

CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
WEDNESDAY, NOVEMBER 19, 2025

A. CALL TO ORDER:

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

B. INTRODUCTION:

1. ROLL CALL:

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

Hon. Rolf Hechler, Mayor
Hon. Amanda Forrister, Mayor Pro-Tem – Arrived at 10:02 via telephone
Hon. Destiny Mitchell, Commissioner
Hon. Merry Jo Fahl, Commissioner
Hon. Ingo Hoepfner, 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
Luis Tavizon, Chief of Police
Tyler Knull, Code Enforcement Officer
OJ Hechler, Community Services Director

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

2. SILENT MEDITATION:

Commissioner Fahl: As we take time for silent meditation, there are a couple of names that I would like everyone to think about. Those of us in the agriculture world, Denzel Gillus, who is a long-time farmer in Arrey, and they're a prolific family. We lost him, and Nick Carson, who is a very big ag producer in the Hatch valley and participate in so many activities in Sierra County, we lost both of those producers during this past week, and I know we've lost a number of other citizens, but those two are pretty prominent, from large families, and I'm hopeful that you pray for them, or think of them while we go into silent meditation. Thank you.

Mayor Hechler: Thank you Commissioner Fahl, we'll take 15 seconds now.

Mayor Hechler called for fifteen seconds of silent meditation.

3. PLEDGE OF ALLEGIANCE:

Mayor Hechler called for City Manager Whitehead to lead the Pledge of Allegiance.

4. APPROVAL OF AGENDA:

Commissioner Fahl moved to approve the agenda with the change of moving item I7 after item C1. Commissioner Hoepfner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

C. PRESENTATIONS:

1. Proclamation naming November 29, 2025, as Small Business Saturday.

Mayor Hechler presented the Proclamation naming November 29, 2025, as Small Business Saturday.

The following item was moved after item C1.

New Business:

1. Discussion/Action: Wreaths Across America program.

OJ Hechler, Community Services Director: I'd like to introduce the Magnolia Ellis chapter of the daughters of the American revolution. They are requesting permission to include Vista Memory Gardens Cemetery, and possibly some other local sites where veterans lay, as official locations for the Wreaths Across America wreath laying program. Several New Mexico communities already participate, and this chapter would like Truth or Consequences to be added. With that, I'd like to introduce Sheila, Johanna, and David to talk a little bit about the daughters of the American revolution and the Wreaths Across America program.

Sheila Fetherling, Wreaths Across America: Thank you for having us, we are happy to be here. I'm Shiela Featherling and I'm the local chapter regent of Magnolia Ellis.

Johanna Tighe, Wreaths Across America: I'm Johanna Tighe, and I'm a new member. Looking back at what they did for me, the genealogy of my family, it was unbelievable and I encourage anyone who thinks that they actually have a revolutionary war veteran in their family to investigate. My family goes back 9 generations and it was an awesome thing to find that out. Anyway, I'll turn it back to Sheila.

Sheila Fetherling, Wreaths Across America: We're a lineage group and all of us have been able to trace back our heritage to someone that fought in the revolutionary war. Our goal is to preserve history, educate about history, and to serve our veterans. Here in our

community, Johanna will share a little bit about what we've done to try to give you an idea of what we're about.

Johanna Tighe, Wreaths Across America: Recently, we put a memorial plaque at the Veteran's Park here in T or C. We also distribute the constitutions whenever possible at all kinds of events. We gave out flags and pins at the Fiesta parade, we support the ROTC at the high school to the max, we do scholarships for them, and we also support the high school bash every year. We do a lot in the community, and this is just a small list of things for a small group that meets in Sierra County, we do a bunch of different things and we consistently have something each month that we are doing in the community.

Sheila Fetherling, Wreaths Across America: She forgot to mention, we have a huge Christmas party planned at the Veteran's Center on Saturday the 6th. We have dancers, songs, gifts including socks, lap blankets, lotions, and all the things that we feel like the veterans there need. Back to Wreaths Across America, that started back in 1992, a company out of Maine had a surplus of Wreaths and they donated them to the Arlington National Cemetery. They're beautiful, they're all made the same, they're laid on the veteran's graves along with pronouncing each veteran's name. It's important that we don't forget what they did for us. In an effort not to forget, as we lay the wreaths, we also say their name so that we can't forget what they've done for us, and the role that they've played. That's what we'd like to bring to Truth or Consequences, like I said, Bayard, they do it already there, they do it in Los Alamos, they're doing it all over the states, so we just thought it was appropriate to bring it here. There is no commitment of the city except to allow us to do this, we would have volunteers, the wreaths are sent in from Maine in a large truck in boxes about a week before. Placement usually takes place around the halfway point in December. We have volunteers come in to lay the wreaths as I discussed, we leave them for 4-6 weeks, and then we have a volunteer group that comes and orchestrates with the city to pick them up and have them removed. They're all biodegradable, so even if they did get left, which we don't want to do that, they would not harm the environment. That's about all I have, if you have questions for me, I will try to answer them, and I don't want to take up too much time because I'm sure you guys are going to be here for a while.

Commissioner Mitchell: I think it's a great program, I'm excited.

Commissioner Fahl: And I have been aware of the program for quite a while, and have sent money to contribute because I think that's a wonderful way to honor our veterans, and I do have to say, I wanted to be a DAR so bad, but unfortunately my family, they were just interlopers later, so I don't get to claim that, but I think your organization is wonderful, and a great way to recognize them.

Sheila Fetherling, Wreaths Across America: There's a place for everyone to serve our country, this is just my way. I don't want anybody to feel like they're excluded at any point anyway, whether or not they did this. This is just my way to brag on my ancestor that gave his life doing this, and I have four that I've been able to find. Everybody can contribute in some form or fashion, and we should.

Mayor Hechler: Thank you so much, as a veteran myself, I know the significance and the importance of what you do. I have a pretty good history on my wife's side, I'm an immigrant but on my wife's side, it's a long history of service to this country. It's so nice that they're remembered in some way. It's so important, so thank you so much for what you do.

Sheila Fetherling, Wreaths Across America: Absolutely, my pleasure, and thank you for your service, sir, I appreciate that.

Commissioner Fahl made a motion to approve the Wreaths Across America program as presented. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

Sheila Fetherling, Wreaths Across America: Thank you very much, I look forward to working with you all and keeping you abreast of everything that's going on. Just for a punchline, \$17 for a wreath and just let us know, we'll make sure we get you on the list. Thank you so much.

D. PUBLIC HEARINGS (5 Minute Rule Applies):

1. Public Hearing/Discussion/Action: Public hearing and final Adoption of Ordinance No. 772 G.O. Bond.

Chris Muirhead, Modrall Sperling: This is the annual General Obligation Bond that you've done, this will be the third issuance of the \$3 million that was approved in the 2022 election. \$3 million was approved, \$1 million for streets and road improvements, \$2 million for water and wastewater improvements. Over the last two years, you've issued a series of bonds each year, in the amount of \$790,000 which breaks down to \$270,000 for streets and road improvements, and \$520,000 for the water and wastewater improvements. Those improvements from the first two series have been ongoing, and this will be an opportunity to do the third series, with the final series being next year, you have four years in which to issue all the bonds related to that 2022 approval. Again, this is a General Obligation Bond, so this is paid with the property taxes. The program is structured, that Bosque Advisors set up, so that the debt service level should remain steady; as one series and one maturity drops off, these new bonds step in so that the property owners don't see any increase in their property taxes. It is a full pledge of the city's full faith in credit. This gives a parameter of \$790,000. It will be through the New Mexico Finance Authority, which will approve the deal at next month's meeting, they don't have the November meeting, then we'll be in a position to price it, and at that point the mayor can sign a pricing certificate accepting the terms of the deal, and move toward closing and having this money available at the end of January for the projects that you have identified in your capital improvement plans, and targeted this money to pay for. It can go out a maximum of 20 years, Bosque Advisors will work with the Finance Authority to structure it. Again, the idea is to keep the debt service level, so depending on your debt service, or your money that have been received on your

property taxes, or maybe a larger first year payment, and then structured down from there. I'm happy to answer any questions about it. It is something that you've seen a couple times in the past. If you have any questions for us, feel free.

Commissioner Fahl: Since I'm not going to see you again probably, Chris, because I'm leaving –

Mayor Hechler: You have two more meetings.

Commissioner Fahl: Yeah, but he won't. And Mark's not here, but Mark's substitute. I just wanted to thank you both, you and Mark's company, for the advice that you give us, and I personally am grateful that you explain it in simple terms so that we all understand what you're doing. I'm just grateful that we've had this opportunity to work together.

Chris Muirhead, Modrall Sperling: That means so much to me, I appreciate it, and I share the feeling. Thank you.

Mayor Hechler opened the public hearing.

Opponents:

There were no opponents.

Proponents:

There were no proponents.

Public Comment:

Kathleen Sloan: My question is, how much money is the tax generating per year?

Mayor Hechler closed the public hearing.

Chris Muirhead, Modrall Sperling: As a general statement to answer your question, while Manager Whitehead looks for the firm number, the idea and the structure in DFA in conjunction with Bosque Advisors, and the city, set the mill rate so that it ties as closely as possible to what your debt service payments are going to be. So that's a little bit of magic, artful magic, because you're looking at assessed values that may change over the term of the bond, as well as the number of properties that may be subject to property tax. So you're looking, the art is to try to hit that mill levy that you've set, to keep steady, so that it produces enough revenue, and then tie your debt service for all your outstanding bonds, so that it gets as close to that number as possible with a little excess. Then what happens is you develop excess, let's say you develop excess over 1-2 years, because it's producing a little bit more, you don't want to come under, then you would then have that first year maturity on like the 2026 bonds, on a \$790,000, you may have \$100,000 or \$200,000 maturity that first year because you've generated more

tax for the bonds. The important thing to note about the debt service levy is that it isn't solely for debt service, so you can have an operational mill levy, which you have, that produces monies for your operations, but the debt service can only be used to pay the bonds. If you have excess money coming in on that debt service levy, it can't go for other operations or to pay other debt service. I'll pass it over to Nathaniel.

Nathaniel Valenzuela, Bosque Advisors, LLC: Right now, based on the 2025 assess value numbers, \$432,264 for that debt service mill levy.

Chris Muirhead, Modrall Sperling: That will then cover your debt service for the 2023 bonds, the 2024 bonds, and then the 2025 bonds. So, in 2026, you still would expect that number to be about the same, you wouldn't have that number increase as you brought on the 2026 bonds. The structure is, that as you bring on the 2026 bonds, you have maturities ending on the 2023, 2024, and 2025, so the 2026 slides in there, but the mill levy stays the same, assuming the same assess values and number of properties, that same 400 and some dollars to then now pay for series, even though before it was 3, and that's the magic of that structure so that you then have comfort as voters going forward. The next time this comes up, they see the improvements, and then they say, "Okay, we'll renew this because we're already paying a property tax and it won't increase our property taxes."

City Manager Whitehead: I wanted to point out, with what we set with DFA, DFA helps us set that, we did have a higher property tax rate on the first one because they missed a payment, so that rate was higher at 4.5 which generated about \$550,000. Now we're going to be set at 3.5, our intention/target is to remain at that, which should generate that 435. Those are the numbers that it generates. We've gone and completed, so if you go to our website, we have created and have an entire page dedicated to the bond and the bond issue. The citizens can go and see all four, remember, they voted to grant us \$3 million to use for the items that they said. That \$3 million comes to us in \$750,000 tranches. The numbers are always going to be different, as Chris explained, but you can go see. So for example, if you open the [bond page](#), and click on where it says [Bond 1](#), we have broken down where we're spending those dollars, so the community can see exactly where we think, and where we're going to spend those dollars for these items. Everything is still kind of fluid, we're still trying to bring contractors on, but all three of the \$750,000 tranches are visible, so that you can see we're spending that money for the items listed: water/wastewater and streets, and it's divided up. This particular bond we are approving today, \$440,000 will go for the match for shovel-ready projects, which we've already just bid, we've awarded a contract, this will represent our match for that particular one, which is \$440,000. So, when this bond comes in, it's spent, it's allocated, it's going to meet all the obligations, and this one will pretty much be out the door.

Chris Muirhead, Modrall Sperling: Just to follow up, the importance of that, because you've borrowed on a tax-exempt basis and you get it a little cheaper than just going to the bank, the IRS wants to see you spend that money as quickly as possible, this is an ideal scenario. When the money comes in, you are already obligated and it's going out

the door that quickly. You have a three-year period, the fact that it's going out this quickly is the best possible outcome.

Mayor Hechler: Thank you for taking the time to post that. I don't know how we could be any more transparent. So, good job.

City Manager Whitehead: I'd like to take all the credit but I can't. You know, the team is working hard, the PIO Carrie has done a good job, we've worked on this for 6 weeks to try to get the information right, the voters can see how it works, what the bond issue is, how it pays back. So hopefully we have good information for the public to track what we're doing with this money they've allowed us to use.

Commissioner Fahl made a motion to approve final Adoption of Ordinance No. 772 G.O. Bond and approve authorization for the Mayor and City Manager to sign any applicable documents related to the bond. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried with a 4-0 vote. (Mayor Pro-Tem being absent during this portion of the meeting).

E. PUBLIC COMMENT (3 Minute Rule Applies):

June Russet and Laura Keck, Tree or C addressed the Commission with comments related to:

- We are part of Tree-or-C. We're here to talk a little bit about what we've done and what we're going to be doing in the next coming month.
- We just wanted to share an update with how many trees we've planted in the last year, we've had three public planting events. We planted 200 trees to date. The volunteer level has fluctuated, we had as many as 70 last February, and we just recently had 45 at our most recent planting, which was just this last Saturday in Ralph Edwards Park. We planted 75 trees in the neighborhood east of Date Street, up to Gold. We also had a wonderful lunch provided by Destiny Mitchell and her GSAPP program. She catered for us.
- We have also had a lot of other public events, training team leaders, because this program counts on volunteers. We are three coordinators, Elise Curtain isn't here with us today, however we train team leaders to lead these small teams to plant trees. So it's really a fun experience, we count on this collaborative community experience, we're trying to build more relationships with other places that we can get a good working team of volunteers who will continue to plant with us.
- This Sunday at 2pm we will have an 80-tree giveaway, they're smaller, the ones we plant are 15-gallon potted trees, and these will be 1-5 gallons, but we'll be giving 80 trees away to the general public. Our volunteers come first-come, first-serve. That is at 2pm at 303 East 1st Avenue. We will have a brief tree care class, we like to include as much education as possible whenever we can to ensure that these trees have a successful planting.
- We also have an upcoming planting where we will require more volunteers on Saturday, December 6th at 9am at Ralph Edwards Park, to get into our teams, and

then we will break out and we will be planting another 75 trees. That will also be followed by another giveaway, with more information on that coming soon.

- We're at over 200 trees given away, and 200 trees planted. Just to mention one more thing, we have a five-year grant, so we have three years left to continue our work.

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

- I'll start with the really exciting news that you've probably heard already. We found out yesterday that we received the Levitt Grant. We will be putting together three years of concert series in Ralph Edwards Park. There's lots to plan with this and we're just in the very beginning stages of it, but we want to make this really diverse, and have lots of different genres represented, to make it family-friendly and bring in all different parts of our community to bring people together and enjoy live music, so we're really excited about this.
- Other things that have been going on at MainStreet, it's a very busy season for us right now. We just had Trick-or-Treat Downtown for Halloween, had a great turn out as always, lots of families and children came out. We really appreciate the support of the Police Department and the Streets Department in closing the streets and keeping things safe for the kids. We also appreciate the support of many business owners and individuals that handed out candy, planned events like dance parties, live music, and just made a lot happen for our youth.
- We had our business breakfast in early November, we had 19 people attend which was our biggest one yet. Thank you to Jones Street Secondhand for hosting that.
- We had our Foch Street groundbreaking ceremony that same day, the construction is hopefully going to begin the first week in December. We're really excited for that project to get underway.
- We had our annual accreditation meeting. Every year, we have to do a lot of paperwork, assessment, and reporting to MainStreet America and New Mexico MainStreet, and we have received accreditation for another year.
- Right now we're putting together Small Business Saturday plans. On November 29th, any purchase in any Sierra County small business of \$20 or more, showing your receipt will get you a raffle ticket. We have information on our website about how to do that. We're trying to encourage people as much as possible to start their holiday shopping in our local small businesses across the county instead of just going online.
- We're also working on Old Fashioned Christmas plans. That will be December 12th, we'll have the parade of lights, we've got about 12 folks already signed up for the parade, but we're hoping for a lot more. So we're trying to spread the word about that. We'll have Main and Broadway both shut down with burn barrels around town, stores open late, and Santa at the Healing Waters Plaza.
- That's the gist of it for now, you know how to get in touch with me for any questions you may have. Thank you.

F. REPORTS:

City Manager Whitehead reported the following:

- There's a lot happening, as you can see, a lot of good stuff going on. Let me talk a little bit about some of the challenges we've gone through over the last couple of weeks. I want to talk a little bit about the situation we had with our water wells. Didn't think it would start out being so stressful, but it really turned out to be a bit stressful. When you end up with 2 water wells producing about 700 gallons a minute. The crew did a good job managing and maintaining, but well #2 is down, we're trying to build that, that's the one that you approved us putting a new house around, and we're actually restructuring it. It turns out that well is probably 75 years old, the casing is severely damaged. We are working on a solution for that to maintain it, so we don't have to drill a new well there in the area, and we think we have that; but that well was down. In the middle of that, well #1 decided to go down. We made a solution to get that fixed, we will have some cost savings on Well #2 that we didn't anticipate, they bid that project out at a higher cost for a bigger pump and it didn't need that, so we said, "Okay we're in good shape. We'll use those funds and put well #1 online, get well #2 done." And then, that Monday, Well #6 decided it didn't want to work anymore. Well #6 is now back up, it's a good producer, pretty close to 1,000 gallons per minute, the tanks are holding, we're managing really well on #3. Well #1 is ready to go, that pump is in-house, I checked this morning. So they'll be doing that, and then we'll approve the repairs to the casing so that we can finish up Well #2. Hopefully in 2-3 weeks, we'll have all five wells back producing. Hopefully you saw the information we put out on the wells to let the public know what was going on there. I would say, the only challenge we had at that particular moment was that we had entered into a contract with Love's to purchase water from us for their site construction. We have a meter, and they were using quite a bit of water, so we made them stop using water from the tanks, and we provided water to them from the affluent system. They did have to drive, so I provided that water at no cost. It was a \$240 investment, is what we made, what they spent, in drawing the affluent water from the tank for four days. I felt that was in the best interest of the community not to have them using that, and they're moving along pretty fast.
- Today we have an item on the agenda that we hope you will approve, for a contract to start the electrical side of Love's. I will inform you that we have completed the participation agreement with Love's. As you know, you guys approved us using LEDA and some economic development tools that we have within the community to do so, so we've negotiated out all of our concepts. Again, I'll remind the public, Love's is going to put in a new sewer line from their site all the way down to our Kopra Street site, which will open that area for development and sewer. In our agreement, we are allowing them to recoup some of their funds through future taps, if somebody wants to develop there and they pay those tap fees, that'll be going back to them. They have agreed to install a large section of the water line, a 12-inch water line, from our tanks. It's actually going to be 2 runs, 4 valves, and they'll move that all under, we estimate that investment at about \$100,000 that Love's will put in for us as they build out their

road. For the job creation that we're providing them, we're granting them a 20% rebate on all their utilities, that's for 18 months, and they have to provide 8 jobs at a minimum of 32 hours per week, for a period of 18 months within 36 months, we negotiated that. Finally, they've paid us \$200,000 to install the electric side of the house. The electric side will cost us about \$270,000, so again the city will invest about \$70,000. Part of that is the transformers, and we made the decision to go ahead and bid out the new line that needed to be installed, the new 3-face line, it's a pretty significant line. We ended up having to add gross receipts tax and bonding to that particular issue. We put together the arrangement as we agreed, Love's has already paid us in full, I think, for the \$200,000, we've at least invoiced them, so that project's going and they plan to be open by April. They are really moving dirt and moving along, so we think that's completely in order as we agreed, so I present that to you today on that particular issue. I did a small analysis on the cost, the \$70,000 we will recapture those funds at about a 2 ½ year return on our investment for those dollars. We're at about 42% return on our cost for utilities, that's just a rough estimate. They'll be good utility payers for quite a while.

- We have, and I think we have presented to our legislators at the end of October, the South Central Council of Governments hosted a nice meeting for us to present. We had good conversations, our five top items are prepared and ready to go. We've already met and talked with our lobbyist, we'll get that ready to go. We think we have a pretty good strategy to get that set out.
- I will jump ahead of Jocelyn a bit and congratulate Carlos Miyagishima, he has passed his CPO training. He works for us and he will now be taking over those responsibilities fully for our purchasing and our CPO. He and Jocelyn have worked out an arrangement by which she will continue to coach, evaluate, and share that responsibility. For those that aren't aware, New Mexico Statutes require that you have one central purchasing authority, a CPO, that person has to take full responsibility for all the purchases. Even though many departments can do it, we can write contracts on any purchases, it would be Carlos' obligation to make sure our purchasing policies are consistent with law. We are excited for Carlos and his career, he's got a bright future in front of him, so glad about that.
- Let's talk a little bit about the water leak situation. It's important for me to disclose to the public, we are struggling still. As of Monday, we had 61 open tickets for water. I'll tell you that at least 10 of those are for regular maintenance; a meter replacement, a can replacement. So at least 51 of them are what we would consider water leaks. It's a tough thing to say that they are relatively small leaks, but they're just hard to get a handle on. We're fixing between 5 and 8 weeks a week, but we're picking up 2-3 leaks a week. These are the small lines, they're the service lines that go from the mains to the house, it's old Polypipe. We had a nice discussion amongst our department heads this week looking for solutions, we might reach out to rural water. We might put together a team where our road department and our water department can partner to try to get a handle on it. But we not only have water leaks, we have sewer issues, we have challenges, we have call-ins. I'm reviewing all the Daupler calls every week, they're sending that to me. We're using iWorQ, we have everything laid out on iWorQ, we have a

process, but it's just a challenge. The crew shows up every day and works, I'm really proud of them and hopefully we can get a handle on this pretty soon.

- The mayor and I have talked about wanting to host an employee recognition. When I came on board, we were doing it on a weekly basis here, I didn't feel that was the best use of our employees and our time in these meetings, so December 12th, we've put together a little committee, and we are going to try to host a training where we'll talk a little bit about pay structure, some safety training. The mayor and I would like to feed all of our employees. I really don't want the department heads to do it, so I'm going to work with the mayor and see what we can do to get this accomplished so that the staff can come in and we can give them a little Christmas meal, we can do a training, and then reward those that have been with us for a year, five years, and 10 years. We have that in the works, and that will lead to the Old Fashioned Christmas.
- Many of the staff attended the infrastructure conference November 4th-7th. A lot of great information, the state of New Mexico is really doing a great job producing classes that last about an hour or an hour and a half, to teach us all the ways that we should be thinking about, innovative ways, to build out infrastructure, find grants, find programs, and I think across the board, everybody found many classes that we had a lot of questions on and learned quite a bit from. The staff continues to educate themselves to try to get better on those things.
- For Foch Street, as you know, Becca's given you a good view on, we're ready to go. We got slowed down, we really wanted to work out the traffic plan for the businesses. We have an art gallery on the top that needed some access, we have PurLife in the center, they're probably the biggest landlocked business, and then the Money Man down on the end is kind of landlocked. So we really worked with the contractor to figure out a good walk path, drive path, that we could accommodate. We finally came to concessions, so the traffic plan is at the DOT to get approved. As soon as that's done, they'll be ready. Again, we've all targeted December 1st for our start date. The contractor was struggling to find a place to park their heavy equipment, a construction yard, so we've offered them and will allow them to use the water yard here. The fenced-in yard next to us. It's the closest city property that we had, so we'll be receiving some in-kind contribution as well to that project. We will not charge them for using that, we will use that as a way to offset some of those costs. We get about \$700 for the land that we had down on South Broadway when we leased it before, so we've said, "We'll provide that but we're looking for you to make sure you find a way for us to get value for that at the end." So, we'll write that agreement to be part of the in-kind contribution for Foch Street. Again, to remind you, that project is so tight. We have exactly \$2.6 million and we need to do everything we can to get as many dollars on the ground as we possibly can.
- We're excited because the USDA and the federal government is back to work. We've sent all the final documents, hopefully we'll get concurrence, we'll get loan closing instructions from the USDA, and both of those projects are ready to bid. We've been working while that's been down, so hopefully we have that ready to go. We had to do a title search, we had a lot of work to do with the title company, but it worked out well, we got it done just before the government reopened. So

those documents are signed and turned in. Hopefully we'll be ready to bid those out.

- The golf course struggled a little bit. We've lost several trees this winter. We've marked some through a volunteer, we're going to try to get those out, and we would hope to be working with Tree New Mexico here to then replace trees on the golf course and do something with that. I think that's really exciting. Hopefully we'll have another place where we can go and kind of keep greening and return that where it needs to be. With that I would stand for any questions.

Mayor Hechler: I do have one concern regarding Love's. As I go by there, there's a huge yard debris pile on the property where everything they've scraped up, they've put in a pile. I'm curious what they're going to do with that, if they're going to burn it?

City Manager Whitehead: They're going to burn. They've worked with the fire department and followed the statutes that we have, and they'll be burning any of the waste they have.

Mayor Hechler: I was kind of worried they might try to bring it to our Sanitation Department.

City Manager Whitehead: No, they asked early what the burn rules were, and I connected them with Chief Tooley, and they've commit, and they understand, so they'll be burning.

Mayor Hechler: Okay thank you. Commissioners, do we have any other questions?

Commissioner Hoepfner: I have a question, your people came to me, and I saw it myself, a black helicopter with a device underneath it flying over town.

City Manager Whitehead: I saw it yesterday, driving in.

Commissioner Hoepfner: So nobody knows what it is?

Commissioner Fahl: New Mexico Tech is doing it. It's a geologic study. They'll only be here for a few days, then they're going further down.

Commissioner Hoepfner: Okay, I'm glad there's an answer.

City Manager Whitehead: I was driving into town from Las Cruces yesterday, and it was flying over the south part of Williamsburg, and I thought, "Wow what is that?"

City Commission Reports.

Commissioner Fahl reported the following:

- First of all, congrats to MainStreet about the music grant. That's awesome, but I was more excited about the ribbon cutting for the Foch Street project. We were at doctor's appointments, and I wasn't able to attend. I was really sorry because those of us that have been here for a while, that's been a long time coming, and it's really a culmination of all those years, so congratulations. That's pretty awesome.
- I wanted to thank Gary and Rolf both for the comments you made during our Veteran's Park program. I was out of town and wasn't able to attend, I didn't hear yours, but Rolf's last year was very moving, and I'm sure you guys both did a good job, and thank you for taking the time to support that.
- I wanted to thank all of our citizens in our community who stepped up for all those local elections. We had a lot of elections, and it was nice to see that many people wanting to participate and give to their community, so that was awesome, and congrats to everybody that won, including my son, I just had to plug him in. Who barely beat Destiny, by the way.
- On a professional note, the Jornada RCD, as you know, is working on signage for the Turtleback Trail. We've gotten all of our sign verbiage put together, so I'm just trying to schedule with the graphic designer to get those done, then we can get them ordered. So maybe we'll see some activity for the trails, so that's exciting.

Commissioner Hoepfner reported the following:

- The holiday season is here. It's a time for us to come together, and for me, it's an exciting time to be part of this town and to be part of certain programs, like the MainStreet curb appeal micro grants. We were part of it, and I wanted to announce that the 420 Broadway event space has a mural finished, courtesy of that project, as well. I'm very excited that we are seeing positive changes downtown. People come and say, "Oh what is with this old building?" or "What is this sign?" and now we are moving forward. So, thank you to MainStreet for all that they do. In collaboration with the Arts Council, with the Chamber of Commerce, working together helps, and now we are seeing the fruits of their labor. They've done a great job beautifying our town, and I'm really happy to be part of this Commission and to be able to see the changes moving forward for our town, to make it a nice place to be. They are already working on the arts and cultural district, and that is something amazing for every small town to be part of. Those organizations help our small businesses and encourage them to stay here, to reinvest in our community. I am so grateful that these things are being made possible by MainStreet. These programs are so vital in connecting all parts of our community, and they make it so that visitors want to come back again. It is so clear during our downtown events, like on Art Hop, that it makes a difference, and it helps bring in money in all different ways, especially tourists booking hotels because they want to be part of the environment we have cultivated here. I would like to emphasize to everybody how important it is to support the small businesses and join us in celebrating coming together in our community.

Commissioner Mitchell reported the following:

- I also wanted to give a shout-out to MainStreet for the Levitt music series, I think that's going to be super awesome. It's great for the community to have something they can go out in public and do, and it's family-friendly. I hope that it's a huge success, I know it will be.
- To reiterate, Small Business Saturday is the day after Thanksgiving. Local businesses depend on this, so please shop local, it really helps.
- I did attend the Tree or C planting on Saturday last week, we're 800 shy of your goal, Rolf, of 1,000 trees, but we're working on it. This time I didn't get to go out and plant. Instead, me and the kids did all the cooking for it. But it was a great turnout, lots of volunteers, it's just really great to see. I remember when I was in the 7th grade and we planted the little tiny trees that are not the giant 15-foot wind blockers by the middle school. We planted those when I was a kid, and seeing those just reminds me that we can change our climate here, we can make a difference.
- Another thing that blew my mind, I am the city commission's designated liaison to the recycling committee, and I was at their meeting the other day, and I was told that we have a recycling center. I've heard about it, I just have never seen it. June, Pat, and I met out there, and I saw this whole yard full of all these dumpsters that are separated by aluminum cans, mixed paper, etc. I'm like, "I know everything." Right, but I didn't know about this. I wanted to just shout it out there, if you guys don't know about the recycling center, it's there and they take all kinds of stuff. There's more information and their hours of operation on the website, but we can be individually be recycling here in Truth or Consequences, it doesn't necessarily have to go out of town, we can do it right here. I'm encouraging people to get on the band wagon and continue to recycle. We did the catering the other night, and I've been helping Raven Willow with the feeding neighbors, I recycled all the tin cans, all the paper boxes, I'm a recycling machine now. It blew my mind that I didn't even know this existed, and I should know this. So if you haven't seen it, I encourage you to go check it out, and I encourage you guys to recycle.
- Lastly, I wanted to introduce our newest commissioner who is in the audience today, Mr. Chaz Glines, congratulations. For those of you who have never seen him before or haven't gotten a beer served from him at the brewery, this is Chaz. He will be joining us, a reminder to be here on December 17th which is the date of his oath of office swear-in. That is all I have.

Mayor Hechler: Thank you Commissioners, and congratulations on your re-election. Congratulations to Mr. Glines on your selection. I look forward to working with you.

Mayor Hechler reported the following:

- I was able to present a speech at the memorial wall on Veteran's Day. We had Rebecca Dow and Gale Armstrong also present. Gary gave a speech at the same meeting. I think we had 250-300 people there at least, it was very well attended. Shout out to OJ and the Parks Department, they got it all ready, moved

the bleachers out there and everything else. We received a lot of good compliments for the city and the setup, so great job all the way around. That is really beginning to be a nice event every year, so I'm glad we were able to attend.

- I also attended another Veteran's Day celebration at the hospital on the 11th. This was really special. As they moved all the disabled veterans from the veteran's center there, it was elbow to elbow, there wasn't any room. The thing that touched my heart while I was there is that we sang the national anthem, we had a guest singer, and the whole room erupted in song. It was really a beautiful moment and I was very proud and it's amazing to me how many people know the words to the national anthem. It was really special.
- On October 30th, Gary and I attended the legislative priorities meeting with other entities in the county. We were able to present our senator and representatives with our legislative requests. These items were taken straight off of our ICIP. They included: Water Treatment Plant upgrades, Lee Belle Johnson center facility improvements, Marie Street improvements, substation power transformer replacement, and community multipurpose center. The Water Treatment Plant and the substation power transformer replacement are items we will go to the governor's office for, capital money, and the other three items we will try to get from our local representation. I think we have a good package that was put together, we should have a good opportunity to get some of that funding for our community, so I'm looking forward to that.
- On November 12th, I attended the MainStreet accreditation meeting with Becca and Linda. Commissioner Mitchell was there. MainStreet, as usual, knocked it out of the park. We have a very strong organization, MainStreet they do so much for our community, and we're so thankful for all they do, including the last milestone that you just hit with the Levitt grant. Congratulations on that and congratulations on doing such a good job for our community.
- In closing, just in general, I want to talk a little bit about manager Whitehead's approach to upgrading some of our city ordinances, I really appreciate those efforts. For instance, I have been able to participate in the animal ordinance rewrite. In my estimation, there has been over 100 staff hours involved in rewriting that particular ordinance. We've had a guest attorney fly in from Best Friends to assist us with the rewrite of that ordinance. This is a very comprehensive approach. We've had open meetings concerning the rewrite of this ordinance, so when we're done with it, you'll have it today, but that's the approach we should take for some of these very meaningful ordinances that deserve rewrites. I really appreciate those efforts, thank you for taking that on in that way.
- In the same manner, manager Whitehead and Traci have been attending the Planning & Zoning Commission meetings. If you read the minutes that are in our packets, very lengthy discussions about rewriting some of our ordinances as it pertains to Planning & Zoning, and how that process is going along. I really appreciate those efforts and I think we are going to be better for it down the road.
- I also want to thank Tyler Knull for his dedication in leading the rewrite efforts for the animal control ordinance. He has quickly become a subject matter expert at

the local level in dealing with this ordinance. I really appreciate his efforts and his hard work, thank you so much for that. With that, that concludes my report.

City Attorney Reports:

City Attorney Rubin reported the following:

- I also would like to congratulate Destiny Mitchell and Chaz Glines. I also appreciated Gary's report, it actually covered a few things I was going to talk about, the Love's contract, and also the title search issues we encountered to start the USDA project. From what I hear, the participation agreement has been resolved. I know we had some back and forth discussions, just like any other contract negotiation scenarios, so I'm glad that's been addressed. Regarding the title search, as Gary mentioned, what was going on there was that I was requested to sign a preliminary title opinion, that certified the city was the owner of 11 different properties that were involved in the project. The prudent thing to do would be to give the title company a call, and they did a good job in being very thorough, so we ordered 11 different title searches. It was incumbent upon myself to go back through those searches to see the city's acquisition of ownership for the various properties. It was very interesting because what I kept seeing was that in a lot of cases, we were acquiring these properties back over 50 years ago. It's really interesting just to go through the chain of titles to see really how we've evolved. I'm glad that we seemed to reach a conclusion. I did execute the title opinion last week, so we are moving forward. That's all I have.

G. CONSENT CALENDAR:

1. City Commission Regular Minutes, October 8, 2025
2. City Commission Regular Minutes, October 22, 2025
3. Acknowledge Regular Public Arts Advisory Board Minutes, July 15, 2025
4. Acknowledge Regular Library Advisory Board Minutes, October 27, 2025
5. October 2025 Accounts Payable
6. Purchase report of items between \$20,000 and \$60,000

Commissioner Fahl moved to approve the Consent Calendar as submitted.

Commissioner Hoeppner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

H. ORDINANCES/RESOLUTIONS/ZONING:

1. Discussion/Action: Resolution No. 22 25/26 Budget Adjustment Request.

Mayor Pro-Tem Forrister joined the meeting via phone at this time.

Jocelyn Holguin, Chief Financial Officer: We're doing a little bit of a different process with the BARs. It's a two step approval. On the first one, in the middle, it says, "Fully executed agreements" because we were putting some agreements that came in that didn't have all the signatures, and that delayed us moving the BARs to the state when the other agreements were ready to go. So we are putting this first group that are fully executed, and then the second one is pending signature. We might modify that in the future, but for today, all the ones listed, 1-6, are fully executed. The funding for item 1 is the funding for the library aid that they get annually. That's to increase the budget by \$1,500. Item 2 is the NMDOT for the airfield maintenance funding that was received. That one is \$20,000 and \$22,000 to increase those GL lines. Also on number 3 we have the New Mexico Board of Veterinary Medicine grant that Tara received, that is an additional \$40,000 to create in the budget. Then we have the public safety grant that was for the PD, that was overlooked during budgeting so we're putting it in the BAR to put the budget in for the PD. The Clerk's office was very conservative during the initial interim final budget, but there was some shortfalls when it comes to the rentals and other items, so we decided to, since we're halfway through the year, we checked the numbers and we see where she needs additional funds, so we're doing a BAR to increase the budget. The Veteran's wall was another oversight, we didn't budget for that one, I don't know how we missed it.

City Clerk Torres: We hardly get those. We maybe get a couple every 2-3 years.

Commissioner Fahl: Is that for the Columbarium?

City Clerk Torres: Yeah, we had somebody that purchased one, and they're actually going to do the burial this year, too, so that's why we added that one in there.

Jocelyn Holguin, Chief Financial Officer: It's just to start the budget, we might adjust it in the future, we're not sure. Unless something else comes in.

Commissioner Fahl: Yeah, that might be more like if something comes up.

Jocelyn Holguin, Chief Financial Officer: Yeah, so I stand for any questions on this first section.

Commissioner Fahl: I have questions for the Clerk. Could you explain, I mean it's not much money for your overtime, so who, I assume it's Katy that does the overtime? And then when she goes to the meetings, I see she's taking notes. So, I'm going to be a little rough on that, why do we need to pay overtime if we can send you instead? But you do get to have time off, I understand that, I just think that was one of the reasons why we

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tried to have some of those, so that we wouldn't have to incur overtime expenses for other staff.

City Clerk Torres: That's a good question. My staff has always overseen the advisory boards, that's part of their duties in their job descriptions.

Commissioner Fahl: And I didn't mean, again, \$200 that's not much.

City Clerk Torres: Some of the meetings start at 4pm, some start at 3:30pm, and then right now Planning & Zoning are trying to do revisions to the ordinances, so it's not a lot, but she does sometimes have to stay over due to that.

Commissioner Fahl: I would agree with that. And then, the Sharp, is that a copy machine?

City Clerk Torres: Yeah, that's our copy machine. We have to make a lot of copies for packets and stuff.

Commissioner Fahl: Most of them are so much, and then there's so many copies included, and additional.

City Clerk Torres: Yes, you have to pay for each copy. For color, they charge a lot for that, and then our agenda packets sometimes are thousands of pages. We make a lot of copies, so I think that's why we went over. The other one is for iWorQ. I had the money in there, but I had to move money around to cover other expenses, so this is just so I can pay my bills.

Commissioner Fahl: Sure, I agree. She answered my question, I just wanted her to defend her position, so there you go.

City Manager Whitehead: I'd just like to comment, good questions, valid questions. We'll continue to learn the nuances. Both Jocelyn and I have met and discussed, both of us coming in knew with this first budget that there are items that we potentially missed. Again, the number of copies from a copy machine, so we looked at the full contract, how much is the base amount, that's kind of the way we budgeted, and moved on. We have a similar situation, so everyone is receiving a nice newsletter in their utility bill now.

Commissioner Fahl: That's more copies.

City Manager Whitehead: That's a lot of copies, and we didn't think about how many copies we would make, it's about 2,800 copies a month. So, we're recognizing some nuances throughout some of our contracts that we potentially missed by just not being aware. We note these items, and hopefully in our new budget, we will be a little sharper where we don't miss a couple of these items.

Commissioner Fahl: Good response.

City Manager Whitehead: Thank you. We're trying to be on it, and we get it, we're going to learn some things that we just can't foresee.

Commissioner Fahl: That's what budgets are about.

City Manager Whitehead: They come in and say, "This budget line item is –" and I go, "Wow, I didn't see that coming." But we're on it and Jocelyn does a good job noting it and thinking about how the budget will look better for us next year.

Commissioner Fahl: Well and just to support you, Gary, I think that the public – you know, the budget is a guess for what's going to come forward. Having these details and doing these adjustments, and having a good explanation that you put in the packet now, I think is really good for the public to see that also. You're doing the best you can with the facts that you had at the time you put the budget together. So good job.

City Manager Whitehead: I will just comment on the process that Jocelyn put together, it's a little bit of my passion to streamline what we do. If you think about it, just to give you and the public an idea of how it works, a contract comes through, you get to look at it, debate it, and decide whether or not you want us to spend those monies or you want us to do that program, and once you do so and you put us on the path, we're asking just for the ability to do all the back-end work that needs to be done, and that's where for the BAR, we weren't doing that, so once we got the final contract, then we'd have to come back to you and ask permission for the BAR to go forward. What we're doing here is saying that these contracts, you're approving them, and you're granting us permission that once the contracts are all executed by the state, we can then put them in the BAR and forward it on to DFA for their final concurrence. All that is transparent, it's open, it's not anything that we don't need to be done, but you would have ultimate oversight on whether that program was accepted or not, if you didn't want to do the contract, you'd say no, and we wouldn't need to then do a BAR. I'm really supportive of this concept to keep us a little more nimble. Thank you.

Mayor Hechler: Before we make a motion, I'd like to make a comment. I wanted to change a little bit, our motions, in a form that we seem to always say, "I'd like to make a motion to approve as presented." Which is fine as a catch-all, but it doesn't really get specific enough sometimes for our motions. If you look at the recommendation on the agenda item, like H-1, the recommendation is "to approve Resolution No. 22 25/26 Budget Adjustment Request for fiscal year 2025/2026" that's more specific to what we're looking for as far as a motion goes, and if we need to modify that we can, but I've asked the staff in the recommendations to write that more in a form that will help us make our motions, so that we don't have to take a broad brush approach to say, "I'd like to make a motion to approve as presented." I think that's a little too broad for me sometimes, and it might make things a little bit simpler.

City Attorney Rubin: I agree, more specificity, yes. As a matter of fact, Gary, I think we talked about this yesterday, we said we also want to make that conditional on some of the other items on the agenda.

City Manager Whitehead: Well the conversation really was that in the future, the BAR really should follow the contract. In this particular case – and we're just putting together the agenda packet and it's coming as it comes, we put the BAR up front – so realistically, we need to do the item, the contract, you need to have your time to debate it, and if you approve it, then the BAR would follow that action. In this case, it's a bit presumptuous that you're going to accept those contracts. That was the context of our conversation.

City Clerk Torres: In our future agendas, we will have ordinances and resolutions after new business, to cover that.

Mayor Hechler: And I realize it's a little difficult sometimes to listen and pay attention, and then try to formulate a motion in your head at the same time, so that's why we took the extra step to maybe assist a little bit. And this is just a guide, it's not the motion, but it will help.

Commissioner Fahl: So, you're just really saying that you want us to read everything that you already read so that – we're trying to just shorten it so we don't have to keep repeating all of that so we don't have to make such long motions.

Commissioner Mitchell moved to approve Resolution No. 22 25/26 Budget Adjustment Request for fiscal year 2025/2026. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

2. Discussion/Action: Resolution No. 23 25/26 Budget Adjustment Request.

Jocelyn Holguin, Chief Financial Officer: So, this is part two of the discussion. These are agenda items that are to be presented in new business, and they are not fully executed, pending signatures. With these two items, we will ask for your approval if you, I believe, would have agreed to the new business, and then once the fully-executed documents come in from Traci, then we'll move forward to sending them to the state for the BAR. But it won't hold up the ones that are already done.

Mayor Hechler: I was going to ask you that, because here we are approving it, before we're talking about it.

Jocelyn Holguin, Chief Financial Officer: That's the caveat that we just discussed in length.

The governing body revisited this item after the contracts were approved.

City Manager Whitehead: This would give us the authority to submit the BAR once the final documents from the funding agencies have been presented.

Commissioner Mitchell moved to approve Resolution No. 23 25/26 Budget Adjustment Request for fiscal year 2025/2026. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

3. Discussion/Action: Resolution 24 25/26 Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval to NMFA for an Effluent Reuse Water System PER (Preliminary Engineering Report).

Assistant City Manager Alvarez: This is the NMFA planning grant that we've applied for before and received funding on various preliminary engineering reports or PERs, the PERs are required to go out for funding through USDA, Water Trust Board, Collonius, CDBG. So we are asking for approval of Resolution 24 25/26 in order to apply for \$100,000 planning grant. It would be 100% grant, no cash match. That would be for the engineering report to take a look at our effluent water system. The report would justify or confirm any feasibility and affordability for recommended improvements and expansions, potentially look at the possibility of expanding our effluent water over to maybe the cemetery, so we're not using potable water to water it, and then potentially some other areas that can be explored during the study process. With that, I stand for any questions or will defer to the city manager if he has anything to add.

City Manager Whitehead: Nope.

Mayor Hechler: I just have a general question, I don't mean to catch you off-guard here, but of all the effluent water we produce, what percentage goes back into the river? There's a lot of water to be able to be used, right? Do you have a general idea?

City Manager Whitehead: I'll attempt to answer, probably 80%.

Mayor Hechler: So we're only using 20% of our re-used water. So this PER would be relevant to what we're trying to achieve and be able to use that water somewhere else.

City Manager Whitehead: It's really nice, if you look at that nice report that we put out in everyone's utility bills, we're tracking that. In July, I think the numbers at the golf course were about 7.5 billion gallons of water, but that's the highest water use time that we put out. Generally, we're about 2 million and then a little bit at the parks. There's a lot of water there. A lot of availability for re-used water.

Assistant City Manager Alvarez: Currently our effluent only filters over to the golf course. OJ uses it out at Family Park and the ball field. Then, of course, we have the truck use for effluent water for construction trucks.

Mayor Hechler: Okay thank you.

Commissioner Fahl moved to approve Resolution 24 25/26 Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval to NMFA for an Effluent Reuse Water System PER (Preliminary Engineering Report) and to authorize the City Manager and Mayor to Execute applicable documents pertaining to the application. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

4. Discussion/Action: Resolution No. 25 25/26 authorizing and approving the submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority.

City Manager Whitehead: I'm pleased to present this to you today. What we're asking for is a resolution which would allow us to make an application to the New Mexico Finance Authority revolving equipment loan fund. One of the visions that I had when I came on board was finding ways to improve the pride in our community, and we are struggling with the street sweeper. We have one street sweeper, the crew has done a great job keeping it going. The second one that we have, the box that holds the waste that comes off the street is ruined, over time, water has caused damage. It's about a \$70,000 repair, so we would be putting \$70,000 into an old process. What I'm asking for here would be, we can make an application to the New Mexico Finance Authority, we would qualify for \$150,000 in what they call "small community funds" which might be at a 0% interest rate, the balance would be at a nominal rate, somewhere around 3%. We have enough cash, we potentially could put enough cash together to write a check. We've looked at two sweepers so far, I've gone and travelled, Buster's looked at one, we're somewhere between \$230,300 for the sweeper. We really like the vacuum sweeper because it gives us an opportunity to pick up the water that accumulates in the summer. It would give us a secondary program. With the mechanical sweeper they have fixed, we think if we have both of those working, we would have a little bit of a better product. We'd like to make this application. Again, there's a chance that we could pay for it. I don't want to deplete cash, we need to pave some streets, we have a match coming up for Cantrell, we will need some cash, we've got to figure that solution out. So by doing this, our payment would be about \$40,000 a year. If you think about it, for six years, we would finance, we'd have about a \$40,000 a month payment if we went through that. I've also done some research, there's a possibility we could borrow the money from our enterprise funds, our electric department does have sufficient funds, we're actually allowed to use those funds to borrow, so potentially, at 0%, we could make a loan, make the same payments back to the fund, so we might look at that as a caveat. I'd like to see what the terms are, but again, that's our vision, we'd really like to get a street sweeper, get something modern. The sweepers we're looking at are really nice because they are called non-CDL, so you don't have to have that to drive them. They're a little bit smaller, but they're really efficient, and I think it's a good opportunity for us to get our streets cleaned up. Once we apply, this has to get on the board of finance meeting in December, and if it was approved, it would come back in January, so we would come back to you in January, we would present our best options for

purchasing and the loan, and then we would make the decision to purchase it. It would take somewhere between 60 and 90 days to have the piece of equipment on-site. With that, I will stand for questions.

Commissioner Fahl: I'm excited that we're going to try and move forward and get another street sweeper, I think it's really important for us to have an active program, and I've said this many times before, but when we have one working, I think it would behoove us to have some sort of schedule for when we're sweeping, especially downtown, so that we can encourage people not to park there that night, so we can do a better job. Even in residential areas, if people get into the habit of, "Okay on the second Thursday this month, they're doing my street." Then it will encourage people to park somewhere else so that we can do a better job of keeping it clean. I'm excited anyway that we can get one, and it will beautify our town, but it will be more effective if people know when they're doing their street, especially the downtown areas, that'd be great. But listen to what I'm saying so that when it happens, you don't forget, because I won't be here to boss you around anymore.

Mayor Hechler: I have a couple comments. One thing, that just came to me when you were talking, we could develop some portable signs to let people know of street closures for the next day, we could put those portable signs out in certain places so that they know there would be no parking between such and such a time at this location so the street sweeper will have unabated ability to go ahead and get that street clean. That would be one thing we could do. Another thing I'm thinking of is that I've purchased a street sweeper before, it's been a few years, but the thing that quickly wears out are the bristles, so I don't know if we'd want to purchase an extra set ahead of time so that we are set up for when they wear out, because we are going to use the dogs out of the street sweeper when we first get it. I'm sure we're going to go through those bristles pretty quick, so we might want to have a second set on-hand pretty soon. The conservative part of me says, "I never want to pay interest on anything." If we have the ability to, and I don't want to get into a habit of this without paying it back, borrowing from the electric department at no interest, but making sure we pay it back, I don't want to fall into that old trap where we rely on the electric department to fund the rest of the city, but if we have a mechanism to be able to do that and pay it back without paying interest, I think that money that we're saving is better used within the city. That would be my recommendation, but the rest of the commission will have to weigh in on it of course.

City Manager Whitehead: We present all the options. It still deserves a bit of research, I've just done some basic recon on the statutes of the laws of enterprise funds, so it's available but I would do the research. So, we'll present all three options.

Commissioner Mitchell made a motion to approve Resolution No. 25 25/26 authorizing and approving the submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority and explore all funding options available. Commissioner Hoeppner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

5. Discussion/Action: Publication of Ordinance No. 771 amending Chapter 3 of the Municipal Code of Ordinances pertaining to animals.

Tyler Knull, Code Enforcement Officer: I'm excited to get this back out here. This has been updated since the last time we presented it. I don't want to over-complicate things, you guys should have the copies of both proposals. One of them should have a completely new program, community cats. That was discussed when Best Friends was here, it'll kind of be up to you guys to decide which version of this revision you would like to publish: The version with the community cat program included, or the one without. I have no say either way, I'm willing to go in either direction you would like, if you want to adjust any changes as needed for each proposal. I will stand for questions and let you guys discuss.

Mayor Hechler asked about the community cat program.

Tyler Knull, Code Enforcement Officer: The community cat program is more of a trap, neuter, return program. It will not be city-sanctioned, but it allows members of the public and the community to work with their own trap, neuter, return programs to introduce community cats in their neighborhood, become community cat caretakers, things like that. This proposed revision with the community cat program included has a section that allows for community cat nuisance to be addressed, should community cat caregivers cause nuisances to the public. If it causes a nuisance, it can still be handled, just to cover that. I know people will ask, "What if these community cats become a nuisance?" the revision with the community cat proposal does have a section that allows us to handle those issues as they come up.

Mayor Hechler: Do you have to have a community cat caregiver in order to release the cats?

Tyler Knull, Code Enforcement Officer: Once you release a cat within a trap, neuter, return program, you now become a community cat caretaker.

Mayor Hechler: Who releases the cat? Does the city release the cat?

Tyler Knull, Code Enforcement Officer: No. This will not be city-sanctioned. This just allows people to utilize their private traps to trap a cat within the community, take it to a non-profit; I know there are a few that do it within the community that ear-tip, vaccinate, and sterilize cats, then that person can take that cat back to their community, and they've now become a community cat caretaker.

Mayor Hechler: Will there be a program to allow people to borrow traps?

Tyler Knull, Code Enforcement Officer: That would be between the animal shelter and the community. I'm sure Tara will probably come up with some idea. I know that the non-profits within the community already do these sort of things already do have traps

available, and they do that in their own way. The only reason I'm saying this is not city-sanctioned is because we don't have the resources to allocate toward working with this, but this just allows members of the community, if they would like, to participate and do this without repercussions.

Mayor Hechler: And as these cats are brought in by the community caretaker, is there a fee associated with that?

Tyler Knull, Code Enforcement Officer: That's done between them and these non-profit organizations, or other organizations that they utilize.

City Clerk Torres: Majie Powey indicated that their program does that. They also do rabies vaccinations for stray cats too. I think their organization might want to participate.

Mayor Hechler: We'll have all those questions answered if we decide to adopt that program, right?

Tyler Knull, Code Enforcement Officer: Theoretically, I would like to be able to have some organizations that do offer the trap, neuter, return, or community cat programs, however you want to word it, present for a meeting. Hopefully they're paying attention to this, and I can reach out myself to see if they might be willing to come speak on what their organization does for these programs. I'm just emphasizing that this will not come from city money or anything like that, this is completely up to the community to partake in as they please.

Mayor Hechler: Okay, thank you so much.

City Manager Whitehead: I would just comment to support Tyler on this. The concept would be that if you trap a cat and bring it in, you're going to have to pay to take care of those items for that cat, you would say, "I want the cat back in my neighborhood, but I'm going to participate." So you wouldn't be in trouble for doing so. However, we wouldn't do that. If someone brings in a cat and says, "I caught this cat and I don't want it in the neighborhood." Then we're going to keep it in our system. Secondly, if we find ways to fund that or help with that, i.e. grants etc., then the citizen would be entitled to any benefit that we would have, for any citizen, an animal, a dog, a cat, any of those entities, they would be available to them. But ultimately, the cost to do this program would be on the citizens, not on the city. We're not advocating it, so we're going to continue handling cats the way we currently do. This would give that option, as Tyler expressed.

Commissioner Mitchell: Does this also count for dogs too? Stray dogs or anything?

Tyler Knull, Code Enforcement Officer: No. This is just specifically cats. We will continue to handle stray dogs as we currently do, picking them up, taking them to the animal shelter, and they get adopted out as sterilized and vaccinated animals.

CITY COMMISSION NOVEMBER 19, 2025 REGULAR MEETING MINUTES

City Clerk Torres: I know I put in the agenda request form for you guys to choose one of the ordinances for publication, but we feel that it would be better to just publish both of them. Then, when we go through the public hearing and final adoption, hopefully on December 17th, at that time, you could choose one. Just so that we can have both options available longer for the public.

Mayor Hechler: Manager Whitehead, do you want to expand on the process a little bit further for our understanding?

City Manager Whitehead: As Angela and Tyler have pointed out, what we'd like to do is publish both documents, give you the opportunity to review them in depth, you can go see the ordinances, get yourself up to speed on both programs, we will host one more public event in the evening so the public can come and comment on the cleaned-up current proposal on both of them, and then we would bring that to you for final adoption. You would then decide as a commission which avenue you'd like to go down. So we will be hosting one more public event in the evening for comment on this as quickly as we can.

City Attorney Rubin: I might throw out a recommendation also. As you pointed out, Mr. Mayor, this did involve quite a bit of back and forth, there were a couple meetings involved, we got some outside opinions which were very helpful. I've also gone through this with Officer Knull, I gave some suggestions, and we incorporated some of them into what we have here, but we know, and I will recognize that this is a very voluminous document we are looking at here. Ordinarily, when we go through an ordinance, I will sit here and I'll go through the changes one by one. I don't think we'll need to do that this time because this is a total rewrite. Officer Knull, What you gave me yesterday was actually very helpful. You gave me a red-line version.

Tyler Knull, Code Enforcement Officer: Yes.

City Attorney Rubin: That actually is something that maybe should be made available to look at between now and our next public hearing. The red-line version basically just shows you the changes that were made and how things were moved around, which helped me out a lot, saved me a lot of time. I'm not quite done yet, but I think I've gone through the gist of what you gave me. So that's something that I would suggest, maybe have that available.

Tyler Knull, Code Enforcement Officer: Yes, and I do plan to provide you guys with the red-line version. I'll provide that to Ms. Torres, she can disseminate that out to you guys. The only reason you currently don't have a red-line version is because we figured it would be easier to digest if it didn't have all the different colored lines all over it. But the red-line version will be available, and I'm available, of course, for any questions that come up.

Mayor Pro-Tem Forrister: Do we have to go out with both of those publications?

City Clerk Torres: We don't, but we were wanting to just to give the public a little bit more time to view both of them, since we're going to have one more workshop. Ultimately, it is up to you guys if you want to publish both of them, but that was our vision behind that.

Mayor Hechler: I get where you're coming from, Mayor Pro-Tem. Publishing both ordinances is a lot of reading, especially if you don't know what the comparisons are. If we make the decision of going with one or the other, then we know what we're going to concentrate on. Do we want to include the community cat program or don't we? Essentially, the rest of the ordinance is the same, right?

Tyler Knull, Code Enforcement Officer: Essentially. The only major differences are a few definitions that define what a community cat is, community cat caregiver, and ear tip. Then there's another subsection under our public nuisance that defines what a community cat nuisance is. Those are really the only major changes that you'll see between the two documents.

Mayor Hechler: If we wanted to simplify it for the public and just include the community cat version and we can get comments back from the public regarding that program, whether they like it or they don't, versus getting comments, where we won't know which one they're commenting on, or they have to compare both versions. I think that's a lot to digest for folks sometimes and I don't know how much time folks would have to spend with it. I guess my recommendation would be to make a decision on the community cat program one way or the other and then publish that particular ordinance. I think it might make it simpler for the public.

City Clerk Torres: But we do have to go with that ordinance if that's the specific one that you guys are going to publish, just keep that in mind.

Mayor Pro-Tem Forrister: My personal opinion would be to go with ours that we have all worked on, if we're going to take one out.

City Clerk Torres: Without the community cat program?

Commissioner Fahl: So, you want the one with the community cat or the one without? We don't get what you're saying.

Mayor Pro-Tem Forrister: The one without.

Mayor Pro-Tem Forrister: Or what are your thoughts?

Mayor Hechler: I remember visiting this a few years ago, the community cat program, and at that time, the public's sentiment was not for it. People didn't understand the concept of returning a feral cat back to a neighborhood. There are a lot of things you have to consider, for instance, the bird population. Things like that because that's what these cats feed on, other than if they're getting fed by the public. But do you want cats

running around the neighborhood that are going to have litters and things of that nature? So if you're going to have cats in the neighborhood, perhaps there should be a mechanism to control the population of those cats. That's what the community cat program is about, you're never going to eradicate all the feral cats in neighborhoods, but you could take steps toward controlling the population of the cats. For that reason, I'd like to entertain the idea of the community cat program, especially since it falls back to the public, and it's not really the city's deal. I kind of have a different view on that, Mayor Pro-Tem.

Mayor Pro-Tem: Okay, that's fine. I just didn't want it to be the two separate ordinances. What are Tyler's thoughts on that?

Tyler Knull, Code Enforcement Officer: I'll stay neutral with the whole thing, whatever you guys decide to publish on this, we will continue to enforce as it's published and as we adopt. I will specify, just for the public, for emphasis on the community cat program, just so that there is some more clarity to it. It's not considered a community cat unless it has an ear tip, which is very easy to see, it's sterilized, which means it can't have a litter, and it is vaccinated for rabies and other contagious diseases. If it doesn't have those three qualifiers, it is not a community cat and it's just a stray cat. When you see a community cat, you'd know it's fixed, vaccinated, and it's a healthy cat. That way you're not just having these nuisance cats running around.

City Clerk Torres: When I spoke to Majie, she just wanted to make sure that we don't keep them from being able to do spays, neuters, and rabies vaccinations. I think that was her only concern. Even if we don't do this, as long as we still allow them to do that portion, she's fine with it.

Tyler Knull, Code Enforcement Officer: Even if we don't look at the community cat revision, her program would still be able to operate business as usual.

City Manager Whitehead: Let me just try to give you the reason for the proposal. First of all, it's an ordinance, so it requires 15 days of publication. We've published now for 75 days, but we think we have 2 clear versions of the ordinance. You could take both of these, we could still have the public meeting, get feedback, we could come back to you at the December 17th meeting. You could then adopt one or the other, then we could publish from that day for another 30 days. We're not in critical, dire need that this be adopted today, so you could have more time if you really want the public to see both, have those hearings, or today, you could say, "Let's leave the community cat program in and publish it." then we would meet that 15 day obligation for the publication. There are really two options to give you the ability to get the best information. If you're comfortable with one, there's no harm, we'll publish it that way.

Commissioner Fahl: I'm comfortable with doing the ordinance with the community cat program. I think that covers all of our bases, and it provides the opportunity to begin that program and see how that works. Rather than, like you're saying, "Oh I wish we had added it back then."

Mayor Hechler: Alright. Well I'll entertain a motion then.

Commissioner Fahl made a motion to approve Publication of Version B (community cat version) of Ordinance No. 771 amending Chapter 3 of the Municipal Code of Ordinances pertaining to animals. Commissioner Hoepfner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

I. NEW BUSINESS:

1. Discussion/Action: Conditional Use Permit at 303 Jones Street for the Placement of Shipping Containers.

Assistant City Manager Alvarez: The applicant is requesting a Conditional Use Permit to place three shipping containers at the location of 303 Jones Street. Property address is located in the commercial district. Per our code, shipping containers are allowed in the commercial district, however, because they are in the downtown Main Street district, it does require a Conditional Use Permit to proceed. The public hearing was held at the Planning & Zoning Commission on October 14th. There were no opponents or proponents. The board recommended approval 3-1. In your agenda packet, you have the P&Z agenda packet, as well as the applicable section of the minutes that I highlighted. The applicant is also here in attendance as well. With that, I stand for any questions.

Commissioner Fahl: I appreciate what they're trying to do there, that's pretty awesome. My own personal opinion is I do not want a single shipping container downtown. It's nothing personal, or about any of the business people. I know what they're trying to do, I support growth, but I think that's just a bad look for our downtown.

Commissioner Mitchell: I think it's a better look than the CHF thrift store that just has trash out front, broken dirty couches. At least he would be able to put those inside, and paint the containers up like murals or something like that.

Commissioner Fahl: I hear all of that, and I read that, there was good discussion at the Planning & Zoning meeting. That's just my personal opinion. When Anthony Chavez and Laurie came before us and they wanted to do one, they're my lifelong friends, but like I said, it's not personal, it's just what I believe. The downtown and what's very visible to the community, I'm not in favor of any type of storage container no matter what it looks like. Unless it's completely covered behind a fence, and a pretty fence, not just some piece of metal put up there...

Commissioner Mitchell: Have you been to the Jones Street Thrift Store yet? It is one of the most upscale...

Commissioner Fahl: And that's not what I'm talking about. Like I said, I love what they're doing there. Just for downtown, I'm not going to support any. And I only get to say that, maybe this is my last time, but that's my opinion.

Commissioner Hoepfner: MainStreet is doing their best with beautification, yes there could be containers, they could paint it with a beautiful mural, but at the end of the day, it is still a shipping container. It doesn't change that fact. Maybe they should fence it in with a carport within the fence, to protect your materials or just to put it out of the public view. I would like to see if we could put some kind of privacy barrier around it. I just don't want to set the precedent that when we allow one, we would have to allow more. It's nothing against your organization, we are all grateful and in agreement that what you're doing is amazing. It is absolutely wonderful. Just for me, there are other stores downtown that have bigger parking lots in the back, and they're renting a storage unit, and I want to avoid them seeing it and saying, "Oh, we can have shipping containers. It's easier for me to just go out my back door and have access to my supplies." I'm a fan of modern housing, containers, and container homes, but just downtown in the historic district, we are trying to make positive changes and how pristine you keep your business has an effect on the rest of the area. It is very honorable how you keep your business, but we have an understanding that shipping containers should not be in the downtown art district.

Mayor Pro-Tem Forrester: I kind of agree with Merry Jo on this. We had another business come in wanting to put shipping containers in, and we shot that down. I'd like to just keep listening to the discussion for now.

Commissioner Mitchell: I'm in favor of it, and I'm also in favor of it despite living literally next door to it. It will be outside my bedroom window, but I think that the location is good, it's not on Main Street or Broadway, it's off the strip. There are so many things that have been done in the past that can be useful, like shipping container parks and stuff like that, that are big things, in Tucson and other places. I just think that even if they put them there and covered them in stucco, you wouldn't even know it was a shipping container, it would just look like a building.

Commissioner Fahl: What if they didn't propose that?

Commissioner Mitchell: Can we maybe say we will approve this as long as you put it behind a fence or paint it bright red or whatever? I just think to build a new building or to get storage, or even a carport, the wind and the dust and everything, if you're trying to sell items, and they're exposed to the elements, I just think that this is a feasible, economic way for them to be able to increase their business and not cause a blight downtown as long as we can write the motion that way, "We approve this as long as you do X, Y, Z so it won't be a blight." And I don't think it has to set a precedent for every business going forward that wants to put a shipping container in. We can make this as, you know, Desert Haven supports the animals in our community, they do all these wonderful things like you guys said, why can't we give them a break for this one thing? And here's the thing, get feedback on it. Do we want to go to the public for feedback on it already? There was a hearing at P&Z.

Commissioner Fahl: If it didn't ever look like a shipping container. But we're going to tell them, "You can put it in but I want you to put in another \$5,000." That's not the intent.

Mayor Hechler: I will ask the applicant to come up in a moment, but first a couple of thoughts. The last shipping container request that we denied was on Date Street, across from the Catholic Church, and those applicants wanted to bring in 20 shipping containers or so and use them for storage areas, which we didn't think was conducive to that area, and that was the reason we denied that. The difference here is that, I can understand it being a thrift store, people bring in their stuff and put it in the yard that's on-site, and having the ability to put these things away and out of sight, I think is important. There is strong consideration, though, of what we want in the historic district. We are going through a Foch Street renovation project right now. We want to upgrade the Lee Belle Johnson Center, we want to do a makeover of our downtown community. I'm kind of on the fence on this if this is the direction we want to go and if we are opening the door to other possibilities. Although, this is a Conditional Use Permit, it's reviewed every year.

Mayor Pro-Tem Forrister: P&Z did approve it on a 3-1 vote, so obviously there were some discrepancies there too. But I do like that we can look at it again.

Mayor Hechler: And that's another thing I think our Planning & Zoning board can look at down the road when they're re-zoning things and talking about things like shipping containers. That's why I like the Conditional Use, if we decide to approve or not approve, when our Planning & Zoning board takes this on as a new ordinance, we'll have to address this. I would like some finality to it so that we get some guidance from them, I think they did a great job in their meeting regarding this. But it does bring some difficult questions to answer on how we're going to deal with this. If it wasn't in a historic district, it would be a no-brainer for me, because I think it's an enhancement and an improvement, but being in a historic district, that complicates issues for me a little bit. With that, I'd like to have Ms. Alvarez chime in please, if I didn't take all your fire away.

Assistant City Manager Alvarez: Mayor, as you stated, the previous one that came through that you denied, it wasn't for a Conditional Use Permit for storage containers, it was a Special Use Permit to allow for a storage facility within the commercial area. If I recall correctly, one of the reasons that the Commission didn't approve that is because it was close to a residential area, and there was at least one opponent that had concerns with the potential traffic in that area. In regards to this one here, a while back when our previous chief of police was here, this is a fairly new ordinance, so this did come to the Commission specifically for shipping containers, because we had a lot of people requesting them. So this ordinance states that a shipping container is allowed within the Main Street district through a Conditional Use Permit. That Conditional Use Permit allows us to review it annually, and determine whether or not it's an issue, blight, or concern. We didn't have any opponents or proponents. As you know, the downtown area is very congested, so we mailed out certified letters to all property owners within 100 feet of that business, and there was nobody that came to speak against it. The other thing to consider is the 7 findings of fact, which is something we did direct the Planning & Zoning Commission to look at. There was a little bit of discussion on what was worse for property values, the potential of a vacant building that had been down there, versus an open building that's bringing in people that might have some storage containers that they plan to keep in good shape. Those are things that I would also ask the City Commission to

consider. I'm not sure if the city manager would like to jump in, he attended that meeting as well.

Mayor Hechler: I'd like to address a couple of things. One is that, can there be some finality with this? Obviously, the Planning & Zoning board should address this and should discuss it. The other thing is, is this something that belongs in a comprehensive plan down the road? I know we're going through that process right now and I don't know if we need to put a paragraph in there about what we want the downtown historic district to look like, if we'd want to include shipping containers or not. And if we include shipping containers, what they should look like. I think that could be part of our comprehensive plan. It seems to be kind of a fad right now because they're easy to get, you don't have to stick build, you can pull them in on a truck, lay them down, and you have instant storage. But I'm not so sure that's what we want long-term for our community. Those things, I think, should be addressed in our comprehensive plan and by the Planning & Zoning Commission to give us some guidance down the road.

City Manager Whitehead: It's certainly on the very top long-term. I think these are those items that need to be revisited, we definitely need to look at it. The challenge, for me, when I look at this, is that we're really talking about a storage unit. If it was a portable building of some other construction, would the debate be similar? Really the question is, do you want storage buildings all throughout downtown in those areas? I don't think storage containers are a fad, I feel like they're part of our fabric. I think it's a business, I think people make money moving and selling them, so it's really more of an aesthetic question. How can a private citizen use something that's in the best interest of their value, their dollars, the things that they need to do, but still meets a requirement where it's not unappealing? Which, fencing, painting, those kinds of things, seem to be relevant. In this particular case, I think that the statute we have in front of you, the way it's laid out really has to be followed, and it becomes a question of how you want to approach this particular one. I definitely think that the downtown area deserves a little more context. It feels like they came up because everybody started using them, and they wrote this ordinance to bring it to life, to allow it, and now that we've gone through some practical use of it, we're realizing the challenges that come with it. I don't have a recommendation other than to follow the recommendation of our Planning & Zoning Commission. I think they gave it due consideration, they presented you with good facts, they stayed within the 7 findings of fact, and I would ask that you take their evaluation and their hearing with the due diligence it deserves.

City Attorney Rubin: From a legal standpoint, let me elaborate on what Traci and Gary said. They're talking about the 7 findings of fact, you should have that in your packet, there's a checklist, that comes from our ordinances. So your decision really should be based upon how you weigh these certain findings of fact. There was a discussion about that during the Planning & Zoning Commission meeting, and I happened to see on the bottom of page 4 of the provided areas of highlighted discussion, for example, finding of fact #5. That was a big part of the discussion. I'm just hoping you'll be analyzing this checklist as you make your decision.

Mayor Hechler: Before we proceed, Mr. Begg, is there anything you'd like to guide us on, or speak to?

Alan Hansen Begg, Applicant: Thank you for having me, I'm Alan Hansen Begg. Jones Street Secondhand has been open about 19 weeks now. What we do is we take donations from the public, hundreds of donations so far, and we sell that back to the public. The proceeds go to support Desert Haven, who is involved in animal rescue, spaying, neutering, pet referrals, and so forth. I anticipated great community support, and it's happened, so we've grown faster than we anticipated. I actually did look at the ordinances, and decided that because we couldn't get a building as big as we wanted – we would buy a 10,000 square foot building if one was available – that this would be the way to augment our storage and our sales needs. It would be storage and sales. Some of these shipping containers, the one-trip containers, are virtually brand-new. They've been used on one trip. The ones that you're used to are open on one end, but I'm looking at one that would open on the side. So if you put it the correct way in the back of our building, then it turns into an extra showroom, we could open and close that every day. We put two shipping containers [in an L shape] and it kind of creates a courtyard so we have added shopping. Of course, at the end of the day it is a shipping container, so there's no way around that. It's not my first choice, but it is the easiest choice that was allowed, so I pursued it based on that ease, the expedience. I do believe that if you look back anywhere, you will be happy with it. You'll see how we've got artists lined up to do murals, etc. Of course, case by case, another business might not have the same situation as us. Where we're going to place them is going to be a good location as far as exposure, it's not going to be exposed on either street, you will only be able to see it from the parking lot, really. I appreciate that you're taking the time to consider.

Commissioner Fahl: I think in the future, if you're conditional, so you'll be in here a year later, they don't like it, so then it would be difficult to make him remove all of those. When it's a case by case, if you'll allow that, and you did pass it, and then somebody comes up with something similar and you don't like it, it's a little harder to justify one decision versus another. It's just something to think about.

Mayor Hechler: Okay. Well everything I've heard about the operation is that it's upscale, they do a nice job. Knowing that it's a Conditional Use Permit, I'm considering, from my viewpoint, allowing that, because it is conditional. I would also charge the city management and the Planning & Zoning board to come up with something more permanent down the road so that we have better guidance. I don't mind a Conditional Use Permit right now, knowing that we're going to get that guidance within the next year or so, and then we'll have to deal with things in the future, whether we're going to reallocate the permit or not after that. But I think, to get it started, I don't see an issue with it right now. For that, my recommendation would be to approve the Conditional Use Permit for that period of one year, in the hopes of getting something else that gives better guidance down the road.

Commissioner Hoeppner: I am standing with my point just because it is easy when you order a shipping container, they come on a semi truck, unload it, and then it is in it's

position. Then in a year, if you revoke that permit, then it is a cost of at least \$6,000-\$8,000, which is then taking away from a non-profit, to remove it. Then where do they move it to? Why not move them in the first place to store? I worked in shipping containers, so when you say, it's just one-time use, you would have a lot of different stuff being stored in it, and say you have liquids or whatever in there. I believe you shouldn't allow the public to go in there, especially if they eat. I worked at Holloman Air Force Base, and I was in those containers, that at the time, were new military containers, for hours and hours, and I believe it affected my health. In the end, whatever you do, even if you paint it, if you put them side by side, if you framed and completely covered it – which would be another cost – and painted them like an adobe home, then it would look like a fake building you'd see in a movie studio. A shipping container will always look like a shipping container. I understand that this is the easiest solution, instead of building, but we do have the shed building program and everything, the kids get involved and build you a nice fence, including a shed that you can use for storage, for the same price. We are talking about \$7,000, we are talking about an investment of over \$10,000 with those three shipping containers.

Commissioner Mitchell: I think one of the reasons he wanted the shipping containers is because, if you've seen that parking lot, the place he wants to do it, first of all, it's right there next to Lee Belle, so four feet down is the water table. When we were digging the grease trap for Bella Luca, we hit the water table. So, laying a foundation is going to be difficult to do any kind of permanent building, but a shed, that's a possibility for sure.

Commissioner Hoepfner: Just as an alternative. That's why I'm sticking to my point because in a historic district, private properties, fencing, and everything are kind of out of view.

Mayor Hechler: So obviously, our job isn't to agree with each other. We represent our constituents, so with that, if I have a motion one way or the other, I will entertain that.

Commissioner Mitchell made a motion to approve the Conditional Use Permit at 303 Jones Street for the Placement of Shipping Containers. Mayor Pro-Tem Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer.

Hon. Merry Jo Fahl, Commissioner voted nay

Hon. Ingo Hoepfner, Commissioner voted nay

Hon. Rolf Hechler, Mayor voted aye

Hon. Destiny Mitchell, Commissioner voted aye

Hon. Amanda Forrister, Mayor Pro-Tem voted aye

Motion carried with a 3-2 vote.

City Attorney Rubin: I'd just like to throw something else out there, also, so what we just did is we granted a Conditional Use Permit, so it's going to come back in a year, we want to see what the condition actually is, what the conditions are, for the record when you're looking at it.

Mayor Hechler: It wasn't part of the motion, but...

City Attorney Rubin: Yeah, and I didn't want to make it part of the motion.

Mayor Hechler: Yes, it gets complicated, but I would like the guidance from the Planning & Zoning board on whether we should allow shipping containers in the historic district downtown in the future. How that would zone out and how they would approach that, I would like a recommendation before this comes back up as a Conditional Use, and I would inform Mr. Begg that you may have to move those things in a year. You might have to come up with another plan down the road, depending on what's going to happen with it. I think we're safe with dealing with this for now, knowing that we will revisit in a year and deal with it as appropriate at that time.

Assistant City Manager Alvarez: I can tell you one of the discussions we've had with Planning & Zoning is just like you said, revisiting this section of the ordinance, as well as revisiting Special Use, Conditional Use, and better defining those. Those are items that are already on the Planning & Zoning board's list of items.

Mayor Hechler: So we'll get better guidance within the next year or so, and then when this comes before us again, we'll revisit this at that time. For now, I think we've approved it for the Conditional Use Permit for one year.

City Attorney Rubin: So really what we're saying is kind of approving it with the condition that we're going to do a further study of the conditions which may warrant a possible change a year from now. I think let's say something like that.

Mayor Hechler: And this serves as notification to all parties concerned that this may not be a permanent deal.

City Manager Whitehead: I'm trying to take all this in, just to listen, and I think I would support our attorney to say that the motion should include that this particular issue has to come back before the Planning & Zoning Commission to meet the new conditions within a change of the ordinance, if they're available. If we make no changes, then we would have to assume that the same conditions would apply and the containers would remain again, is that what I'm hearing?

Mayor Hechler: Yes. I'd like to amend Commissioner Mitchell's motion to add that we will place this item before the Planning & Zoning Commission within the next few months, to have them ascertain or discuss options for shipping containers, especially as it pertains to the downtown historic district.

City Manager Whitehead: Understood.

Commissioner Mitchell: Arts & Cultural District.

- ***The governing body amended the first motion after discussion ensued. The following motion is the final decision regarding the item presented.***

Mayor Hechler made a motion to approve the Conditional Use Permit for at 303 Jones Street, for the Placement of Shipping Containers, provided it is brought to the Planning & Zoning Commission within the next few months, to have them ascertain or discuss options for shipping containers, especially as it pertains to the downtown historic district. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer.

**Hon. Merry Jo Fahl, Commissioner voted nay
Hon. Ingo Hoepfner, Commissioner voted nay
Hon. Rolf Hechler, Mayor voted aye
Hon. Destiny Mitchell, Commissioner voted aye
Hon. Amanda Forrister, Mayor Pro-Tem voted aye**

Motion carried with a 3-2 vote.

**2. Discussion/Action: Summary Plat Amendment/Summary Plat
Procedure at 412 Main Street.**

Assistant City Manager Alvarez: The applicant and property owner at 412 Main is requesting to amend their parcel into two tracks, the property is located in the C-1 district. No more than two lots are being created, and they comply with the required standards for the lots. Both lots created have direct, unobstructed access to existing city maintained paved street, as well as existing water and wastewater. There is no vacation of streets, dedications, or utility easements being proposed. The documents were submitted, these have been paid, the public hearing was held at the Planning & Zoning Commission on October 14th, there were no opponents or proponents, and the board recommended approval unanimously. With that, I stand for any questions, I think you have the agenda packet, and again, the highlighted applicable section of the minutes.

Commissioner Fahl: I think it sounds like an interesting concept that she's trying to do there, it seems like with the people – because I know they all get entrance, so did I understand her right, Traci, I know at the back of all those buildings there's that sidewalk thing so that those people can still –

Assistant City Manager Alvarez: Yeah, there's a dedicated 12-foot easement.

Commissioner Fahl: So they can still get into their building. So that empty lot where people were parking, that's the one that she's talking about, right?

Assistant City Manager Alvarez: Yes.

Mayor Hechler: I like that they're planning that in conjunction with the Foch Street Project, I think that's good. Make that whole area – If there's no further discussion, I'll entertain a motion.

Commissioner Fahl made a motion to approve the Summary Plat Amendment/Summary Plat Procedure at 412 Main Street. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

3. Discussion/Action: Appointment of a City Representative to serve on the Sierra Vista Hospital Governing Board for a 2-year term.

City Manager Whitehead: I think we'll partner up on this, Mayor, you and I. I would just give an overview for the Commission and the public, Elephant Butte has withdrawn from its participation on the governing board and the Joint Powers Commission. That process is technically complete, and under the new regulations and rules, it was decided that the board would reduce itself in size, not in scope, but just in size, so we would end up with a 5-member Joint Powers Commission, which is the leadership role, and then a 5-member governing board. We're at a point now where we need to just reappoint and reconstitute that, I think in addition to that, we have a new CEO coming on to the hospital, and at this time, the new CEO really wanted clarity, "Who am I working for?" those kinds of comments, so what you have in front of you today, we did have a fourth individual submit for consideration, so you should have four resumes from individuals from the community that asked to be considered. You could appoint somebody today that's not on that list, as well. What is important for the public is the item and the right to appoint someone to serve. Those appointments, you would have someone that would serve a 2-year term, and someone that would serve a 3-year term. That's items 3 and 4 on your agenda, technically you could take them on together, work through them, pick who you want, and make those motions. I'll stand for questions, and comments from the mayor.

Commissioner Fahl: We have four names?

Mayor Hechler: We have four names and three positions.

City Manager Whitehead: Four names and two positions.

City Clerk Torres: Bruce Swingle, Greg D'Amour, Peggy "Cookie" Johnson, and Jesus Barry.

Mayor Hechler: So, we have to pick one 2-year term, and one 3-year term. We're very fortunate here for this governing board, we have some professional folks that are applying for this. This is what the hospital means to our community. We have a lot of history with the applicants that are there, and very strong applicants. So I'm very pleased with the field set there, the field that is applied. The sad part is, we can't pick everybody, and we have some really strong candidates here. I'd like to go through those candidates and get

your opinions on who we should nominate for this position, because it's very important. Our hospital is doing very well, there's a lot of cash on-hand, and we have a new CEO coming in probably January 1st. Looking forward to her coming on board, and we'd like to have these boards in place prior to this person coming on board. I'll entertain some discussion, if you'd like me to start, I'd be glad to, but I'd like to listen to you folks.

Commissioner Fahl: Please do. You have a wealth of experience.

Mayor Hechler: Well I've served on the board now for several years, both the governing board, and the Joint Powers Committee. The candidates are, and you know the history of these folks, Bruce Swingle who is a former city manager, he's got 12 years on this board, he's a former chair, he's very instrumental in keeping this hospital together and helping us down the road, he's very knowledgeable about what's happening there. We have Cookie Johnson, former mayor of the city of Truth or Consequences, she's been on the board for several years, in fact, when the hospital was threatening to close, they handed her the keys and said, "How are you going to keep this place open?" and she stepped up and formed the committee, and got things done, and we have a hospital today because of that. She has a long history with us and she's done a wonderful job. Greg D'Amour is a professional pharmacist, and he's worked at that hospital for many years, including being a chairperson for that committee, and it's nice to have a professional in the field that serves on that board. He comes very well recommended and does a wonderful job. The last person is Jesus Baray, who is kind of new to this thing, but he's a solid player. He has an open mind, he makes good decisions, he doesn't have the background in the medical field and with the hospital as some of the others do, but this is why I said, we have some qualified people, but not enough positions to fill. So, we will have to make our mind up for those people, but Jesus is a solid player. So, keep in mind, whomever we select today, it doesn't mean that the others won't be selected at a future date by either Sierra County or by Williamsburg. The county has two positions, and Williamsburg has one. My understanding is that all these candidates applied at all places at the same time. So we're kind of in the lead because we're the first ones, whoever we pick then I'll notify the chairman and the other mayor who our selections were, and then they can pick who they want in addition to, and maybe we'll complete the board with the best personnel possible. That's kind of in a nutshell where we are. I have my recommendation, if it was up to me, I would recommend Bruce, mainly because of his history and his close ties to our community, he knows both sides very well. I would also lean toward Cookie Johnson for the 2-year term. There's a lot of things going on in her life right now, but she's professional, she's well-connected, and I think the 2-year term would be better for her because we don't know what the future holds for her, but she's a valuable player and has done a wonderful job for that board. That's not to slam Greg at all, he is just as important to the board as any of these candidates are, but I'm confident that he will be picked up by one of the other entities if we don't choose him.

Commissioner Mitchell: I would actually vote for Greg as my first choice, because he's served on that board since dinosaurs roamed the earth, and Cookie too. Those would be my two choices, Greg and Cookie, knowing that Bruce and Jesus will probably – I mean, they're all probably going to get on there anyways, but those would be my picks.

Commissioner Fahl: I think we all like Cookie because of her knowledge. I think it's exciting to have Jesus, to have somebody young, we know the ages of all these other people. It would add new interest and be neat to foster somebody young to step into the shoes, so they're in there longer, and they'll be willing to serve. I probably would go with Cookie and Jesus.

Mayor Pro-Tem Forrister: Mine would be Bruce and Jesus.

Commissioner Hoepfner: Mine would be Greg and Cookie.

Mayor Hechler: Like I said earlier, we're not on the board here to agree on everything, that's not what our job is. Our job is to vote for what we think is best. So we entertain a motion and we vote, and then we'll see where the numbers come out at the end.

City Clerk Torres: So, there will be two motions. The first one would be to pick one person to serve the 2-year term, the second motion would be to choose somebody for the 3-year term.

Commissioner Fahl made a motion to appoint Cookie Johnson to serve a 2-year term on the Sierra Vista Hospital Governing Board. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer.

Hon. Rolf Hechler, Mayor voted aye
Hon. Destiny Mitchell, Commissioner voted aye
Hon. Merry Jo Fahl, Commissioner voted aye
Hon. Ingo Hoepfner, Commissioner voted aye
Hon. Amanda Forrister, Mayor Pro-Tem voted nay

Motion carried with a 4-1 vote.

4. Discussion/Action: Appointment of a City Representative to serve on the Sierra Vista Hospital Governing Board for a 3-year term.

Mayor Pro-Tem Forrister made a motion to appoint Bruce Swingle to serve a 3-year term on the Sierra Vista Hospital Governing Board. Mayor Hechler seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

Hon. Rolf Hechler, Mayor voted aye
Hon. Amanda Forrister, Mayor Pro-Tem voted aye
Hon. Destiny Mitchell, Commissioner voted nay
Hon. Merry Jo Fahl, Commissioner voted nay
Hon. Ingo Hoepfner, Commissioner voted nay

Motion failed.

Commissioner Mitchell made a motion to appoint Greg D'Amour to serve a 3-year term on the Sierra Vista Hospital Governing Board. Commissioner Hoeppner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

**Hon. Rolf Hechler, Mayor voted aye
Hon. Amanda Forrister, Mayor Pro-Tem voted nay
Hon. Destiny Mitchell, Commissioner voted aye
Hon. Merry Jo Fahl, Commissioner voted nay
Hon. Ingo Hoeppner, Commissioner voted aye**

Motion carried with a 3-2 vote.

5. Discussion/Action: Appointment of 2 Governing Body Board Members to serve on the Sierra Vista Hospital Joint Powers Commission (JPC).

Mayor Hechler: So this is for the Joint Powers Commission. The difference is the Joint Powers Commission are the owners of the hospital. In other words, it's communities; it's the City of T or C, it's the county, and it's the Village of Williamsburg. We're the owners of that particular entity. So we want to appoint two people to serve on the Joint Powers Committee. I currently serve on that board, as well as Commissioner Hoeppner. I would like to continue serving on the board, and I would like Commissioner Hoeppner to continue serving on the board, because we attend every meeting, and we're dedicated to that hospital, and we think it's going in the right direction. I would like to continue to serve and I know that Commissioner Hoeppner would as well, so if you agree, it would make it easy for you, if I could have a motion.

Commissioner Mitchell: Really quick, I just want to point out, I served on that board for the first two years, I was teaching, and it was so hard to make the meetings because they're middle of the day, so if you guys can make it, I think that is great representation of the Commission. I would like to make a motion to reappoint Rolf and Ingo.

Mayor Hechler: Can I change that just a little bit? I had a thought. The thought is that, I currently serve as your mayor, I don't know what's going to happen in January. But I think the mayor should be serving on this board as a representative of the city.

City Clerk Torres: What we can do is, right now, you guys can make the motion on that, because we will bring all of them back once Chaz joins us in January. Then, we will put it back on the agenda, and you can decide. At that first meeting, you guys will re-elect the mayor and mayor pro-tem. Later on in the agenda, you guys can choose if you still want to have it like that or you can change it.

Commissioner Mitchell made a motion to appoint Mayor Hechler and Commissioner Hoepfner to serve on the Sierra Vista Hospital Joint Powers Commission (JPC). Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

6. Discussion/Action: Masek Golf Cart Lease Agreement extension.

OJ Hechler, Community Services Director: What you have in front of you is a 15-month lease extension for our 20 golf carts. Quiet Tech 2018 golf carts that we currently have at the golf course. In conversation with Bob and Gary, fiscally, right now, this option makes the most sense for us at our golf course. We may entertain some other options at that point, but for right now, until we get a better direction of which way our golf course is heading, we would just like to extend our current lease agreement with the golf course. This does include one free winter service, Masek will come down, they will service all 20 of our golf carts currently at the golf course this winter sometime.

Commissioner Fahl: Would we be able to get a free service out of it?

OJ Hechler, Community Services Director: Very observant, Commissioner. Maybe we could twist his arm before we accept it, maybe that could be a stipulation in there, "Hey, the Commission decided that we would extend it but if we can get one more free service out of you guys." That may be an option. The carts are in good shape, they're well-maintained, obviously we also use the golf carts for fiesta and events downtown as well, but we alternate, 10 in the barn, 10 come out, 10 go in, and they're protected from the weather so they're in decent shape. I will have a conversation with Jordan and see if we can't get that service in there for next winter. It's a good point.

Commissioner Fahl made a motion to approve the Masek Golf Cart Lease Agreement extension. Commissioner Hoepfner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

7. Discussion/Action: Wreaths Across America program. OJ Hechler, Community Services Director

Item was moved after C1.

8. Discussion/Action: Capital Development Program Fund Application and Authorization for City Manager to execute Grant Agreement.

City Manager Whitehead: The legislature has been trying for years to figure out a better way to allocate capital projects. I think if I heard the last number correctly, \$6 billion still sits, the funds waiting for projects to get enough funding to build. They've been attempting to do that, DFA has introduced a new capital outlay branch to help us process. This project feels like it's coming through those veins. We received notice about two weeks before the deadline for this particular grant application, and the process is, they wanted us to submit a project that was engineered that they could put into a package that they can take to the legislature and attempt to get completely funded. This isn't a guarantee for funding, we're just going to go into a group, and we think that's the way it's going to go. This project would be presented at the legislature this year. We had to quickly come up with, "What do we have that was engineered? What have we been working on that we really could use? What would be the best application?" and we've made a couple of applications for wastewater, so we kind of wanted to be innovative off of that. With that, I'll let Traci talk to you about what we've applied for, and then we'll stand for any questions.

Assistant City Manager Alvarez: Upon meeting with city management and discussing our various projects, we thought the best allocation to request for would be for continuing and completing our AMI water meter system. As you know, we're doing some of that through the CDBG. That's only maybe 1/3, if that, of the meters that may go into the system. So we would really like to complete that project as an all-in-one. So we submitted an application for \$2.5 million to get that all completed. One of the things to note is if it is awarded, the grant agreement must be executed within 14 days. We are requesting that if you do accept approval of us submitting that application, you also authorize the city manager and mayor to execute that grant agreement. We will let you know, of course, we just don't want to miss out waiting for a commission meeting.

Commissioner Fahl: Sounds exciting.

Commissioner Hoeppner: So it is compatible with both systems? Electric smart meters and the water smart meters will work together?

City manager Whitehead: That's a great question. When I came on board, the CDBG grant that is for about 900 water meters, we were on track to come up with a new system. The team got together, we've put it back on track, so we will be working with Landis & Gear, those are the water meters, and those are the AMI meters that we have for the electric. So the grid will communicate exactly the same, we're not buying, we're not spending. I've already instituted a program, so we're not buying any additional water meters now that aren't Landis & Gear. The routers are already in-stock. They're going to go up on the poles, so hopefully by the first of the year, we would have the water side of the house communicating. We don't have any real meters ready, but the communication side. So we will be consistent with the concept that was discussed when the electric meters were brought on to use one system, one company, one plan to do that. And one

protocol inside of our utility department. That's what made this project easy to apply, because we've already got the design 900 water meters, so we could easily – we're not doing anything new, we have really no engineering to do, we just had to decide on the number, and we used it based on that value to come up with this presentation. It's a great question, I appreciate it.

Commissioner Fahl made a motion to approve the Capital Development Program Fund Application and Authorization for City Manager to execute Grant Agreement. Commissioner Hoepfner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

9. Discussion/Action: FY 26 State Grants-in-Aid to Public Libraries Grant Agreement.

Assistant City Manager Alvarez: This is the FY 26 state Grant-in-Aid annual grant that the library receives. This grant agreement needed to be executed by Docusign, so you'll see in your agenda packet that we're just requesting the Commission accept the executed grant agreement. This item was on the first BAR that you approved.

Commissioner Fahl: I think it's great that our library always takes advantage of all these programs, they stay involved and up-to-date with what's going on, they do such a good job.

Mayor Hechler: They did a nice job with the last allocation of monies they got. It's nice that we're still moving forward.

Commissioner Fahl made a motion to approve the FY 26 State Grants-in-Aid to Public Libraries Grant Agreement. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

10. Discussion/Action: Airfield Maintenance & Consumables NMDOT Aviation Grant Agreement CN 1102370.

Assistant City Manager Alvarez: This is the bi-annual maintenance grant our airport receives. Again, this came through Docusign for the mayor for his execution. It was listed on the first BAR, pending your acceptance of this grant. We use these funds out there at the airport for a variety of different things, tools, things that pertain to maintenance, hang the annual QT pod which is the fueling system out there, so it's very helpful to maintain our airport.

Mayor Hechler: The match is really small. It's a \$2,000 match which is great. It's nice to have that additional money.

Commissioner Hoeppner made a motion to approve the Airfield Maintenance & Consumables NMDOT Aviation Grant Agreement CN 1102370. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

11. Discussion/Action: NMDOT Transportation Alternatives Program (TAP) Grant Agreement.

Assistant City Manager Alvarez: As you know, in FY 24 we received TAP Grant funds to do the design of the sidewalks around the middle school, high school and the elementary school. We prepared an application for the FY 26. Pre application discussions with NMDOT they recommended that we break down our construction cost into phases due to the cost of project. We applied for what we consider phase 1. Which is the construction of the sidewalks around Smith Street for starters. We were awarded a total of \$555,937 of that \$474,990.73 is grant and \$80,944.11 is match. We would like for the commission to approve the grant agreement. This is one that is on the second BAR. We are asking that you approve this and later the BAR amount. For some reference on this Smith Street is also one of the items on our WISPI1 for water line replacement. The construction portion of this would take place after the WISPI1 and we would ensure that we meet the time frame within both grant agreements. So, when we go to bid on WISPI1 we could potentially request that the contractor take of the water lines on Smith Street first so that we can get them in and out before we go into construction on the sidewalk. The TAP funds are transportation alternative projects so they are only related to anything that doesn't relate to vehicular transportation.

Commissioner Fahl: What department is the match coming from?

Assistant City Manager Alvarez: That would be our streets department.

City Manager Whitehead: We haven't talk about this from the bonds, but it could be eligible for the number 4 bond. The number 4 bond has not been allocated. We are kind of sitting on that, so we have discussed it as being an option. It's a street project so it would come from street funds in some way.

Commissioner Fahl: How far is the sidewalk going down on Silver Street.

Assistant City Manager Alvarez: It will just go up to Silver. It is just Smith Street between Date and Silver.

Mayor Whitehead: Ms. Alvarez, sometimes we request waivers for the match. Did we not request a waiver this time?

Assistant City Manager Alvarez: I'd have to do a review and maybe get back to you on that. I don't think we requested it on the TAP because it's federal funding. I know sometimes we request waivers on state funding.

Commissioner Fahl made a motion to approve the NMDOT Transportation Alternatives Program (TAP) Grant Agreement and approve the Mayor and City Manager to sign all applicable documents. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

12. Discussion/Action: Aging & Long-Term Services Department Junior Bill Appropriation Agreement.

Assistant City Manager Alvarez: This the annual Junior Bill Appropriation that Rebecca Dow allocated for our SJOA. It's \$35,000 and we're the fiscal agents for that. This one is a reimbursement, but not a reimbursement out of city funds. The SJOA expends their own money for the meals and then they submit all \$35,000 to the city and we request the reimbursement. Then when the money comes in, we give it back to the SJOA, so we aren't having to expend any of our funds and wait for reimbursement.

Commissioner Mitchell made a motion to approve the Aging & Long-Term Services Department Junior Bill Appropriation Agreement. Commissioner Hoepfner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

13. Discussion/Action: Re-classifying IT Analyst position from non-exempt to exempt.

City Manager Whitehead: When we came on board, we had a contractor that was performing our IT. The Commission created a position for a part-time IT person. We hired and filled that position. The contractor has since moved on. Our current IT has been working on a part-time basis with hours. Staff felt that it was time to move and make this a more permanent position, so we discussed it being an exempt position. Exempt means that we can pay a salary and it kind of sets the hours. They have to meet some Fair Labor Standard Acts, and this particular position does meet the criteria, so we feel like we want to move this person to a full-time position making it an exempt position. Currently the job was placed under the Finance Director. As we think about re-allocating positions, I am working through that now, this may be its own department. IT is a big deal for us. It's not just an employee. Michael is always very busy and he is called from every single department, so we feel like it might eventually become its own department, and there are things that we might be able to allocate to the IT position, such as the copiers and printers and making sure that the purchases come through that so we get some continuity and some consistency. If you remember when we did the payroll study, we had one position within our payroll study that was potentially outside the highway. It was a red dot, if you remember, this might have been that position, so this we also be a correction and we would get that back in line and get us on the proper process.

Commissioner Mitchell made a motion to approve the re-classification of the IT Analyst position from non-exempt to exempt. Commissioner Hoepfner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

14. Discussion/Action: Recommendation from the Golf Course/Recreation Advisory Board to appoint Ron Pacourek to serve as a member on their board.

City Clerk Torres: This is a request from the Golf Course/Recreation Advisory Board to fill the recent vacancy on their board. The board is requesting the appointment of Ron Pacourek to serve a 2-year term on their board.

Commissioner Fahl made a motion to appoint Ron Pacourek to serve a 2-year term on the Golf Course/Recreation Advisory Board. Commissioner Hoepfner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

15. Discussion/Action: Approval of Purchase Requisitions over \$60,000.

a. Loves Project: Build a 3-phase line on the West Side of the Interstate – Notice of Award (Allied Electric Inc.).

Jocelyn Holguin, Chief Financial Officer: This item is for part of the Loves project which is coming from the electric company to add the 3-phase line for the poles. This is on a state price agreement, and it exceeds \$60,000 so it is on the agenda for your approval.

City Manager Whitehead: When we were doing our cost, we estimated this to be around the \$150,000 mark. We were going to construct it in house. As you can see it came in pretty close on the poles and the labor, and by going through the state price agreement we have bonding in tax which takes us to the \$190. We did again receive \$200,000 from Loves for this. We are just constructing it and going to statewide price agreement. We can get it done in the next 60 days. Our city crew still has a line to build as well. Its just a fast nimble process, this is the best way for us to move forward. The staff worked hard on finding a work forward. I want to thank Bo and his team for getting this in line and figuring this out for us.

Commissioner Fahl: We know that this is an upfront expense, but I think its going to give us the opportunity for future growth in all kinds of ways. It's a win win for us all the way around.

City Manager Whitehead: I appreciate you bringing that up, I forgot to tell you. If you remember their adding a sewer line in which we have negotiated for them to receive tap fees back for those areas, but in this particular case we did not, so any future additions in this area and anyone who additionally hooks up will continue to pay the city for their connections and those kind of things in that area.

Commissioner Mitchell made a motion to approve the Purchase Requisitions over \$60,000 for the Loves Project: Build a 3-phase line on the West Side of the Interstate Notice of Award (Allied Electric Inc.). Commissioner Hoepfner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

J. EXECUTIVE SESSION:

- 1. Limited Personnel Matters (City Manager) Pursuant to 10-15-1(H.2).**
- 2. Threatened & Pending Litigation (Juan Carlos Delgado) pursuant to 10-15-1(H.7).**

Commissioner Fahl made a motion to go into executive session at 12:15 p.m. to discuss Limited Personnel Matters (City Manager) Pursuant to 10-15-1(H.2) and Threatened & Pending Litigation (Juan Carlos Delgado) pursuant to 10-15-1(H.7). Commissioner Mitchell seconded the motion. Roll call vote was taken by the Clerk-Treasurer. Motion carried unanimously.

Mayor Hechler reconvened the meeting in open session at 1:32 p.m.

Commissioner Fahl certified that only matters pertaining to Limited Personnel Matters (City Manager) Pursuant to 10-15-1(H.2) and Threatened & Pending Litigation (Juan Carlos Delgado) pursuant to 10-15-1(H.7) was discussed in Executive Session and no action was taken in executive session.

I. ADJOURNMENT:

Mayor Hechler adjourned the meeting at 1:33 p.m.

Passed and Approved this 17th day of December, 2025.



Rolf Hechler, Mayor

ATTEST:



Angela A. Torres, CMC, City Clerk

WANT TO PLANT TREES? VOLUNTEER WITH TREE NM!

Tree New Mexico is looking to expand our local tree canopy! Our program requires support from volunteers like you who are dedicated to improving our community. We'll teach you how to plant the trees properly – no previous experience is required!

Upcoming Plantings:

Nov. 15th @9 AM

Dec. 06th @9 AM

Meet at Ralph Edwards



Sign up at bit.ly/treeorc or
email treeorc@treenm.org



Funding is provided by the USDA
Forest Service's Inflation Reduction
Act Urban and Community Forestry
Grant Program.



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