you, it's probably going to be between the large shelter and the bathrooms on the South side of the park, it'll be away from the playground that way, so you can have your own event and you'll be over on your own over there. No special event is allowed at Family Park, in other words, if I want to go use a park somewhere in T or C and there's this big special event going on at Ralph Edwards Park, but I don't want to be around a bunch of people, I can go to Family Park. We are not going to allow special events at Family Park. Prices for the Healing Waters Plaza:

- Reserving the Pergola:
 - Up to 2 hours - \$25
 - 2-4 hours - \$35
 - All day until sundown - \$45
 - Refundable Deposit fee (per rental) - \$25
- Use of Utilities:
 - Electricity - \$10 (per outlet, per day)
- Full Plaza Event Application:
 - Up to 2 hours - \$50
 - 2-4 hours - \$75
 - All day until sundown - \$100
 - Electricity (per event) - \$50
 - Refundable Deposit (per reservation) - \$100

OJ Hechler, Community Services Director: What we would also like to do is, say there's a group that wants to have an event, we will offer them the plaza first and foremost. We will get into that a little bit later on in these fees. Evelyn Renfro Park Fees:

- Use of Utilities:
 - Electricity (per outlet, per day) - \$10
 - Water Fees (single hose bib, per day) - \$10

OJ Hechler, Community Services Director: For Louis Armijo Sports Complex – A you guys know, on our last resolution where we first changed the fees, we received a little bit of flack from the leagues, particularly soccer. So we took that into consideration here, and we changed up the fee structure a little bit:

- Use of Field Lights:
 - Per day (up to 4 hours) - \$10 (on our old resolution this was \$25)
 - 1 calendar month (30 days) - \$50

OJ Hechler, Community Services Director: So if I want to throw the ball with my kids at the park, but I want the lights on, it's going to cost me \$10. For 1 calendar month, it's \$50. So if I'm having a league, and I know my league will last 3 months, it's probably going to benefit me to pay the \$50 for the whole month. What we've done here is, you know the men's and women's sports league, the softball league was \$150 per team. It's now going to be \$5 per player. For league teams, it will also be \$5 per player. That will include, like for little league and soccer, and also the softball, that gives you use of the concession stand and all the field amenities; the conference room, etc. You've got to have the registration, you've got to be able to do things of that nature. Then, if you're not part of the league, and you do want to rent the conference room, we broke down the numbers here for you:

- Per hour (up to 4 hours) - \$25
- 4-8 hours - \$50
- Tournaments (all day) - \$100
- Refundable deposit (per rental) - \$25

OJ Hechler, Community Services Director: For the use of the concession stand, the numbers are broken down here:

- Per hour (up to 4 hours) - \$25
- 4-8 hours - \$50
- Tournaments (all day) - \$100
- Refundable Deposit (per rental) - \$100

OJ Hechler, Community Services Director: We tried to be as fair, and also make it as simple, as possible for everybody. It's \$5 to go, and you can join your league. I will skip down to some of the rules, so special events may qualify for Lodgers Tax, organizers must apply in advance. So if you want to have a special event at the ball fields, you may qualify for Lodgers Tax. Rotary Park's shelter fees are pretty consistent with the other parks:

- Reserving a park shelter:
 - Small Shelter (up to 2 hours) - \$20

- 2-4 hours - \$30
 - All day until sundown - \$40
 - Refundable Deposit (per rental) - \$25
- Use of Utilities:
 - Electricity (per outlet, per day) - \$10
- Special Event Application:
 - Event reservation (park only) - \$50
 - All park facilities (per day) - \$100
 - Electricity (per event) - \$50
 - Refundable Deposit (per reservation) - \$100

OJ Hechler, Community Services Director: Tennis Courts stay the same as the last resolution, for the Rodeo Arena, a lot of it is the same as the last resolution as well. I would like to add here, that the RV sites, if you'll see the second bullet point under RV Hookup, the City Manager is going to write a policy for the RV sites over there. Previously, it was \$20 if they want to use it. It seems like it works pretty well, it does get used. We get people that are travelling through, they have a couple horses they want to let run around, and they're welcome to do that. The last change on this, if you see where it says "commercial event application" on the bottom of the page, that should be "special event application".

Commissioner Forrister: So nothing's going on with the RV hookups yet, or we are changing them? Or is it staying \$20 for right now?

OJ Hechler, Community Services Director: It's staying \$20.

City Manager Whitehead: The fees would stay the same, we just didn't have a policy and I haven't yet gotten that developed. Just like the retail policy, I will develop, what the rules are for staying there, what you have to do, when you have to come in, etc. just the policies to administer them, but fees would be the same.

Mayor Hechler: How many sites do we have, do you know?

OJ Hechler, Community Services Director: 10.

Commissioner Forrister: We use them a lot during fair, that's why I was asking.

OJ Hechler, Community Services Director: And I'll add one more thing, that reminds me. When you want to rent the arena, and it's on a weekend or you want additional tractor work, something of that nature, we are not going to offer that. Whomever is using it, whatever organization will be using it, will be responsible for that. Now if it's the Sierra County Fair, or something of that nature, and it's during our normal operating hours, obviously we're going to work the ground for them, the arena. Just to add that in there. Additional City services available:

- Bleachers (per set, includes delivery) - \$50
- Folding Chairs (per chair, no delivery) - \$1

- Tables (per table, no delivery) - \$5
- Refundable Deposit (per rental) - \$50

OJ Hechler, Community Services Director: Rentals are not to exceed 4 days. And under that is where I mentioned it says, "A commercial event application" and it should say "Special Event Application". One of the other changes we've made here is your return deposit format:

- Anything damaged or broken property – full deposit retained
- Clean up time up to 1 hour – 50% deposit retained
- Clean up time 1-2 hours – 75% deposit retained
- Clean up time 2+ hours – full deposit retained

OJ Hechler, Community Services Director: I would like to change one thing on this, I don't know if it makes total sense to break that down on a \$25 deposit. So anything *more* than a \$25 deposit, we can use this criteria, but if it's a \$25 deposit, then we will just keep the whole deposit.

Mayor Hechler: Ms. Torres, how do you like it? You're the one that has to administer this.

City Clerk Torres: I like it. I like that it breaks everything down, that will make it easier for us. Especially the deposit thing, we've had an issue where they're like, "You're going to keep that whole deposit? It took you that long?" so I like that it states exactly what we're going to do. I'm happy with everything.

Commissioner Hoepfner: I just have one question. For Rotary Park, there's water *and* electricity? Or just electricity?

OJ Hechler, Community Services Director: Just electricity.

Commissioner Hoepfner: Okay, thank you.

Commissioner Forrester stepped out momentarily.

OJ Hechler, Community Services Director: We have the frost-free water hose bibs out there, and there's no infrastructure to them. I've been told that there *may* be, but if there's a valve to those, I'd like to know where they're at. I haven't been able to figure it out in 9 years.

Mayor Pro-Tem Mitchell made a motion to approve Resolution No. 47 25/26 Amending Park Fee Resolution to include the Louis Armijo Sports Complex User Fees with the changes noted by Community Services Director Hechler and City Manager Whitehead. Commissioner Hoepfner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried with a 4-0 vote.

G7) Discussion/Action: Resolution No. 48 25/26 J.A. Hodges Municipal Swimming Pool Fee Structure.

OJ Hechler, Community Services Director: You'll see here, we're going to shoot for a soft opening, then we will hit our busy season in June and July, and then we're going to kind of go back to our soft opening rules, where we're going to be back to three days a week. The only ways that this flows is if I touch every line, so I apologize for that, but that's kind of the only way to explain this:

- Pool Season Proposed Schedule:
 - April 15th, 2026, soft opening with a limited 3 days per week schedule.
 - May 25th, Memorial Day Summer opening
 - June 1st- Official Summer Schedule begins 7 days per week.
 - July 28th- Aug/Sept schedule limited 3 days per week schedule.
 - October 4th- Official Close Date
- Pool Hours of Operation:
 - OFF SEASON: April/May/Aug/Sept 3 days a week
 - Friday/Saturday/Sunday only 8am-8pm.
 - MAIN SEASON: June/July 7 days a week
 - M-F 7am-8pm
 - S-S 8am-8pm

Mayor Hechler: So what happens between May 25th and June 1st? There's a week there, are we open after Memorial Day during that week or not?

Mayor Pro-Tem Mitchell: It's going to depend on the lifeguard staff, as graduation, I think is that Friday night. It's really just going to depend on staff.

OJ Hechler, Community Services Director: And we'll talk about staff when we get to the end of this, how we are going to do that. The next section:

- Session Breakdowns:
 - Pool hours are broken down into 2 hour sessions beginning at 8am or 10am and closing 1 hour and 50 minutes later.
 - All patrons will be asked to exit the pool before the next session.
 - Patrons must pay another session fee if they would like to stay for multiple sessions.
 - Sessions will be open to anyone, but lanes may be limited during lap swim.
 - There will be no "free swim/children" allowed during lap swim or water aerobics.
- Pool Fees: Entrance Fees
 - Any patron entering the facility will be charged a \$1.00 entrance fee per session whether or not they are swimming or spectating, and regardless of age or ability.
 - Day passes are available for \$5.00 per day and are good for all sessions that are open to the public, excluding swim team practices, pool party reservations, or private programming as designated by the schedule.

- Pool Fees: Seasonal Passes- April 15th-October 4th
 - Single Session per Day
 - Adult \$150.00
 - Youth/SR \$125.00
 - Monthly \$15 (off season) \$30 (main season)
 - Multiple Sessions per Day
 - Adult \$300.00
 - Youth/SR \$250.00
 - Monthly \$30 (off season) \$60 (main season)
- Seasonal Pass Rules and Guidelines:
 - Seasonal passes are good for the entire 2026 season regardless of opening or close date.
 - Seasonal passes are non-refundable due to lack of patron usage and are not valid for any future swim seasons.
 - Credits or reimbursements will not be given to season pass holders if the facility has to close unexpectedly due to weather, emergencies, or staff shortages.
 - No, you may not use your pass to allow a friend to come swimming with you.
- Monthly Pass Rules and Guidelines
 - Monthly passes are good only for the month in which they were purchased and must be specified for each April, May, June, July, August, or September.
 - Off-Season Monthly passes purchased for April, May, August, and September are \$15.00 for the entire month regardless of how many available swimming days are in each month. The \$15 off-season pass is only good for ONE session per day. If you would like to attend more than one session in a day, you will need to purchase the \$30 multiple session per day pass. Please limit your multiple usage passes to less than 2 sessions per day.
 - Main-Season Monthly passes purchased for June and July are \$30.00 for the entire month regardless of how many available swimming days are in each month. The \$30 main-season pass is only good for ONE session per day. If you would like to attend more than one session in a day, you will need to purchase the \$60 multiple session per day pass. Please limit your multiple usage passes to 2 sessions per day.
- Pool Party Private Rentals
 - The Pool is available to rent for private parties just as other City facilities.
 - Pool Rental Times:
 - The available times that the pool can be rented out in the off-season (April, May, August, & September) is as follows:
 - Monday-Thursday 10am-10pm
 - The available times that the pool can be rented out in the main-season (June & July) are as follows:
 - Every day from 2pm-10pm.
 - Pool Rental Prices:

- 2 hour minimum block for \$100.00
 - Refundable deposit fee for \$50.00
- Pool Rental Booking:
 - All parties must be scheduled and paid for at least 1 week in advance.
 - A \$50 refundable deposit will be returned to the renters once staff have confirmed that the facility was left in its original state and no damage has taken place.
- Pool Rental Rules and Guidelines:
 - Outside food, drinks, and party supplies are allowed, as well as shade structures, chairs, and pool toys.
 - **Absolutely NO:** Glass, alcohol, tobacco/vaping, drugs, or other paraphernalia allowed.
 - Propane or charcoal barbecue grills are not permitted inside of the pool enclosure; however, they may be set up in J.A. Hodge's Park behind the pool.
 - Lifeguards will be present during the pool party to enforce the safety rules of the facility.

City Attorney Rubin: On the main-season monthly pass, it says, "please limit your multiple usage passes to less than 2 sessions per day." Do you mean no *more* than 2 or do you mean –

Commissioner Forrister: 2 or less. It needs to say 2 or less.

OJ Hechler, Community Services Director: No more than 2. I thought that sounded funny when I read it.

Mayor Hechler: If you want to get a monthly pass, you don't get it in the first 5 days, it's not going to pay you to get a monthly pass, right? It's not a 30-day pass, in other words, it's a monthly pass for the month that you're in. So, you're not going to sell any monthly passes after the 10th of the month, probably, right?

OJ Hechler, Community Services Director: Right. So, we open April 15th, we probably won't sell any monthly passes in April. But I will say that a lot of this is contingent on our lifeguards. What we're going to do this year is, we have availability for 4 full-time lifeguards *or* we have the availability for 8 part-time lifeguards. If we get somebody who is going to be consistent – and every year, somebody steps up and they're out go-to lifeguard – if we get 2 or 3 of those, they're going to be our full-time lifeguards, and then the rest are going to be our part-time lifeguards. We've found, through last year, when we hired 7 or 8 lifeguards, it worked best for us because we were able to pull people in if somebody called in or things of that nature.

Commissioner Forrister made a motion to approve Resolution No. 48 25/26 J.A. Hodges Municipal Swimming Pool Fee Structure with the changes mentioned by City Attorney Rubin. Commissioner Hoeppner seconded the motion.

Mayor Pro-Tem Mitchell abstained from the vote.

Roll call was taken by the Clerk-Treasurer. Motion carried with a 4-0 vote and one abstention.

G8) Discussion/Action: Resolution 49 25/26 Confirming the City of Truth or Consequences to Participate in The New Mexico Department of Transportation Municipal Arterial Program Local Government Road Fund Program.

Assistant City Manager Alvarez: I sent an updated resolution out via email, and I think I gave everybody a hard copy as well. We were kind of down to the wire on this application, so my apologies for not getting a fully-executed resolution at the beginning of your agenda packet. The city is looking at applying for funding for the roadway improvements on Clancy Street and McAdoo between the Main and Broadway section there, so it's right around your current Police Department area, that triangle. As Manager Whitehead said, we really learned a lot at this last DOT meeting. It was really enlightening to have them break down the individual funds, and how much is allocated. It kind of explains why we didn't get a good portion of the funds that we applied for in the past. We did find out for the MAP project in district 1, there are a total of 18 entities that are eligible to apply for that funding, and they have allocated for this year only \$1.3 million for that program. So, if all 18 entities apply, and they were awarded, that would roughly only be about \$75,000 per entity. Not every entity applies for it. One of the other misconceptions we had was that the MAP funding, we thought it had to enter and exit on a main arterial street, like the state highway area of Date, Broadway, and Main. What we found out is that it just has to have a benefit to those arterial highways. That being said, we are looking at applying for approximately \$250,000. I just recently got the final quotes in, looking at about \$248,258 for the whole project. Out of that, \$186,194 would be grant, and then there would be the 25% match requirement of \$62,064. In the past, we've applied or included a waiver request with our grant applications. We won't be doing that on this one. We found out that when we submit a waiver request, that goes up to DFA, and we have to demonstrate a financial hardship, as determined by a certification from the DFA. That's why we've never qualified for them in the past, with our municipal GRT for the Streets Department that we have in there, and other funding, we just don't meet those requirements. I think that's it, we learned quite a bit. Last year, as you know we applied for a total of \$744,000 for construction funds for 2nd and Pershing Street, we were actually awarded \$229,000. So, this year we're pairing down our request closer to what our award amount was. With that, I stand for any questions.

Mayor Hechler: Nice presentation.

City Manager Whitehead: I would add that these two streets are going to receive water lines in the shovel-ready project. So, they will be getting new water lines and then we would have the money to then go in and repair the street. So, these are two that we were fortunate for in that particular setting.

Mayor Pro-Tem Mitchell made a motion to approve Resolution 49 25/26 Confirming the City of Truth or Consequences to Participate in The New Mexico Department of Transportation Municipal Arterial Program Local Government Road Fund Program. Commissioner Glines seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

G9) Discussion/Action: Publication of Ordinance No. 773 Authorizing the issuance of the City of Truth or Consequences, New Mexico Water System Improvement Revenue Bonds, Series 2026A, in the Principal Amount of Two Million Six Hundred Seventy-Three Thousand Dollars (\$2,673,000) for the purpose of Construction Financing. Chris Muirhead, Modrall, Sperling

This Item was moved before item G1.

H. NEW BUSINESS:

1. Discussion/Action: Approval of Purchases \$60,000 and over.

a. Wex Bank: PD Fuel Usage for FY 25/26:

Carlos Miyagishima, CPO: The Procurement Department, along with the Police Department, will issue a change order. This change order is to increase the purchase order that we have already put in. The reason why I'm bringing this up is because it's going over \$60,000. This change order is an increase of \$19,501, which is because they need additional funds for fuel. This would be using the general fund police fuel. The new total will be \$79,500. I will defer to Deanna Knull if there are any other questions on the increase.

Mayor Pro-Tem Mitchell: Why is it increasing?

Deanna Knull, Police Department Administrative Assistant: When I initially put in the purchase order for that, I'm still learning the finer nuances of purchase ordering, so I had to put in a purchase order just under \$60,000 for quick approval. Unfortunately, we've exceeded that already, so now it needs to increase so we can finish our fiscal year.

Commissioner Forrister: And fuel prices are rising.

Mayor Hechler: So that raises an interesting question, so will this cover us at current prices?

Deanna Knull, Police Department Administrative Assistant: It may not.

Commissioner Forrister made a motion to approve Purchases of \$60,000 and over for Wex Bank: PD Fuel Usage for FY 25/26. Mayor Pro-Tem Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

b. Creative Bus Sales Inc.: SJOA 2026 Mobility Transit Van:

Carlos Miyagishima, CPO: This is for the SJOA 2026 mobility transit van with wheelchair access. The Procurement Department, along with the Community Development Department issued a HGACBUI contract for \$89,987 using the SJOA grant agreement. This is to get a mobility transit van.

Commissioner Forrister: We're just the fiscal agent for this right? They have their funds, correct?

Assistant City Manager Alvarez: The SJOA, as you know, received an \$88,000 grant. The cost of the vehicle exceeds that by just a little bit. You approved the BAR earlier, and SJOA will actually be paying the city the difference once the vehicle is purchased and paid for.

Commissioner Forrister made a motion to approve Purchases of \$60,000 and over for Creative Bus Sales Inc.: SJOA 2026 Mobility Transit Van. Mayor Pro-Tem Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

2. Discussion/Action: Restructure of the City of Truth or Consequences Organizational Chart and approval of the payroll adjustment as per the payroll study.

City Manager Whitehead: I have met with each of you individually, and presented to staff. Coming on board, I felt like there would be some changes that needed to be made within our structure. As you can see in the packet, I have put our current city structure of government, the way it works. Currently, everyone is a department, there are department heads, and all of those department heads are tied directly to the City Manager, and go through the Assistant City Manager. This process works pretty well, except it keeps the City Manager's Office pretty busy. The proposal I would like to put forth would be that we change the structure, and we create three distinct veins of service. We would move public service items to Facilities. All those items that deal with public access, we put those into one division called Public Service. We'd create what I would call a public works division, which would include all of our enterprise zones, and then all those others; the Streets, and our Fleet Department would end up under that category. Finally, our third vein would be a Public Safety Director, effectively being our Police Chief, and then we put all the items under there that are already actually being done. Other items I feel like we needed to change, one of the bigger changes is to reposition our Human Resource Department. Currently Human Resources is a subset of Finance. I think at this point, with 100 employees, that Department deserves its own integrity. I think we've heard rumblings for a minute that human resource issues end up being in one office where there are multiple people, so we do need to find a space to provide so that the employees would have the ability to deal with private issues in

Human Resources on their own. Effectively, it would be breaking those out. The other piece that would potentially need to be moved would be our Information Technology. Right now, that's sitting in our Finance Department, and really, Information Technology covers everybody so it would make logical sense for that to have its own department, and then be able to work directly for the City Manager or the Assistant City Manager in those avenues. Across those boards, we would produce a few changes. Right now, Human Resources does a few jobs within Finance, so I would be working with the Finance Department and we would be kind of reallocating some of those internal nuances. Through this process, I would like to create some duplication, potentially identify how we could have two CPO's, two payroll clerks. And we do have that currently where we've trained, so there would be some cross-training. The City Clerk's Office would remain the same. Legal services, you can see where they would land. Not really a change there. Then, up to the Fire Department. Probably the biggest change that I'm promoting here and presenting is really – we had two department heads, if you will, that have retired, and this has opened the door for me to consider thinking about making these moves. The first move I want to do is to take one of our department heads, shift the responsibility of the other departments under that department head. I would then like to create subsets of supervisors, so the Electric Department would have a supervisor, the Streets Department would have a supervisor, there are some departments that have a department head active, those would remain the same, there would be no change in their structure. Water and Wastewater already has a supervisor, we would remove the "interim" tag from that. I've decided not to replace the Facilities manager, so that person would end up being in the Community Service Department. I've proposed, in my structure, that I would take the revenues that I'm saving from the department head there, and allocate that to an assistant for both the Assistant City Manager and the Community Services Director, where they would have an administrative assistant, which they both currently don't have right now. That would give them access to their own individual for dealing with grants. We would reclassify the HR Director, so right now HR is a Specialist, so now the HR Director would become a true director of that department under my tutelage. We would reclassify, in the Police Department, the Chief has requested that his Admin Assistant move into an Executive Admin Assistant, and I would concur with that, as that person deals with warrants, individual information, personnel information, kind of a little more than just an admin assistant. Currently, the Police Department has two individuals, so we would be changing that particular structure. I know that currently the Finance Office has been dealing with our asset management and insurance, so I would want to fix that. In the Wastewater Department, when I moved Jamie into an interim position as the Wastewater Supervisor, in order to protect us, I kept the Water/Wastewater Director, we have that full \$90,000 budgeted, and I also kept the Compliance Officer, in case it didn't work out for the current supervisor. In this move, by making that a permanent supervisory position, I would make the Admin Assistant the compliance individual, which we already have filled, and I would take the testing, and create a new position – which doesn't cost us anything, I've already budgeted for that – but we need some help with water dealing with service calls from the Utility Department, when someone wants to turn a meter on or off. Our water team, that's fixing water leaks, that's their responsibility, so we would do that. The second piece that I really feel we need to get back to is our valve testing. We're

supposed to be testing. So I'm proposing taking that one position, keeping it, and then redefining it so that the Water Department has an additional employee that could help us deal with some of the day-to-day operations, and then ultimately we would remove the Water/Wastewater Director. We're in a good spot, we have a contractor, so again, the vision here would be that I would take the position I already have, I would take apart some of the other departments, I would get supervision from one department, and effectively I would have an additional City Manager that would oversee those 7 departments within what I would call Public Works. I would have one manager that would oversee those items in Facilities, and then I would have the Police Chief. What I've handed out to you, the non-color-coded document you're seeing, you have two of them, these are the current payroll study documents, the current process we use after our payroll study. Again, I'll remind the Commission that in the payroll study we agreed that we would take care of the non-exempt employees last year, and this year we would work to solve any pay inequities with the exempt employees. Upper management is preparing in the new budget how we will get them up into the highway, and correct those items. I would also point out that through this year, all those employees that worked for the city, they did receive their compensation or an increase based on the old pay policy, so on their anniversary if they were due, they didn't get an increase. So there may be some increase coming to the exempt, we won't know until we hear back from the consultant, because we've asked them to give use those recommendations. You can see from the exempt structure, what we currently have. And then if you'll take a look at the one that's got the color codes on it for the exempt salary status, you can see the proposed changes that we would make. In the particular strategy that I've put together, you would see, we'll start at the bottom on E1, currently we have an animal shelter manager in this particular position, so we would propose no change there, that's why it's green. We would continue paying our Animal Shelter Manager as an E1, but at some point in the future, if there was to be a change there, that position would move to NE7, into the non-exempt status, the category is similar in structure, but then they would be entitled to earning overtime. I've already replaced and decided not to replace the Facilities Manager, so that would go away from there, that's why the line. The same would exist, we have a Fleets Manager, but somewhere in the future, that would move to NE7, so the structure and the cost to the city would be the same, they would just end up in the non-exempt position. The concept here is eliminate department heads, we wouldn't have a department head for each, every department would have a supervisor and be under one management structure. Under E2, the change would be to add the HR Director, along with the items that are there, you'll see those that stay. Currently we have a director of libraries, that will remain in this category until there's a change, then we have a Parks Manager now, that manager has already been moved to NE7, that happened when we hired, so that position doesn't exist today. Under NE3, you can see that I would remove the Streets Manager, so there would not be a Streets department head, and then we would take the Director of Community Services and it would basically become the Public Service Director. That manager would inherit the Facilities Department, there would be some compensation within that structure for taking on those new duties, but that structure would stay exactly the same as you see there. Under NE4, we would still maintain our Chief Financial Officer, and then the Director of Solid Waste, we do currently have a structure there, that wouldn't change until some

point in the future if there were to be a change there. That would move into a non-exempt supervisory position, and I'll point that out when I get to the non-exempt side. Then you would move into NE5, the Electrical Director, you can see, is under NE5. In this particular change, I would take the Electrical Director and make them the supervisor, or in this case, I would call it the Public Works Director, so it would stay in the same category, only instead of managing one department, they would be managing the other 6 departments. The Police Chief is in that category, and the Assistant City Manager remains in that category. The only item in NE6 would be the City Manager. So your pay structure, the veins would stay the same, but under my proposal we would eliminate department heads over a course of time, and move to that structure. I'll stop right there if there are questions on that.

Commissioner Forrister: Did the consulting group prepare these documents based off –

City manager Whitehead: No, our Human Resources has prepared the proposal. The current one we're operating on was prepared by the consultant, that's correct. These numbers, the structures, the recommended salaries are consistent with what the consultants have presented us, no change in dollar amounts.

Mayor Hechler: I'd like to make a general comment just to digest this a little bit. I've worked with 5 different City Managers. Every time we change the City Manager, everything falls on one plate, it all goes right to the City Manager and they have to know absolutely everything that happens with the city, it's a quick learning curve, and it's hard to get it done, you're usually behind the gun for 6 months. What I see this allowing us to do is to spread that information out amongst three department heads/directors so that if things happen, that can be absorbed. If there are questions, the department heads will be able to handle those things at their level, and I'm hoping they work as a filter to not have so much coming up to the City Manager. They're going to have the authority and the responsibility to handle things within their area, from them, down. This, to me, creates almost an out or a succession plan for the City Manager down the road, so that the city doesn't stop functioning when we lose a city manager. We still have three department heads that handle things at that level, and those things will continue to function and to work as they should. Then, when a new City Manager comes in, they work with the department heads and it becomes a little bit easier of a transition if that happens. Does that make a little bit of sense? So if we look at the positions themselves and we don't worry about personalities or people right now, we're looking at the structure for the city, and if we're okay with the structure of the city, that's the way we should be talking about it and dealing with today. Do we have questions or concerns about the structure?

Mayor Pro-Tem Mitchell: The only thing I was concerned about, and I think the City Manager addressed it, was if it would affect our budget, and I believe you said that by eliminating positions and creating new positions, you were able to shift money to where it's not going to be an increase in our budget?

City Manager Whitehead: That's correct. I put some ballpark figures into what we currently have, took this one out and moved this one in. If I take to the enterprise side of the house, it's going to save about \$51,000. When I go to the general fund, it will cost about \$51,000. Now, in fairness to Human Resources, Alona has not looked at this and given me the exact numbers based on the calculator. We have a payroll calculator that we would have to work with to put those numbers in, so it probably won't be an evenly-rounded number like I added to it. But again, if I move the Electric Department, ask them to help me supervise the other 7, that position is entitled to some compensation for taking on those other departments. Some of those have a director, it's not going to change that, that would be the same, it would just be somebody working in the field, but we will be picking that up. We won't be having, in the Wastewater Department, I'll eliminate the \$120,000 we have budgeted for a Wastewater Supervisor, we've got that kind of solved for a bout a year and a half. Dollar to dollar, it's kind of a break-even proposition, but yes it will cost the general fund \$50,000-\$60,000 more, and it will save the enterprise side of the house a little bit of money to do so. The other thing I would want to point out, and just be really clear, what I'm attempting to do here is just reallocate and move my pieces. I'm not looking to hire another. If the Commission agrees with me in feeling like this is the right structure, I think we, at some point, would be able to change this if the person that's taking this job decides to move on, retire, you have a structure by which we could fund that department, and potentially take it to the next level, we could potentially go hire somebody with an engineering background, that's kind of consistent. They are very hard to find, I have three friends that work in Public Works, I was with one of them on Saturday at the basketball game in Las Cruces, he's the Public Works Director for Rio Rancho, he has four engineering positions open, and they can't fill them. So the fear, for me, is that by not bringing up our people, by not working with our staff to train and figure these things out, it may be tough. But I don't think we should not aspire to that, this would give us that position to allow me to remove these pieces and come up with a different look on how we govern, city-wide, and it would give me one more person that could handle the day-to-day stuff that's going on. There are just a lot of things that happen every day in the field that just need attention, and right now myself and the Assistant City Manager are being pulled in lots of directions. Now, if you'd like to take a look at the non-exempt structure, what we would propose. Again, taking a look at what you have, this is the current structure, this is the current location of all the employees we have that are non-exempt. Those non-exempt employees can be supervisors, they do have leadership roles, maybe Foreman, or those kinds of things. But they're entitled to overtime and additional compensation. That's the main difference between exempt and non-exempt. Going across the structure, if you take a look at the color-coded one, we would propose that the Animal Shelter Director eventually, and not today, but it would end up being the position for that under the new structure if we went there. We wanted to add the IT Support Analyst in that position, and then on the Facilities side, we would promote the Maintenance Foreman would move to a supervisory position. We would leave the Human Resource Specialist. Right now, again, our current Human Resources person does a lot of the work, there are 100 employees, and if the budget allowed, we potentially would want to hire another person to help in there, so we would just classify that person, I'm not promoting that we add somebody, but that's where the "specialist" comes in. Right now,

the Human Resource Specialist is compensated under NE7, we would step that position back to NE6, and again, the Human Resource Director would move up into an NE2 exempt position. For Community Services, we would add an administrative assistant, who would be there for Community Services and the Assistant City Manager. In the future, you can see that the Fleet Manager would end up in NE7. Again, absolutely not promoting that we're changing our current Director of the Fleet Department, but in the future, if there was a change there, it would fall back into that category. If you'll go to page 2, the Library Director we would leave exactly the way it is today, but in the future, that position would move into a non-exempt NE9 position. Our Parks Manager is already in this position. We would move the Admin Assistant in the Police Department from an admin in NE4, up to an NE6 and make that an Executive Assistant to the Police Chief. The Streets Foreman would now become the Streets Supervisor and move up into an NE7 category. I would create, under NE5, what I'm calling Field Testings and Work Order, that's effectively taking that compliance piece that I was holding and just using it there, but reclassifying it to a different title, a different job function, and it would give the Water Department one more person we don't have right now. We have the money for it, but we don't have it filled. Under the NE9, the Water Supervisor would stay in that category, and then eventually in the future, Solid Waste Supervisor would move into an NE9 category. I'm not proposing to change that today at all, that would not be the recommendation, but ultimately that's where that position would land under this structure. Every department that we have would have a supervisor, and they would be reporting to a department manager. With that, I'll stand for questions.

Commissioner Forrister: The supervisor would answer to the director?

City Manager Whitehead: That's correct. The director would then answer to the Assistant City Manager or the City Manager.

City Attorney Rubin: Are you looking for approval today? I know you and I had some discussion yesterday about maybe a possible review. I wasn't sure how you wanted to move forward.

City Manager Whitehead: I could look for approval today if the Commission was so inclined, if they felt that the information is sufficient. If the Commission felt that we needed to do some additional work, if you felt you needed some more information, I would be happy to do so. I will open it up and say that I have received some comments that "If I'm going to create a position I should open it up for applications." The challenge I would have in this position is, I don't have this position. To create that position, I would have to be asking for a budget adjustment to create a position. I'm asking, in this particular sense, to just let me reallocate my pieces and see where we land. Technically, I was not looking to have every position that I am potentially offering to move around and reallocate, to have them apply, that wouldn't be fair to any of those employees to have to apply for something that doesn't exist, with the potential that somebody could come in and take that position, because then I'd have to protect them. So that's probably the biggest reason why I would say, restructuring and reclassifying these positions is what I'm looking for. I hear those comments, but in this case, that's

the issue. To answer Jay's question, the Commission could take no action or table it, you could approve it –

City Attorney Rubin: The reason why I asked the question, I'm just trying to think in my own mind if there are any legal questions that you would need me to research, and I don't know off the top of my head if there necessarily is one, but I was just trying to think if there's something we need to be looking at.

Mayor Hechler: My thoughts are that we're not talking about personalities or people right now, we're talking about an organizational structure. That's what we should be approving or not approving. Remember, we only have one employee and that's the City Manager. We've asked the City Manager to administer the city, and when we do that, he or she has the prerogative to change the organization as they want to, in order to meet the needs that we request of them. I think I would give City Manager Whitehead that nod. So to me, I'm looking at this only as the structure itself, the physical structure of the City, and see if that works. If there needs to be further discussion, and if we're talking about employees or things of that nature, that needs to go into executive session, perhaps down the road. We can request that if we want to talk about it during our next agenda meeting, and if we need to do that we will put it on the executive session, so we can talk specifically about positions or people and things of that nature, because we just don't do those things in public. Today I would just say that if we're okay with this concept and this structure, then that's what I would vote on.

Commissioner Forrister: But we kind of are in that predicament of talking about people and jobs, because he's not asking to restructure this and rehire, he's asking to move these people and these things, so technically we are at that point. Correct?

Mayor Hechler: Well I don't see that because if we're going to fill another position, for instance, if we're going to hire a Public Works Director, that's going to cost us over \$100,000 to do that, in addition to this. So do we want to make that decision today or do we want to accept the organizational structure and then figure out what we're going to do with the personalities afterwards? They can still compete for the job, anybody can compete for any job, if we open it up that way. Correct me if I'm wrong, Manager Whitehead, so if we go with this structure today, does a person apply for the job that they're going to go into?

City Manager Whitehead: No.

Mayor Hechler: So it's pretty much, our minds are made up.

City Manager Whitehead: I would be reclassifying all these positions I spoke about.

Commissioner Forrister: So that's what I'm saying, we are talking about people at this point, because those aren't going to be open. So does this need to be something that we put on an executive session where we can discuss people? Because that is what's

happening, right? Because we are *not* opening it up, so if that's what you're saying, if we needed to discuss employees, that needs to not be done in a public setting.

Mayor Hechler: I agree with that. If we need to go to that point. If we don't go beyond what this says, and if we want to discuss personalities and employees, then we do need to go to executive session. With that in mind, I would table this until such a time, and we deal with those issues during executive session.

Mayor Pro-Tem Mitchell: I was actually thinking the same thing because I think they're both kind of connected. My experience working for the schools, it's hard whenever people just get pushed in different places and maybe there wasn't an equal opportunity for somebody to apply.

Commissioner Forrister: I know we've all had our discussions with Manager Whitehead. I would like to be able to openly talk amongst Commissioners about that, as well. In my opinion, I don't know what everybody else thinks.

Commissioner Hoepfner: I agree with that.

Mayor Pro-Tem Mitchell: Well if we tabled this, would it affect Manager Whitehead for the next couple weeks?

City Manager Whitehead: No. If the Commission chose not to follow this particular structure at this time, it doesn't change anything that we do, we'll just keep doing what we do. Probably going to maintain that I'm not going to fill those positions as it changes, because at some point, moving to this structure has to happen, so I would come back and figure out a different solution on how that could work.

Commissioner Forrister: Yeah and I'm not in any way saying that I don't like the structure.

Mayor Pro-Tem Mitchell: Yeah I love the structure.

Commissioner Forrister: I think if we were just talking about that, but I would like to just be able to, as a Commission, talk. If we're just moving people into these positions, I would like to have an open discussion. I know the Commissioners have had discussions with the City Manager, but I would like to discuss it amongst ourselves.

Mayor Hechler: If I'm hearing you correctly then what we should do is have a motion to table this discussion until such time as we can place it on a new agenda for executive session.

Commissioner Forrister: Legally, is that --

City Attorney: That's fine, that's kind of what I was driving at when I was bringing the question up. I think going into closed session is appropriate. You can go into closed

session to talk about personnel, and here you might be talking about classifying/reclassifying positions, and I think that is one of the exceptions. I will double check that between now and then, but I think you're okay.

Commissioner Hoeppner: I like the structure how it is, but when I looked deeper into qualifications, what is qualifying somebody to be a Public Works Director, for example. Like you mentioned before, we are at the level of Civic Engineer here. That is where we are talking, so even if it looks nice on paper, "Oh I combine different positions and then I have an overhead." But you also have to see it like that when you are creating those positions, you have to have a complete structure of the responsibilities and everything, and when you calculate all that together, you come to literally, like you said, the engineering level. When we are creating, for example, the Public Works Director, it should be open for everybody to apply for that because it is a whole different thing. You are a director of a department, and to have knowledge of other departments, but at the end when it comes to education requirements; bachelors, masters, minimum requirements, it should at least be on paper, because they make the big decisions. The same can be said for when they are responsible for writing grants, that we should have a physical full-time job for one person who is the main grant writer for the City. Those departments, and I know from when I tried to write grants and I didn't get them because, "Oh you didn't have the right paperwork ready." Or "You made a mistake." So I want to make sure that we have who will assist those directors, that there's really oversight and they put their stamp on it to say, "Yes I have the certifications. I am the main grant writer, that is my second signature. The paperwork and everything is there." and I know when you apply for grants, that they'd say, "We'll look up names." And say, "Oh yeah, they are certified to do so, and everything is in line." To have more success in that regard, grant writing, like what we see and approve, it's a big job. I have a lot of respect for all you do, but also I would like to see that we have somebody, when it comes to grants, who would do it as a full-time job, so they can bring 100% and these other people's responsibilities as well, and that is where it comes in. When we create those three directors, that it matches minimum requirements, that it is pretty much given to us, or what is created. I would maybe say that we need a job description outlined with minimum requirements, so that when we talk about this next, it is all in place and we can actually say, "Okay who is ideal for certain positions and do they match all those requirements?" we should also include qualifications from if someone worked with a system for 30 years, of course you are qualified to lead a department of that size.

Mayor Hechler: So, what you're saying, Commissioner Hoeppner, is that you want to bring new people in for these departments, and displace the ones that we have? Because what we're doing here is a reorganization, we're not talking about hiring new people. But what you're advocating for is that you want to hire new people for these positions.

Commissioner Hoeppner: Not for all.

CITY COMMISSION MARCH 11, 2026 REGULAR MEETING MINUTES

Mayor Pro-Tem Mitchell: I think he just wants to make sure that however we restructure, the employee has the required training and education to fill that role. Not necessarily go out for bid for them, but just make sure that we vet them.

Commissioner Hoepfner: Exactly.

Mayor Hechler: I think that's part of the discussion that's better for executive session.

Commissioner Forrister: I did not mean to open a can of worms for that.

Mayor Pro-Tem Mitchell: There's no way you can call in?

Commissioner Hoepfner: 3am? Can I call you at 3am for a meeting?

Mayor Hechler: What dates are you going to be gone, Commissioner Hoepfner?

Commissioner Hoepfner: I will only be gone for the next Commission meeting. We are leaving next Tuesday and I'm coming back here on the 7th, so I'll be back for the meeting on the 8th.

Commissioner Forrister: Can we voice his opinion to whomever is presenting, and then we still have that discussion?

Mayor Hechler: That's up to Commissioner Hoepfner, he wants to be involved.

Commissioner Forrister: Because I think Manager Whitehead wants to move ahead with this.

City Clerk Torres: We could put it on the agenda for the 8th, right?

Commissioner Hoepfner: I'm back on the 8th.

City Manager Whitehead: If you table it, it has to come back at the next meeting, but if you would prefer to do it on the 8th, it's perfectly –

Commissioner Forrister: I will not be here on the 8th. I have SAT's.

Mayor Hechler: You're not less important than Commissioner Hoepfner. We need to have the full crew here.

Mayor Pro-Tem Mitchell: Can we have a special executive session in the next week or two?

Commissioner Forrister: Yeah, let's do that. How many days do we have to advertise for executive?

CITY COMMISSION MARCH 11, 2026 REGULAR MEETING MINUTES

City Clerk Torres: I think, and Jay correct me if I'm wrong, but if you say, "We want to discuss this at the second meeting in April, we will bring it back then." You can do it that way, if it's in the motion, right?

City Clerk Torres: If they make a motion today saying, "I want to bring this back in executive session during the second meeting in April." They can do that, right? They can bring it back on that date if you want, since everybody will be here to have a conversation about it, it doesn't have to be at the next meeting.

City Attorney Rubin: Sure.

Commissioner Forrister: Then everybody would be here.

City Clerk Torres: It doesn't have to be at the next meeting. It could be during the second meeting in April.

City Attorney Rubin: April 22nd.

Mayor Hechler: Can you wait that long, Manager Whitehead?

City Manager Whitehead: Sure, absolutely.

Commissioner Forrister: I was just asking how long we have to advertise for a special executive session.

City Clerk Torres: We don't have to advertise for it, it's listed on the agenda, so it's not like a public hearing.

Commissioner Forrister: And why can't we move something into executive?

City Attorney: We are going to move it into executive.

Commissioner Forrister: Why can't we move it into executive today?

City Clerk Torres: At this meeting? You can, right? It's listed on the agenda.

City Attorney Rubin: Actually, you could. It's on the agenda.

Commissioner Forrister: Why don't we just move it into executive?

City Clerk Torres: You guys can if you want to. You did it not too long ago.

Commissioner Forrister: We just hit a thing that shows that we need to talk about personnel, so can we not move it into executive and get it over with?

City Attorney Rubin: I think we can, I'm just not 100% sure about that, I was going to maybe just do a quick check on that.

City Clerk Torres: When we did, I think it was the Talon one, we had it on there and you guys moved it into executive session when it wasn't on there. But if you vote on anything, it just has to be in open session.

City Attorney Rubin: Sure, I wasn't sure about that issue, myself, I actually was just trying to check under the actual – when you close for personnel, what does it actually say as to what issues with personnel can you close for? If you have the Open Meetings Act, I can just do a fast search. I'll just ask, by myself, to see if it says it that way according to state legislature.

Mayor Hechler: Let's table this for a short while, and then we will go ahead and go through the remainder of the agenda, then we will return. I have to note before we adjourn if we're going to go to executive session.

City Attorney Rubin: I know. Angela and I are going to check on that in a minute.

Mayor Hechler: Let's go ahead and make a motion to table it temporarily, until we can find out whether we can go to executive session or not.

City Attorney Rubin: I'll be checking on it while you go onto the next item.

Commissioner Forrister made a motion to table item H2.

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

City Attorney Rubin: The legal question I've been asked to look at is whether we can move this item to closed executive session. There are a couple of legal issues that I am looking at. The first one is: does the agenda item itself, the way it's worded, is that sufficient to actually give notice that we are talking about personnel? It talks about restructure of the City of Truth or Consequences organizational chart, and approval of the payroll adjustment, as per the payroll study. That's obviously a strong implication that we're talking about personnel here. As I read the agenda request form, it's very clear here that we're talking about "the Assistant City Manager and the Public Service Director will share an Administrative Assistant to improve workflow efficiency. There is going to be a new Public Safety Director." So again, we're talking about creating positions, and possible assignment, so yes, I think the way the agenda is worded, I think we can go into closed session. The second pressing issue is, can we go into closed session to talk about basically this chart with several people? And I was looking at the Open Meetings Act, and specifically 10-15-1 H(2), in fact, City Clerk Torres and I were both looking at this, and I will tell you it's not perfectly worded the way this is written, and Ms. Torres had one interpretation, I had another. Let me just read you what it says, "limited personnel matters; provided that for purposes of the Open Meetings Act, "limited personnel matters" means the discussion of hiring, promotion, demotion,

dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee;" and again, it's not really well-written, because one way to interpret it was what Ms. Torres was indicating, because it talks about assignment, possible promotions, but what I didn't like about this is it says, "against any individual public employee;" so I spoke to City Manager Whitehead about it, and I believe what his solution to this was, is if the motion is made to go into closed session, you would actually articulate the positions we are talking about, the individual employees, and I think if you do that then I think we're okay. Maybe you can start the motion saying you want to go into closed session to discuss, and then the City Manager could fill in the blanks?

City Manager Whitehead: I concur that it's a combination of the two. You can't go into executive session to discuss the chart. But the fact that there are employees that potentially would be changing positions, as long as we list those individual employees in the motion to go into executive session, and the discussion was specifically to how those employees would relate to the chart, then it would be warranted.

City Attorney Rubin: And I have to say this, in a perfect world, I would have maybe checked on the legality of this, I know we wanted to try to do this today, so I'm here to give my opinion and that's what I'm doing. I think we're okay.

Commissioner Forrister made a motion to move item H2 into executive session at 12:23pm to discuss the Public Service Director, the Public Works Director, and the Public Safety Director, to include the following employees: Chief Tavizon, Bo Easley, Chris Rees, Brenden Anglin, OJ Hechler, Alona Niebergall, Deanna Knull, and Michael Kozloski. Mayor Pro-Tem Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

3. Discussion/Action: Letter of Support for MainStreet T-Mobile Grant.

Becca Eza, MainStreet Truth or Consequences Director: I am coming to you guys this morning to ask for your approval for the City to provide a letter of support for MainStreet's application for a T-Mobile Hometown grant for our wayfinding project. This particular grant program is for various community projects in small communities of under 50,000 people. This is the fifth year this program has been around, and this is the final round of this grant, so this is the last chance we have to get in on this one. T-Mobile partners with MainStreet America in the review process, it's not necessarily just open to MainStreet communities, but that is a partner in this grant. The grant itself, we are requesting the full grant amount of \$50,000. There is no match for this one, which is pretty awesome. This would be toward, at least, phase 1 of our wayfinding plan. As we discussed with you before, we will not actually purchase and install any signs before we come back to you and discuss the specifics of sign content, locations, and how the system will integrate with what already exists in town. If we are awarded this, we would have a year to use the funding up, which gives us plenty of time to present that final proposal to you guys of what it would look like to do any negotiations we need to, and then have time to actually have the signs created and installed. This probably would not

fully fund the entire plan that we have developed so far, but at least a majority of the signage, maybe not some of the monuments yet, and we can look for additional grant funding down the road. We wanted to go ahead and apply for this particular one right now since this is the last opportunity for it, we're also getting letters of support from the Chamber of Commerce, the museum, the visitor's center, and from one of the local businesses. I will stand for any questions.

Mayor Hechler: Is the attached letter the one that we're going to use?

Becca Eza, MainStreet Truth or Consequences Director: I believe so, I submitted a draft to the city, and I think they made some adjustments to it, with what they would like to say.

Mayor Pro-Tem Mitchell made a motion to approve the Letter of Support for MainStreet T-Mobile Grant and to allow the mayor to sign the document on behalf of the city. Commissioner Hoeppner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

EXECUTIVE SESSION (Item H2)

- 1. Limited Personnel Matters (Restructure of the City of Truth or Consequences Organizational Chart and approval of the payroll adjustment as per the payroll study including Public Service Director, the Public Works Director, and the Public Safety Director, to include the following employees: Chief Tavizon, Bo Easley, Chris Rees, Brenden Anglin, OJ Hechler, Alona Niebergall, Deanna Knull, and Michael Kozloski) pursuant to 10-15-1(H.2).**

Mayor Pro-Tem Mitchell made a motion to go into executive session at 12:48 p.m. to discuss Limited Personnel Matters (Restructure of the City of Truth or Consequences Organizational Chart and approval of the payroll adjustment as per the payroll study including Public Service Director, the Public Works Director, and the Public Safety Director, to include the following employees: Chief Tavizon, Bo Easley, Chris Rees, Brenden Anglin, OJ Hechler, Alona Niebergall, Deanna Knull, and Michael Kozloski) pursuant to 10-15-1(H.2). Commissioner Glines seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

Mayor Hechler reconvened the meeting in open session at 1:01 p.m.

Mayor Pro-Tem Mitchell certified that only matters pertaining to Limited Personnel Matters (Restructure of the City of Truth or Consequences Organizational Chart and approval of the payroll adjustment as per the payroll study including Public Service Director, the Public Works Director, and the Public Safety Director, to include the following employees: Chief Tavizon, Bo Easley, Chris Rees, Brenden Anglin, OJ Hechler, Alona Niebergall, Deanna Knull, and Michael Kozloski)

pursuant to 10-15-1(H.2) were discussed in Executive Session and no action was taken in executive session.

RETURN TO REGULAR SESSION; ACTION (if any) (Item H2)

1. **Limited Personnel Matters (Restructure of the City of Truth or Consequences Organizational Chart and approval of the payroll adjustment as per the payroll study including Public Service Director, the Public Works Director, and the Public Safety Director, to include the following employees: Chief Tavizon, Bo Easley, Chris Rees, Brenden Anglin, OJ Hechler, Alona Niebergall, Deanna Knull, and Michael Kozloski) pursuant to 10-15-1(H.2).**

Commissioner Forrister made a motion to approve the Organizational Chart & Payroll Adjustments as presented. Mayor Pro-Tem Mitchell seconded the motion. Motion carried unanimously.

I. ADJOURNMENT:

Mayor Hechler adjourned the meeting at 1:02 p.m.

Passed and Approved this 8th day of April, 2026.



ATTEST:

Angela A. Torres, CMC, City Clerk

Rolf Hechler, Mayor



RON FENN
Co-CEO, City of Truth or Consequences, NM

City Manager Gary Whitehead
505 Sims Avenue
Truth or Consequences, NM 87901

March 9, 2026

Dear City Manager Whitehead,

I write to inform you and pertinent officials that, while still willing and interested in the Reed Rockets Sculpture by Mr. Barbour. I will not conclude this transaction without an Order of the District Court from Judge Shannon Murdock-Poff, as stated in her conclusion of case D-721-CV-2004-00130 with a finding for the Plaintiff (Ron Fenn).

Following, over 1&1/2 years of litigation and receiving the judgment, City Attorney Rubin filed a document with the Court agreeing to the sale with a condition of its completion by March 15th 2026. I reject this ploy by Atty. Rubin, as it fails to acknowledge State law violations of City Commissioners, in there attempt to sell municipal property, by bid to City Board Members (barred by law except in open public auction) for the lowest of three bids at \$300 contrary to §3-54-2C NMSA. In addition to the Commission's violations of Oath of Office compounded with other specific statutes, this ridiculous action has cost the taxpayers thousands of dollars. Atty Rubin has taken advantage of the Commissioner's apparent ignorance of the laws they are obliged to uphold and enforce, pad his paycheck by more than \$3,000¹ in the failed attempt to prevent me purchasing in submitting the highest bid, in accordance with the legal Published Terms and Conditions.

1 See attached Sheet 1 cost analysis

Mr Rubin failed over the year and a half to explain the violations to the Commission and has earned by such omission over ten times what the Commission was willing to accept for the Artwork. In 4 Commission agendas, which he signed off as reviewed for legal and 6 Executive Sessions on this litigation, it seems that no rational actions were taken. The initial Dismissal in 2024 was appealed by myself, the case was reversed and sent back to District Court for 2 more hearings that concluded with a Judgment for the Plaintiff. Ironically, the only story of this sickly and sordid event was a Sentinel article front page center with photo², extolling the marvelous win over Ron Fenn by Atty. Rubin. The Sentinel also received over \$500.³ for the bid Ads concocted by Traci Alvarez A.C.M. I will contact you, Manager Whitehead, as soon as the Court issues the Order to the City on this case and recommend that the material be kept in good order until that time. Any other attempts to undermine the Court's determination will result in further litigation and expense to the Commissioners and City Attorney. Thank you for your attention to this matter, Sincerely and Resolutely,

Ron Fenn

2 Sentinel Dismissal Story 11/21/24

3 Sentinel Invoice

Rubin Billing on Reed Rockets Case

	Date	Hrs	Cost @200/hr	Tax @.8375	Total
	09/24/24	0.7	\$140.00	\$11.73	\$151.73
	11/01/24	0.5	\$100.00	\$8.38	\$108.38
	11/03/24	0.8	\$160.00	\$13.40	\$173.40
	11/12/24	0.4	\$80.00	\$6.70	\$86.70
	11/14/24	0.6	\$120.00	\$10.05	\$130.05
	11/14/24	0.4	\$80.00	\$6.70	\$86.70
	11/18/24	0.5	\$100.00	\$8.38	\$108.38
	12/27/24	0.4	\$80.00	\$6.70	\$86.70
	02/03/25	0.4	\$80.00	\$6.70	\$86.70
	02/26/25	0.2	\$40.00	\$3.35	\$43.35
	02/27/25	0.2	\$40.00	\$3.35	\$43.35
	03/04/25	0.5	\$100.00	\$8.38	\$108.38
	04/18/25	2.9	\$580.00	\$48.58	\$628.58
	05/16/25	0.3	\$60.00	\$5.03	\$65.03
	10/20/25	0.4	\$80.00	\$6.70	\$86.70
	11/10/25	0.3	\$60.00	\$5.03	\$65.03
	11/12/25	0.3	\$60.00	\$5.03	\$65.03
	11/19/25	0.3	\$60.00	\$5.03	\$65.03
	12/08/25	0.8	\$160.00	\$13.40	\$173.40
	12/10/25	0.5	\$100.00	\$8.38	\$108.38
Direct billing	tot to date	11.4	\$2,280.00	\$190.95	\$2,470.95
exec ses	tot to date	00:00:00	\$980.00	\$82.08	\$1,062.08
Sub Total					\$3,533.03

Public Cost not included from above

	Date	Exec Session	Ron Fenn litigation		
	10/09/24		12:10:00 PM	12:51:00 PM	00:41:00
	11/13/24		11:51:00 AM	01:02:00 PM	01:11:00
	04/09/25		12:31:00 PM	01:11:00 PM	00:40:00
	05/14/25		12:41:00 PM	01:11:00 PM	00:30:00
	12/03/25		09:22:00 AM	10:02:00 AM	00:40:00
	12/17/25		11:00:00 AM	12:17:00 PM	01:17:00
exec ses	tot to date	04:59:00	\$980.00	\$82.08	\$1,062.08

Legal Agenda Review Billed by Jaime F Rubin

Date	
04/24/24	H5
07/24/24	H9
11/11/24	H1
08/28/24	G7

All of the above in the defense of the Commission Illegal attempt to sell
To unqualified City officials for **\$300 for over 1.5 years.**

Chief's Contract Renewed

By Steve Mull
SENTINEL

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During the executive session of the Truth or Consequences regular commission meeting held Wednesday, Nov. 13, commissioners approved a motion to renew the city's contract with the current chief of police, Luis Tavizon.



"It's an honor to have an opportunity to serve the community for an additional two years," Chief Tavizon said. "I'm looking forward to the continuation of providing professional police services to our community. [Our officers] are a group of highly dedicated individuals who come to work every day and try to provide citizens with the best police services that they can."

Mayor Rolf Hechter added, "We have a quiet and safe community, not by chance, but because we have a dedicated chief of police who has worked hard to fill the ranks with qualified officers. I understand we would rather have more officers hired from this community, but we have been unable to find qualified candidates locally. Which is why

Sierra County Sentinel

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NOVEMBER 21, 2024

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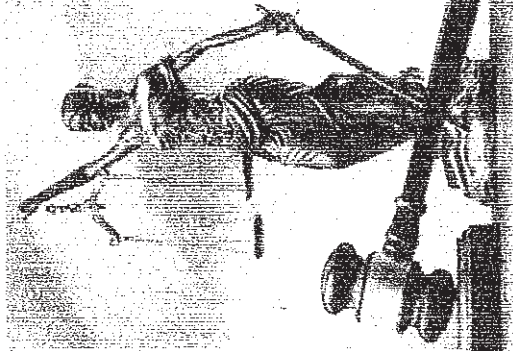
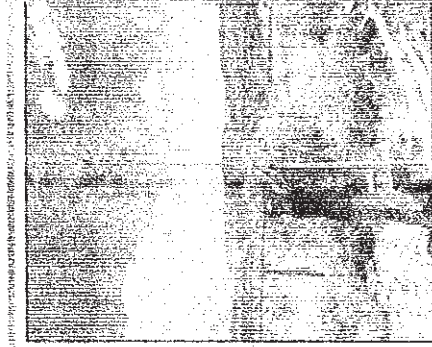
Court Dismisses Suit On City Artwork

By Steve Mull
SENTINEL

The Seventh Judicial Court dismissed a case against the city of Ronald Fenn on Nov. 14. This action revolved around the sale of the "Reed Rockets" artwork created by local artist Jeff Barbour.

The city commission had first announced the public auction in August. After receiving three offers it was decided that the commission wanted to ascertain where and how the artwork would be displayed. One bidder, Ronald Fenn, did not respond, another bid was received outside of the city, and the third was from a group of local residents.

Ronald Fenn argued that his highest bid should have automatically made him the auction winner, despite subsequent emails requesting further information and/or commission meeting attendance from him prior to determining an auction winner. His filing quoted several statutes regarding the sale of items from a



governing entity to private persons that referred to the artwork as being "worn-out, unusable or obsolete."

City attorney Jaime Rubin pointed out that since the "Reed Rockets" artwork had been in storage for safety and liability reasons since the city had purchased it in 2018, that it in no way could be construed as worn-

out, unusable or obsolete. It was also stated in court filings that due to Fenn's failure to respond, that "the City acted reasonably in assuming that [Fenn] no longer wanted the City to consider his bid."

The court agreed and dismissed the case allowing the city to continue with the disposition of the artwork.

Fairbarn Use

Suspended For Construction

Sierra County would like to inform the public that, effective immediately, the Fair Barn will not be available for public or organizational use until further notice. This temporary restriction will remain in place until the bid for the upcoming construction project has been awarded, and a project timeline has been established.

This decision supports the county's commitment to ensuring that construction can proceed efficiently and in a manner that best serves the needs of our community.

We thank you for your understanding and cooperation during this planning phase.

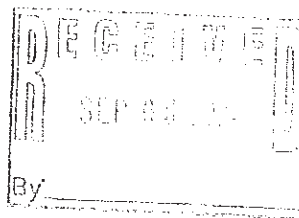
For further questions or clarification, please contact the Sierra County Manager.

Williamsburg Appoints

Hospital Honors EMS Staff

SIERRA COUNTY
SENTINEL

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575-894-3088 ~ 575-894-2400 ~ Fax: 575-894-3998
gpkmedia.com



Invoice

Invoice No.
2898
Date
08/29/24
P.O. Number
80563

Bill To
City of Truth or Consequences
505 Sims
Truth or Consequences, NM 87901

Terms	Due Date
Net 15	09/13/24

Item	Description	Quantity	Rate	Amount
Print Ad	8/8, 8/15, 8/22: Reed Rocket Art Sculpture, 3x8.75	78.75	6.00	472.50T
Legal	8/8: P&Z Public Hearing Sept. 9	74	0.68	50.32T
Affidavit	Proof of Publication	1	5.00	5.00T
Legal	8/15: Monthly Meeting Notice for September	149	0.68	101.32T
Affidavit	Proof of Publication	1	5.00	5.00T
Legal	8/15: Recreation/Golf Advisory special mtg Aug. 26	28	0.68	19.04T
Affidavit	Proof of Publication	1	5.00	5.00T
Legal	8/15: P&Z Public Hearing Sept. 9 (Placement of Shipping Containers)	80	0.68	54.40T
Affidavit	Proof of Publication	1	5.00	5.00T
Legal	8/29: NOtice of Hearing Adoption of Ord. No. 766	43	0.68	29.24T
Affidavit	Proof of Publication	1	5.00	5.00T
Subtotal				\$751.82
Sales Tax (8.375%)				\$62.96
Total				\$814.78