

CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
WEDNESDAY, JULY 9, 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
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, Finance Director
Luis Tavizon, Chief of Police
Andy Alvarez, Sanitation Director
Wes Myers, Sanitation Supervisor
Pat O'Hanlon, Librarian
Alona Niebergall, Human Resources Specialist
Bob Messina, Golf Course Manager

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

2. SILENT MEDITATION:

Mayor Hechler called for fifteen seconds of silent meditation.

Mayor Hechler: There have been many things that have happened, not only in our community, but around the nation that we should remember. Please keep in mind the residents of Kerrville, Texas. It's a beautiful little community and they've had such a tragic loss of life that they need to be in our prayers and in our remembrance. Closer to home, the residents of Ruidoso had another fatal flood that killed at least three people and lost lots of property. Our neighbors are so close and they're dear to us. Please remember

Deputy Antonio Aleman from Vaso Doña Ana County Sheriff's Office who was tragically killed yesterday in an accident. And of course, more locally, Chatel Brooks who lost her life tragically earlier this week in our community. For all these folks, please keep them in our thoughts and prayers.

3. PLEDGE OF ALLEGIANCE:

Mayor Hechler led the Pledge of Allegiance.

4. APPROVAL OF AGENDA:

Mayor Pro-Tem Forrister made a motion to approve the agenda with the removal of item F6. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

C. PUBLIC COMMENT (3 Minute Rule Applies):

Kathleen Sloan addressed the Commission regarding the following:

- She would like the city to have a community workshop on animal ordinance so the public can give their input and ideas.

D. REPORTS:

City Manager Whitehead reported the following:

- The interim budget has been approved, and we will begin work on starting the new fiscal year, getting some work done for purchase orders, contracts, and those kinds of things. Both Jocelyn and I remain focused on trying to get the way we process purchase orders and those things back in order. A fast-moving couple of weeks here as we are dealing with that, but I will let her give you the highlights.
- This week, we were part of a meeting with the Doppler System. For those of you that know, we use the Doppler System to call in for water leaks. There's another module that can be added where we could begin doing notifications, so theoretically, if there was a power outage, a leak, any of those things, we could notify people in the relevant zones. We have purchased that module and we are starting the process of importing the customers we have within the utility department that we have contact information for, and then we will begin a campaign to slowly start migrating those that want to be part of such a system. We are really looking forward to that as our next level of communication with the public. I really want to thank the Water Department; this has been a vision of theirs for a while to make that system a little more robust. Hopefully in the next few months we will be able to roll that out.
- At the next meeting, we will be talking specifically about the final budget, as well as the biggest thing that is on people's minds, the payroll study. The final payroll study came through last week, they've presented us with what they think their

final numbers are for us, and how the process would work. We have begun to start looking at those things, we wanted to implement some items within that: We asked them to look over our job descriptions, we wanted to implement an evaluation process, and the top thing is that they give us a better payroll structure, so we can be more competitive. So, we will be looking at those, we hope to give you an overview of that next meeting, we will be doing some training, and we think our target will be to have everything (if you approve) for the September 20th payroll cycle, where those increases and policies can go into effect. We aren't just looking at it to get to the money, we really want to put together a complete plan and fix some of the problems in person and the policies in ALS and get it all put together. For those who are listening, and we will be saying this to the leadership, but the September 20th payroll cycle is when we anticipate you will start seeing those increases.

- We have a program called iWorQ, which is really an asset management tool, the city has had it in their means for a couple of years. We use it effectively in some departments, and not so effectively in other departments, we have sat through some trainings, and we got all the modules put in, and I will continue to go through some training on iWorQ, and then we will bring the staff up to date. With iWorQ, we have a complete inventory of all of our roads, road signs, the water system has been imported, sewer has been in there, we are waiting for the electrical study, once that gets in, we will be able to add that to the system as well, which will allow us to see in real time how we can start developing and moving plans to do infrastructure capital improvement through such a structure. At the fleet center, our maintenance center, it's going to be a good tool to get cars in and out, and keep track of which cars need to be taken out of inventory, which ones need to be sold, when they need to be replaced, etc. So, we are looking forward to that.
- As you know, just before the break, we had a little incident at the swimming pool, we are calling it a little incident, but it was a situation where two chemicals were mixed. Everybody is okay, we are pleased to say that our employee is recovering well, back at work, doing light duty. We also set some actions to make sure we solve those issues; we cleaned up the storage room. It wasn't bad, it was just a little disorganized and kind of lost containment, if you will, of the situation, but we have now separated things, we have put things back, we had a training last night for the leadership staff from our chemical supplier, they'll be coming down one more time to do an on-site assessment, so we have taken that incident seriously. The pool is operating just wonderfully this year, so it can't only be good for the people that visit, it has also got to be good for the staff, and we understand that, and I think we are on a really good track with the pool.
- We have started working on our project list. As you know, when I presented the budget, I spent a lot of time talking about all the projects that are coming up. I told the staff this week to show up with their tennis shoes on because we have a lot of projects we've said we want to do. We have begun the process to start looking at them seriously, looking at how we can timeline these projects, and make sure we are getting them going. Projects on the Water side are going really well, we continue to have weekly meetings with our engineers, going over

progress reports. USDA is actually coming every week to be with us and help us get the paperwork done, so I'm very pleased with the relationship Traci has made, and the fact that Isaac from USDA drives from Albuquerque once a week to help us get our paperwork going, so they're committed to getting these projects off the ground, we're doing well there.

- Another exciting thing, we have started the design for our new Police Department. Our police chief and our architect have been able to take the department, go into the building, and have given us a rough draft of what he thinks the police department will begin to look like. We are really excited, we will get the leadership team back together for a meeting, go back in there and start assessing what we need to do on the outside. Again, that project is moving forward and we are happy to see that.
- Last week, a few of us travelled to Farmington to look and see what is called a Wake Generator, in the San Juan River. I travelled to Colorado to be with some friends, one of my friends is a Public Works Director in a city in Colorado, and when I showed him the pictures, he said, "Oh yeah, we have these all over Colorado." This one I saw was the first one in New Mexico, it's a piece of infrastructure that sits in the river and can be used to control the flow of the river, but it also has an outlet that allows to make a space where people can actually surf on the river, it is quite impressive. OJ, our Community Development Director, has been asked to come look at that, we think they're going to help us at the state, get some money to generate a study to see if it's something we would want. What it could do on our river, would be to replace the earthen dam they use in the Winter to hold back the water for the hot springs. It could control the water and then in the Summer when it's flowing, it could be a destination for tourism.
- September 16th – 19th, the Municipal League conference will be held in Ruidoso, hopefully. That's on their calendar, I just wanted to bring that to everyone's attention, if you'd like to attend. Those are the dates, you can contact Johanna in the City Manager's Office and let us know if it's something you'd like to do, so we can start making arrangements for that.
- On a somber note, some of our staff has been concerned with the tragedy that happened in our community with a public servant losing their life doing their job. They've asked if we can do something, and with the help of the Police Chief, we have found some consultants. We think they should be here on Monday, we will have about a 3–4-hour session where our staff can meet with these counselors. Their primary focus is how public entities, and public servants interact with the public, and those that potentially are dealing with mental illness and those kinds of things. Really, this is a platform for those that are concerned to vent and grieve. We will be setting that up for Monday, we had put it together for this past Tuesday, but it was coming together too fast, and I think our employees are really hopeful that we can have something for them.

Mayor Hechler: Thank you, Mr. Whitehead, I know it's been a week. I appreciate your initiative. I think the level of activity that occurred last week is not

unprecedented, but it's been a while, and I appreciate your efforts, and it will get better.

City Manager Whitehead: It's one of those weeks where there's still a lot of business that has to happen and there are a lot of things you can't plan for. We needed something to catch our breath and think about what we do. I'm still enjoying the job and having a good time.

a. Police Department Update.

Chief Tavizon reported the following:

An update for the month of June:

- We fielded 1,069 calls for service
- We had 5 motor vehicle accidents, which is quite a bit lower than what we've dealt with in the past.
- We had 8 sky referrals we did follow-ups on.
- Officers, including the detectives, conducted 55 follow-ups on numerous cases.
- We had 1 DWI
- Code Enforcement was working on 3 different abatement cases throughout the town.
- We conducted 261 traffic stops and issued 170 citations.
- We had 24 arrests for the month.
- No crashes downtown in the striping areas, no issues there.
- I went to an Incident Command Course for 300-400, it's advanced and intermediate, completed that.
- Detective Sergeant Shane Jeffers started the Northwestern School of Police and Command; it's a pretty prestigious leadership course.
- Lieutenant attended the Managing Police Services, that helps with identifying traffic-related problem areas within the city and putting resources into those problem areas.
- At the beginning of the month, as you know, we worked on a homicide.
- The very next day, we had a weather event that blew a roof off a house, and caused some damage, so we worked on that and are still trying to get everyone's information that had any criminal damage to either the residence or vehicles that were parked in the area. We did have a power outage, but the employees of the city went out there and worked. City Manager Whitehead was out there in the rain and wind with me, he's the one that called me out. We had dispatch that was knocked out because of the power outage. So, crews were out there cleaning up, they did an excellent job. Everybody worked really well out there.
- As far as the Police Department goes, as the manager said, we've been working with architects to get the new Police Department designed.
- I've been working with some new policies. The Municipal League, in partnership with the Self Insurer's Fund. They hired Lexipol to basically make policies for the entire state, for every single agency. They are trying to mitigate any kind of liabilities. They did a liability assessment and found that the majority of agencies

across New Mexico do not have decent policies. Anybody that jumped on board with it would get some kind of discount on their Self Insurer's Fund rates. I looked at the policies, I've been working with the manager, and we are getting to a point where we will forward them to you all for approval. Hopefully you like them, they are best practices across the nation and the state.

Commissioner Fahl: Congratulations on your IC 300-400, that's a tough course. My husband did a lot of that during his career, and I appreciate you always sending your officers for more training, I think that's so vital for our leadership, so thank you.

Mayor Hechler: I'd like to put this on your radar for somewhere down the line, just being really tuned in to the flooding that we've had, not just in Ruidoso, but in Kerrville. We live in a riverfront community, a lot of our residents live close to that river, and it's a flood zone. I'm hoping that you can, in the future, work with our County Emergency Planner, and come up with some kind of plan. Whether it's an early warning system, or there are phone notifications. The biggest issue that we have is being able to evacuate when we have problems. Two years ago, when we had a storm close to our community, it actually brought the river up to a point where some porches were flooding. If that storm had been a couple times the size that it was, we would have had some real issues downtown. I'm hoping you put that on your radar, talk with our County Preparedness folks, and see if we can't come up with some kind of a plan down the road so that we are prepared when and if the time comes.

Police Chief Tavizon: Yes sir, we are currently working with them on the new Hazard Mitigation Plan, so we are a part of that and I have been working with Ryan, we set up some areas with sandbags, and we have sand set up in various locations for the public to pick up, but yes that is one of our priorities on our radar.

Mayor Pro-Tem Forrister: Hopefully people at the BOR, making sure our dam is nice and strong.

Commissioner Fahl: I don't think we have to worry about the dam, it's Cuchillo and Mescal that's going to cause the flooding.

Mayor Pro-Tem Forrister: I hope it floods Mescal cause that's where the ranch is and we need the rain.

Commissioner Fahl: You know, Mescal is all on private land, so if there's a way to work with Armendaris in the future, to do some sort of structures on there to reduce those flows, I think that would benefit us a lot. And from Cuchillo Negro all the way to where [Mayor Pro-Tem Forrister] is at, that's totally uncontrolled, so we need to do more for those things, because it's not going to be the dam, it's going to be those two that cause all the flooding. When we get those storm events, there's nothing on them. They can't turn the dam off in time to do anything. When you're working with Ryan, those are two things for long-term we maybe need to think about for our core dam, Cuchillo Negro, all that uncontrolled, several miles. But Mescal puts in a lot of water and since it's all on

private land, I think that's going to be a difficult obstacle, but I think if we start working with them, that could be beneficial and there are several agencies that have funding for control structures, so maybe that's something we can think about in the future, is how to control some of that.

Police Chief Tavizon: I'll make sure to include that in our Mitigation Plans.

b. Department Head Report.

Andy Alvarez, Sanitation Director:

- This year's budget, budget line item, 9 capital items: for my 505390444613, I budgeted \$50,000 for replacing and replenishing my stock on poly carts, 1.5-yard dumpsters, and 3-yard dumpsters. I'm trying to recall, some of the dumpsters have been out there, I was born in the 60's, when did they stop using the 40-gallon trash cans where you had to throw the trash by hand? Does anybody recall? And approximately when did those 1.5 yard, 3 yards, when were they placed, in the 80's?

City Manager Whitehead: Probably in the 80's.

Andy Alvarez, Sanitation Director: I'd like to purchase a few of those because they're in really bad shape throughout the town. We repair, but it's costly to repair, and you can only repair something so many times then you have to dispose of it. On those, I have two sizes. I would like to purchase 24 3-yard trash containers, at a cost of \$820 each. The cost for those 24 is \$19,680. I would also like to purchase 24 1.5-yard containers, the cost of those each are \$795, for a total cost of \$19,080. Also, for poly carts, our first introduction of residential poly carts was on the top residential area on the north side of the new Dollar General, that was back in 2006. Then we jumped up to 2011 and 2014, that's when we started overhauling all the residential areas, removing the dumpsters and setting poly carts, we got that completed. With that said, I need to purchase some more poly carts. I'm looking at purchasing 100 poly carts at a cost of \$70 each, for a total of \$7,000. They're getting old, the weather is hard on them, Summer and Winter is hard on them, the plastic starts to deteriorate, they start to crack, the wheels start to break off, the wind blows the top off.

Wes Myers, Sanitation Supervisor: We do the same thing with the dumpsters, we repair what we can, but a lot of the older ones are still out there, if they have too big of a crack, they have to be replaced.

Andy Alvarez, Sanitation Director:

- I also put in our budget for a new side loader dumpster truck. I want to replace my 2006 dumpster truck. I budgeted, in other capital equipment and vehicles, line item 505390480810, I budgeted \$300,000 for this truck. The quote at the time for this truck was \$290,460. I'll be using this truck to replace the 2006 truck. The 2006 truck is parked and hasn't been in use for about 3 or 4 years, it's a hazard, I've sent it to the shop many times, and I'm not going to dump any more money

into it. On my trucks, I have 5 dumpster trucks. The 2006 truck, I have that for the auction, we can see if we get a bidder on that. I also have a 2000 international side loader dumpster truck, that is about 25 years old. Of my two newer trucks, there's a 2019, she's in pretty good shape, and my 2023 side loader trash truck. I need 3 good working trucks. I run 2 of those trucks 5 days a week to pick up the dumpsters. If one goes down, the other one is the operation. There has been times when 2 have gone down, and I have 1 truck running 5 days a week. There has also been a time when all 3 trucks went down at once, that's when we get out there and we do the best we can by hand pulling trash out of these dumpsters and throw them back into an anvil, it's a tough job. Then, if a poly cart truck goes down, I've had all 3 poly cart trucks go down at once, so I can use my end dump takes like 3 or 4 guys, you've got a driver, and you're walking these residential routes on foot, pulling these carts out and manually picking these carts up and dumping them into the back of the truck. It was hard work, some of these poly carts weigh 200-330 pounds, and someone's going to get hurt. I'll let Wes go ahead on the trucks more, according to NMED in the sanitation world, sanitation trucks, these trucks are only good for 3-5 years, and you better start planning to replace.

Wes Myers, Sanitation Supervisor:

- With the new rate study that we had, Park Hill and New Gen they worked together. Even though, as per NMED, about 3-5 years, we take pride in taking care of our trucks well, we grease them, do regular maintenance, preventative maintenance, walk-arounds, we can get 5-7 years out of a truck. But trucks still break down over time, parts go out, sometimes it's hard to get parts. With the new rate study, we have a rolling stock which will help us get newer equipment as we go, as the age of the trucks, back hoes, anything, keep getting older, we can roll stock, get newer equipment. With the GMC, that 2006, it's getting harder and harder to find parts, and it's getting more and more expensive. So, again, you said stop wasting our money and dumping it into a truck that's hard to get parts for and just get something that'll run, and it will be a lot more efficient and reliable.

Andy Alvarez, Sanitation Director: At the beginning, we got together with Jocelyn, went over this trash thing, and we did put some money back for it, we were behind schedule, but we are catching up on that schedule.

Wes Myers, Sanitation Supervisor: With the waste received and exported, the sanitation fiscal year of 2024-2025, tonnage, we have sent out 9,358.81 tons, which is equivalent to 18,717,620 pounds. For fiscal year 2024-2025, revenue, we've received \$2,770,334 and we have expensed \$2,564,416; with our cost of disposal to South Central Solid Waste, to the Corralitos Landfill, being \$676,781. So, it takes money to throw away trash. With that, we stand for any questions.

Commissioner Fahl: Good report, very detailed thank you. Those old internationals last a long time.

Mayor Pro-Tem Forrister: She's in her prime.

Commissioner Mitchell: I had one request, if you could email us that, I'd like to take a look at it. The report of the trash, how much you've collected, how much it costs, just so I can see the figures, if you could.

Andy Alvarez, Sanitation Director: We can do that, thank you.

Mayor Hechler: I have a couple of questions, and if you would indulge me in a quick story. A few days ago, I emptied a bunch of trash, brought it to the sanitation department with a trailer, and Tony Gomez took care of us. He goes, "Cash or check?" and I said, "All I have is a card. So, I can't dump my trash?" he said, "No, you can't dump your trash." He was nice about it, very good about it, and I said, "Okay, let's make it cash because I have \$16 or \$17 in my wallet." we dumped the trash and came back out, the bill was \$33. I didn't have a way to pay for it. So, Tony spotted us, so I went back and paid him this morning.

Mayor Pro-Tem Forrister: Special treatment.

Mayor Hechler: He took it out of his own pocket and paid that extra \$20, and I went back and gave him a nice little card, and some money back this morning. But my point is that if we are going to modernize our fleet, we need to modernize our operations. I don't know how many people we are turning away because they don't have cash or a check, or if it makes it inconvenient for those folks, but we need to step it up in that regard, and be able to accept our customer's currency, no matter what form it's in. So, I challenge you guys, the city manager, everybody else, let's upgrade our systems a little bit so that we can be there for the convenience of our customers and help them out. That's all I really wanted to say about that, but I was really surprised, because I've been there several times helping other people dump trash, but the bill we were seeing was \$7 or \$8, pay the cash, get out of there.

Mayor Pro-Tem Forrister: You had a lot of trash.

Mayor Hechler: Yeah, I had a lot of trash, and it caught me off guard, I was a little surprised. I tell you what, it was kind of embarrassing for me, because I didn't have the money, and here I am, the mayor.

Mayor Pro-Tem Forrister: And how would you know that they only accepted cash or check?

Mayor Hechler: But Tony was Johnny on the spot, great employee, I really appreciated his help, and here we are today, discussing it. It was very appropriate; the timing was excellent. So, thank you guys for being here.

Mayor Pro-Tem Forrister: We've discussed that before, why we don't accept cards, is it because we don't have internet or something?

City Manager Whitehead: It seems like throughout the city there's been some confusion with fees and processors, it's a different process. So, iWorQ can be a mechanism and a tool to use, and we need to look at it across the board. It's the same in Planning & Zoning, if you come and pay, you have to go to the Clerk's Office or the Utility Office to pay, and you can only pay in cash, so it's a problem, but it's a processing problem. It's not been one of the things that we have necessarily focused on, but we have had conversations about it. I am 100% certain that we will get to a system where our customers can pay even online, you should be able to go online and pay your utility bills, you should be able to pay for your business license online, all those functions should happen, and it'll just take us a minute to resolve some of the hurdles that past administrations have found within that process.

Mayor Hechler: That's all I'm asking, is just to put it on your radar. Our plates are full, and there are a lot of things that have to happen first before we even get there, but I think it's important to try to deal with when we can. One more question, contractors that dump daily do they pay cash every time they come in? How do they pay?

Andy Alvarez, Sanitation Director: They're on a charge account through the utility office.

Mayor Hechler: So, we have systems set up for charge accounts in that regard.

Pat O'Hanlon, Librarian:

- I've got a few numbers from the last fiscal year to show what we have done. It does not show what we intend to do, and I don't know how to do that, so here's what I've got. As of June 30th, 2025, the public library has approximately 56,790 circulating items in our collection. The estimated replacement value of our collection is \$8,908,557. During the fiscal year of 2025, the total number of people who visited our library was 19,992. We checked out 13,244 books and other library items, issued 170 new library cards, and we added 422 new items to our circulating collection.
- Our pre-school story time and summer reading programs welcomed 385 children and adults for crafts and story reading during the year. Our public computers were used in 3,364 individual sessions, averaging a half hour per session.
- The New Mexico State Library's annual report, which also serves as our application for the state grant and aide, opened on July 1st. It consists of 52 pages asking 265 questions, both state and federal, detailing the library's services to the community. The report must be completed and returned on or before August 11th, 2025. Its acceptance will determine our continued eligibility for the state grants and aid, as well as our participation in the State's GO Bond program, and other government grants and assistance.

Commissioner Mitchell: Have you replaced the Harry Potter collection yet?

Pat O'Hanlon, Librarian: Oh yes, several times. That's one of our most frequently stolen items.

Commissioner Mitchell: I know. I'm missing one book, and I have to go check it out, and you never have it.

Pat O'Hanlon, Librarian: We have them now, and we're now keeping them behind the front desk so people can't just take them off the shelf.

City Manager Whitehead: The library remains the center of our community, it's a quiet, silent place where people can go and enjoy some quality of life, so great job to the staff there.

Alona Niebergall, Human Resources Specialist:

- Since I saw you last, as the city manager mentioned, the pay study delivered their final numbers. They are planning to come down on the 23rd to train us and talk to you. I just wanted to mention that there were mandatory increases on our benefits. Our employees saw that last pay period, and next pay period, they'll be seeing increases on their PERA. It's going to go up for the employees and the city 0.5% each. So, the employees will be paying 16.65% of their income into their retirement, and the city will pay 11.8%.
- I've also worked on our volunteer handbook, it is in its final stages. I'm just waiting for one more department, for their input, then I will be finalizing an hour log and how people will redeem their hours for either golfing or pool.
- We had a rapid interview on May 15th, and we were able to fill all our seasonal positions from that, so we had 27 open positions last time I saw you. We are currently at 3 pending new hires, and 7 openings. We brought that down quite a bit. I'll stand for questions.

Mayor Pro-Tem Forrister: Just for the public, and for us, because I didn't know that we did that, that the volunteers can trade in time.

Alona Niebergall, Human Resources Specialist: It's new, that's what I'm rolling out.

Mayor Pro-Tem Forrister: Can you tell us a little bit about what's going to happen?

Alona Niebergall, Human Resources Specialist: If you volunteer, for every 4 hours, you can either exchange that for 1 round of golf with the use of a cart, or an all-day pass at the pool, \$20 off of an adoption fee, or microchipping. You can volunteer at the golf course, sanitation, the pool, and the library.

City Manager Whitehead: Let me support her in that, you know our vision was, because we did have volunteers helping, so just coming up with a program. We went back to our insurance, looked at what level of work they could do, what can't they do, they can't drive the sanitation truck through town, but there are places where we can use them. The golf course is an easy one, people could help us move and do those kinds of

things, but they could help us in the street department, they could come and be a volunteer at the pool, etc., and we will have policies and procedures for all these items.

Alona Niebergall, Human Resources Specialist: The library.

City Manager Whitehead: Absolutely, they can come to the library. Pat and I spoke about that this week. She could take some volunteer help, and then they get a little reward for that.

City Manager Whitehead: Let's talk a little bit about the golf course since we brought that up, let me introduce everyone to Bob Messina. Bob was working for the city. He was at the golf course when our last manager stepped away. Bob was interested in trying the job, so we went back and created a different position, as you all know, you approved a different strategy. Bob has accepted the interim supervisor position, so together the two of us have been working on it. I'm there, kind of overseeing, helping OJ, it's really a team effort, and Bob is the day-to-day, managing the course, and getting it in order. Let me say, again, we're working with a 5-person crew, we're closed on Mondays, and it's working pretty well. I'll let Bob give you the highlights of the weekend and the traffic counts and those kinds of things. We continue to work on sprinklers, we've started a process where we had a lot of sprinklers that were just on, so when we finally got the system working pretty well, we had probably 50 or 60 sprinklers that come on and they stay on. So, the pressure was poor. We've started a project now where we are digging those up and putting individual valves on each of those sprinklers so that we can shut them. We've done about 20, which changed the entire profile, and now we have more sprinklers popping up on their own in different areas. So, as we continue to use the system and get it going, we're at least getting water out. If you drive by, we're proud to say it's green. It's not perfect, we absolutely get it, we are a long way from good, but we are making good strides. With that, I'll let Bob give you a small report on the work he's done and what he's got going on.

Bob Messina, Golf Course Supervisor:

- Well, the good news is that we do have grass. The bad news is, we started with no grass. So, I believe at this point we have fairways 1, 2, 6, 7, and 9 with grass, and the greens are coming back, that was the most complicated part because they were just not taken care of like they could have been, but, with effort, we are getting there.
- Last week, we hosted the football team. The coach called and said he wanted to give the kids a day away from practice, so we had all the kids out to play golf. Some of the kids, when they couldn't hit the ball. They picked it up and threw it to the green which was quite hilarious. We're really trying to make it a community service event. Not just the golf course, but the golf course for everybody, kids too. There was a little boy that came by not too long ago, and he said, "I went across town to Elephant Butte Golf Course, and they want \$42 for me to play golf." He was 7 years old. He did not have \$42. We made sure he could play golf until he fell over. I really do think that the backbone of what we're doing is going to be a good community service project.

Mayor Hechler: The resurface of the grass, is it because we just watered more and it was dormant? Or did you have to seed and start from fresh?

Bob Messina, Golf Course Supervisor: We did not have to seed. What we've done is water, water, and water. The Bermuda grass was rooted right there, and we just brought it back, which has been wonderful. Bringing the grass back has not been the challenge. The challenge has been that the sand buried a lot of sprinklers [6 inches or so] deep, and when you get down to the sprinkler, then there's sand in the internal component, so it's been a big project mechanically, physically. Changing those sprinklers is not easy, but we're doing it and we're having a good time doing it. Not a really good time, but a good time.

Jocelyn Holguin, Finance Director:

- The following activities have taken place in the finance department: we received approval from DFA on the interim budget, which has allowed us to begin the new fiscal year process for 25/26. We are currently working on final budget numbers based on what may be expected in the new fiscal year. It is our intention to have it at the July 23rd commission meeting, but if necessary, we may request a special meeting depending on how far we get with it.
- Accounting is working on fourth quarter reports, both of which are due by July 30th to the state for acceptance.
- Our new CPO has been undergoing internal and external training for processing purchase orders, with guidance from Mindee. She's been stepping in for us in the interim.
- Our payroll specialist and the CPO requirements, Payroll has participated in training for new para requirements, including new forms and procedures.
- Accounts Payable has been reconciling prior fiscal year encumbrances, while processing payments or services for the new fiscal year. It has been actively serving all departments and staff feedback has been very positive.
- HR is reporting today on her behalf. I would like to add that she has been doing her due diligence and trying to get all our vacant positions filled and reviewing training to implement on staff with our manager's guidance.
- As for myself, I've been meeting with staff to provide their new credit cards and policies. I've been training our new CPO and implementing changes for a smoother process.
- We have had multiple training courses in Tyler to utilize our financial system more effectively.
- I'm getting ready for our new audit team and will begin the audit process for the 24/25 fiscal year. It's been my goal for the finance office to be an inviting and approachable environment, and I believe we have met that goal. The finance office works well as a team and continues to grow and redevelop our skills and communication efforts throughout the city.
- Tomorrow is the ITB for the boat dock, and we're in the editing phase for the ITB for the helicopter.

Commissioner Hoeppe: I have one question, recently with the weather changes, we are getting more and more likely to have severe weather events. Do we have an account here that is just for those emergencies, do we have funding available for it? Is it included in the budget?

Jocelyn Holguin, Finance Director: After this recent emergency we had with the thunderstorm, the microburst, Gary and I discussed creating an emergency line in the commission budget, so we are looking into that as well.

Commissioner Hoeppe: I think we need more involvement because everything is given back to the state and not here, so when something big happens we can't count on the federal government, so we are on our own. It's important we have at least some kind of budget.

Jocelyn Holguin, Finance Director: There's a process you have to do for the state, so it's better to have something implemented.

City Manager Whitehead: I would just conclude, with our department heads, that Jocelyn in finance, particularly, has been busy, you'll see on our agenda today, we have a couple of contracts she outlined. We've been trying to hit the ground running, and she's been really instrumental in bringing these processes together. We identified a problem on Well #2, which you'll see on your agenda, but we have the concept, scope of work, the opportunity for bidding out in 10 days. So, I just really wanted to publicly say that I appreciate the team, I push hard, I probably caught a wall this week with how hard I pushed, and it's getting a little pushback, but everyone is responding well, and I think finance has done a great job, particularly without a CPO for the last 3 weeks to help with that contract work. So, we're glad to have that, I'm appreciative of the finance team.

City Commission Reports.

Commissioner Fahl reported the following:

- I wanted to apologize to my fellow commissioners and the public, and to Gary, that I have been unavailable pretty much the whole month of June. My husband had 3 life-threatening events, and he came through and as I told Gary and Rolf, he lived. That's really all that matters, but I do want to send a thank you out to everyone that prayed for him, because God's grace is what brought him home and alive. Thank you.

Commissioner Mitchell reported the following:

- As a supplement to Gary's report on the pool, I put together the numbers for the month of June, and our revenue's increased, our daily usage has increased, swim lessons are hopping, patrons have been really happy, our complaints are way down, our pool is clean, everyone is enjoying coming there, so it's been a great season so far.

- I wanted to mention that we are having a fall fiesta coming up, September 12th and 13th are the dates we're looking at. I wanted to talk to Gary and Bob too about possibly bringing back the golf tournament we had to postpone for Fiesta. We're in the works for that. We're meeting weekly and trying to get some events scheduled and kind of celebrate our 75th anniversary of fiesta one more time before the end of the year.
- The movie Eddington is premiering at the movie theater; I believe July 17th is the public premiere. There's a full schedule of showings for the next two weeks, I'm excited about that and can't wait to see it. I was actually one of the background actors, I can pinpoint myself on the trailer, I'm behind a sign, so you can't see me, but you can see the sign. I'm looking forward to checking out the movie. In celebration of it, the Eddington cast, and crew actually donated a lot of their props to the Geronimo Springs Museum, so this Friday from 10am-4pm, they will open up a special day at the museum, to show off a new Eddington wing, so we invite the public to come down, and take pictures.
- Finally, I did want to mention, on the Geronimo Springs Alternative Pathway program, we are entering into our graduation time. I have about 14 students ready to take their final exams, and two of our students won scholarships from the Rotary for \$1,000 for a specific trade school vocational school program. Then, we just received another donation from the collaborative for about \$1,200. So, that is going to cover their testing. I really want to dote on these kids, because part of their graduation expectations is to attend a vocational school or training program and return back to T or C and enter the workforce. So, I think it's very important, this is these kids' second chance pretty much, and they are willing to come back and join our workforce, so I think that's something that's very commendable for the students themselves.

Mayor Hechler: Looking forward to seeing that sign that blinks.

Commissioner Hoepfner reported the following:

- First of all, thank you Destiny for all the work you do here, youth work as well, it's very important to me, giving them a future and a second chance. You are working with them directly and we can see the results, they are future employees in the making, and I am glad they are incentivized to come back to town instead of just leaving. It was also good to hear from the chief that there were no incidents in the downtown area. That doesn't mean that incidents didn't almost happen. I was almost run over by a car the other day, and I actually got a phone call from a lady who had a similar incident as well. They were going to meetings and used the crosswalk and were almost hit, they said someone actually was speeding up towards them. It is very sad to see that sort of thing. So, I would like to ask, especially when it comes to crosswalks, that there be flashing lights like in the school zones. Maybe we can even look into a grant or something that will allow us to install those. Even those lights where you can push a button to cross, and there is a light that shows drivers there is someone crossing. More and more, people are concentrating on when they can enter the street from the side going in, rather than what is happening around them, so they end up not seeing

bicycles and pedestrians. A speed sign like what is at the schools would be beneficial, it is hard sometimes to look down and concentrate, I guess.

- I am happy to also see that we got a notification about a possible flash flood warning, and the city was immediately acting. I had sandbags but I didn't have the sand to fill them, and when I asked it was immediately made public and taken care of, so thank you for that quick response. I got my sandbags, even though I didn't need them, I have them for the future. I am glad with the microburst event last week that nobody was harmed. It was only material damage, and materials can be replaced, but a life can't. I am glad to hear that the crew was working very well and that the damages were being repaired very quickly.
- On a good note, Art Hop is coming up, it is Summer, and everybody is at the lake, and I understand. But in the evening when it cools off, the galleries are still here, and shop owners are trying their best to provide something different. We do it every second Saturday of the month, and with the movie coming out and all the different events going on, this weekend will be the place to visit downtown. I want to invite the locals and everyone to come check us out, see what we are trying to do, enjoy the cool evenings with art and music, and all the different events going on.

Mayor Pro-Tem Forrister reported the following:

- There are only 11 tickets left for the cash party that is on Saturday, so if you are interested in one of those, contact the extension office as soon as possible. We put 13 on about an hour ago and they're going like hotcakes.
- Thursday and Friday, free physicals for any students that are interested in playing sports. It will be at the high school gym for free, so go get that done.
- I want to give a shoutout to our 4H students that are in Las Cruces right now, they are competing in lots of competitions. They announce the top 5 for each one, they don't give you the winner because they have a whole awards night, and right now 2 of our kids are in the top 5 for impromptu speeches, our horse team that's in the top 5, and the consumer decision making team is in the top 5. Our kids are representing our community really well in Las Cruces this week.
- This is the last day for Tiger Tough Camp, so if you haven't been able to go, it will be in Arrey today. I commend that coaching staff, they are doing a really good job with bringing in people from NMSU and NMMI to get these kids interested, and it's free so it's really awesome that they are able to do that.
- I heard that they are going to start a rehabilitation project at the Elephant Butte Fish Hatchery and damsite recreation areas, it's like a \$7.6 million project the BOR is running. They will get new pavement of damsite roads, upgraded parking lots, and the completion is expected about February 2026. I think that's really cool, Elephant Butte welcomes over a million visitors over a year, so these enhancements will be really nice.
- I think it's really cool, going back to some of our sports, the roar of tiger football is making a comeback. July 19th they are getting any alumni football players to go to Sidekixx at 5pm, they're bringing in the winning coach, which will be Travis Lee, and they will bring in their old films and be getting together. So, if you know

anybody that is an alumni, go hang out, give Coach T a call, and let him know you're coming. And I think that ends my report.

Mayor Hechler reported the following:

- It certainly feels like we have had a busy 2-3 weeks. I will give you a couple of highlights. Mayor Mortensen from Elephant Butte and I met with Ken Shull, the CEO at the Veteran's Administration, and US representative Gabe Vasquez a couple of weeks ago. Representative Vasquez, of course, was focused on Veteran's affairs. I was a little disappointed that we didn't have any veteran's affairs groups there, although they were invited. But Mayor Mortensen and I did the best we could to represent. I also presented representative Vasquez with a folder for our Clancy Street project, I think he's getting tired of hearing from me, but we'll keep at it until we get funding; that's for \$1.2 million. When I asked him about it, he was well aware of it. He, in fact, finished the story I was going to tell him about it, and I linked the Veteran's Administration to it because it does affect the line that comes from the Veteran's Administration to our community. So, that's back on the radar, hopefully we will get that funding down the road, we will see how it happens.
- We had a joint powers meeting with the hospital folks. We are welcoming back David Faulkner. He has a history with our community, he was here before Frank Corcoran was a few years ago, Frank was one of our beloved CEO's that left recently. Dave Faulkner was here as an interim before that. David will be here as an interim again, he's committed to 6 months to a year with the hospital while we look for a new CEO. I will be on that committee to try and get that done with the other mayors in our area. That will be an interesting thing, and here we go again, hopefully we will find a good CEO this time.
- Chief invited me to attend a retirement party for Ted Ontiveros, who has served this community as a police officer for 20 years. Most recently, as a school resource officer. Any time you lose senior officers with a department, it leaves a void, it leaves a leadership void, and we have to figure out a way to fill that. There's certainly a lot of institutional knowledge associated with a senior officer leaving like that, and he will be missed. Thank you to the chief for allowing me to attend the party, hopefully we will have more officers for 10-20 years and stick with us.

Commissioner Fahl: Like the chief.

Mayor Hechler:

- And finally, a general comment, I don't remember, ever, a community like Truth or Consequences, receiving so much money over a period of time. This last budget was over \$100 million, 70% of which is capital money that we've received. Cantrell Dam for \$8 million, we are going to get funded for an engineering report for our Water/Wastewater, we will talk about that a little later, we have got some map funding for our community, Smith Street we will be getting funding for. For whatever reason, and it's got to do with this commission, it's got to do with management, we're receiving some money this year and last

year. For years and years, this community has suffered, and we are trying to dig us out of that problem. We are now going to get the mechanism to do so, and I am very pleased with what's happening. The job is spending it, figuring out how to do it, and doing it in a way that we get every penny that the dollar is worth out of it. I just don't remember that much money, and I've been on and off with the commission for 10 years, and I have never seen this much money come into our community. So, good job to everybody, keep up the good work. We will keep on asking, we will keep on knocking on the doors and working for this community.

Commissioner Fahl: I wanted to let the community know that our Hot Springs High School Scat Cats are leaving the end of this week for Canada. Hedge always takes them earlier than the event so they can get more aware of plants and trees and stuff up there, so he has already planned a bunch of trips for them. They will be back after the 18th, the week after that. So, let's all give them some good wishes to be successful.

Mayor Pro-Tem Forrister: I think the kids in our community go and do so many good things, and they represent us well.

City Attorney Rubin reported the following:

- A little piece of good news is that we have successfully completed our second quiet title suit property at the Rotary Park area. You might remember that we did a quiet title suit about 3 years ago, and we completed the quiet title suit which awards the property, owners of the property within that area. It was brought to my attention that there was an additional 3.79 acres of property contiguous to that, that was still available for us to also make a claim to. We basically did the same process of filing the complaints.

Commissioner Fahl: We're talking about Rotary Park?

City Attorney Rubin: Yes. I have the file decree here. We went through the whole process. Doing the publication, going through the notification process, etc. and it's been successfully completed. I will tell you; it's been an interesting experience because I have done other quiet title suits in my career, and usually those are generally because maybe there was an old deed to a house that didn't match up with the chain of titles, or something like that. In this case, the reason why we were able to successfully go forward is because there was a change in the contour of the river over the last 50 years, which basically brought more land available that had not been there before. Because we own the property site next to it, I discussed this with the title company, and they were willing to give us title insurance if we successfully made the argument that because we had the property contiguous to it, that it would put us in the proper possession of the property. That's how we proceeded with both of these cases, so it was a pretty interesting experience for us. So, I'm glad this has been done, and I have a copy of the decree if anybody needs a copy of it.

City Manager Whitehead: Actually, Jay, if we can just scan it and send it over to Johanna, she can distribute it via email. We can take care of that.

E. CONSENT CALENDAR:

1. **City Commission Regular Minutes, June 11, 2025**
2. **City Commission Regular Minutes, June 25, 2025**
3. **June 2025 Accounts Payable**
4. **Purchase report of items between \$20,000 and \$60,000**

Mayor Pro-Tem Forrister moved to approve the Consent Calendar with the removal of E4. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

F. ORDINANCES/RESOLUTIONS/ZONING:

1. **Discussion/Action: Resolution No. 01 25/26 Open Meeting Act Resolution.**

City Clerk Torres: As stated, this is our Open Meetings Act resolution. We do it at the first meeting in July each fiscal year, the resolution outlined is the same as it was last year, the only thing I changed was that our meetings are held at 9am, and the second one is held at 4pm, however, that can be open to discussion if you guys want to change it. If not, we can leave it as is.

Mayor Hechler: Here's the thing, last time we changed this thing, we decided to have a 6-month trial to see how things went, as far as changing the meetings, one in the morning, one in the afternoon. The style of the meetings I like, I like the business meeting and the open meeting with the public comments, reports during one of those times, and in the business meeting, during other times. It seems to flow better, and we get things done, especially in the afternoons, so that part about it I like. But I would like to hear a bit of discussion about if people want to stay the way it is, or if they'd like to change it back to 9am. Personally, I have not noticed a difference in attendance, whether it is in the afternoon or the morning, so I don't think that has any bearing on it, but from my view, I'm crankier in the mornings than I am in the afternoons, so I kind of like that idea, but I am open to discussion if you guys want to change it or leave it the same. Does anybody want to chime in?

Mayor Pro-Tem Forrister: I'm going to still advocate to keep it the way it is, again, I am still working, and will continue to work, and with elections coming up in November, and us getting, do we have two seats open? I mean, maybe people would like to come and offer their backgrounds and stuff, but maybe they are working too, and they can swing a 9am meeting once a month, but two of them are too hard, so I just want to take into consideration that we still have to think about, maybe we don't just want old retired people on the board. Just saying.

Commissioner Mitchell: I have two cents on that too, since we have the second meeting at 4pm, and we removed public comments. I have had some constituents reach out,

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concerned that they can only now give public comment once a month. I understand the afternoon meeting being so we can cater to those that need to come after work or whatever, but still, 4pm, if you work until 5pm, you're going to miss a lot of it anyway. So, I would advocate moving it back to 9am, however, I think that it should take place in January once the new commission has been elected. I think we've only given this, what, 2 months?

City Attorney Rubin: I think it's been 4.

Mayor Pro-Tem Forrister: I will be missing 1 meeting a month if they're both at 9am, I'm just letting you guys know.

Commissioner Mitchell: I just think it should be up to getting the input from the two new commissioners, whomever they are. I'm okay with doing the 9am and 4pm.

Mayor Pro-Tem Forrister: Would you be fine with leaving it at 4pm if we did add public comment back in?

Commissioner Mitchell: I just wanted to make a comment that constituents were concerned about being able to do public comment twice a month, I don't know if they can only give public comment at a 9am meeting, or if there's a way we can change it to both. I just wanted to put that out there as a concern that was voiced to me.

Mayor Hechler: Just one concern? Multiple?

Commissioner Mitchell: At least 3 people. They were curious, they wanted to come and comment but it was aa 4pm meeting and there was no public comment available that evening.

Mayor Hechler: That's interesting because we only had 1 public comment today.

Commissioner Fahl: You never know with public comment, whatever is on the agenda will drive it.

Commissioner Mitchell: Everybody is at the lake, nobody is here.

Commissioner Fahl: Well, I'm fresher in the morning too, and I voted against changing it, but I also believe that with elections coming up, that we should let that change happen when the new commissioners come in, so I'll just suck it up until the end of my term.

Mayor Hechler: Commissioner Hoeppner, do you have any desires?

Commissioner Hoeppner: I'm fine with either way, but what I like about the 4pm is that people reached out to me with the same issue of the public comment, that they want to

have a chance to speak. My thought of changing it to 4pm in the first place, what I didn't see, is when it comes to public input and presentations. I believe, when it comes to public input and presentations, we should do that in the evening meeting, so that more people have a chance to come and attend. At the end, when we make the decisions, we have people that say, "Oh I didn't have a chance to talk", or "Oh, I couldn't come to that meeting.", and we should try and prevent those comments. It saddens me a little bit when I see, a lot of times, we listen to the public hearings, hear everyone present, and then make our decisions, for example, the striping, we say yes let's do it, and the after the fact we have people coming out of the woodwork saying, "Oh that is the worst thing ever, I am an engineer." Well okay, you are an engineer, but we didn't see you present. So, I understand when we get visitors from Albuquerque or wherever, they have a time frame, but maybe we could invite them via skype or phone, so that we can include the public comment in our meetings where it is available to everyone in the evenings who wants to comment. That way, we can give multiple people a chance to speak up.

Mayor Hechler: Those are good points, it's kind of outside of the scope of what we are doing here, but those are good points.

City Manager Whitehead: If I could chime in, just on the public comment, clearly, it's a little outside the means of this discussion, I don't want to over-debate it, but I think we see a trend where people aren't coming to the meetings, no matter what we try. I think with the ICIP, when we saw that we had those meetings, we still had low participation. The staff, Carrie, and I, have been trying to figure out a way to meet people where they are, one of the things we have talked about is to find a way that we can have a public comment form on the website. Potentially, at the meeting we wouldn't get public comment, but with some time, we could probably find the right mechanism where people can go to present their public comments on anything on the agenda, get them to us, and get them put on the record. Even with the ICIP, we could try to use that, use the Doppler system to try and get people involved. People are busy, and they do see it and say that they couldn't get there. I think there are some solutions we can continue to work through, as we continue to improve our communication skills through our website and our online presence. I think that probably deserves as much opportunity as putting in public comment. No problem to add it, the policies say it was only at one meeting, it does make the second meeting roll a little faster, but I'm sure the staff would have no problem adding it. I just think we can do a better job of catching people where they are and give them a better platform to voice their concerns, rather than just public comment.

Mayor Hechler: A Question for you commissioners, it's a trend I've noticed that there has been less public comment in the last few meetings, is that accurate? I think there's an openness with our city management to address situations, and we have a public information officer on board now that gets information out to the public, to inform folks about what's going on. I think that being in open communication with the public generates less public comment. I think that's a fair statement to make and I think that's where we are. To me, I don't think I would want to change anything right now unless there's pressure to do so. As long as we stay open and communicate with the public, and our management is and our PIO is, then I think we are doing a good job. So, with

that, I will entertain a motion to either keep it the same, or the motion would have to say specifically what the new times are, and I'm open for either/or. Unless we have further discussion, I will take that motion.

City Attorney Rubin: I liked Destiny's comment. You were talking about looking at this again in January when we have the new commissioners. Maybe make a motion to do it the same for the rest of this year? Then we can come back and look at it.

Commissioner Fahl: We can approve it and then the new commission could say they want to revisit it.

Commissioner Fahl made a motion to approve Resolution No. 01 25/26 Open Meeting Act Resolution. Mayor Pro-Tem Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

2. Discussion/Action: Resolution No. 02 25/26 Authorizing Acceptance of Water Trust Board (WTB) Project No. 6621-WPF Funding Offer; Flood Prevention Project; Cantrell Dam Breach & Watershed Drainage from New Mexico Finance Authority (NMFA).

Assistant City Manager Alvarez: As I updated the commission previously, the city did receive an award offer from the Water Trust Board, this will be for construction of the flood control improvements for Cantrell Dam. We received an offer of a 90% grant in the amount of \$7,281,000. That will come with a 10% loan in the amount of \$809,000 as well as a cash match in the amount of \$809,000. The plan and design on the dam has been completed, presented to the commission, and accepted. So, the next step would be moving into construction if the commission desires to accept this award, the resolution is a requirement of WTB. With that, I stand for any questions.

Mayor Hechler: We know that our flood commissioner, Sandy Jones, has committed to \$400,000 of this \$800,000. How does that work out? Do we just get the loan for half that amount? How do we receive those funds from the flood commissioner and how does it affect our overall loan that we are supposed to get?

City Manager Whitehead: The flood commissioner funds would come to the city through potentially an MOU, we would have to develop a process for them to transfer the funds, their county funds, so they would just do that. As we are developing our projects through our budget, every project has its own line item, so the grant from the flood commission to the city would be its own line item, and we would expend that accordingly. This does have a loan component for the same amount. It's a 90% grant, 10% loan, and a 10% match. That's 100%.

Mayor Pro-Tem Forrister: Interesting.

City Manager Whitehead: We would have \$400,000 that would come from the flood commission, we would have to match the other \$409,000 which potentially could be street funding, we will have to figure that out, and then we have the loan component.

Mayor Hechler: And we're matching, again, from what funding?

City Manager Whitehead: Well Streets is where we handle the flood, so floods and streets, so the funding would come from the streets department.

Mayor Hechler: Would that be bond money?

City Manager Whitehead: No, my understanding of the bond and the way I've approached bonds, I would not propose that we use the GO Bond funds in this particular situation. It did say streets, but my position is that we should use those to cover actual streets that we perform water projects under. That was what the citizens envisioned when they voted for that tax. So, I would not use GO Bond for this particular match. We receive approximately \$600,000 this year in gross receipt tax and fuel tax, so we would go back and look to see how we would accumulate, and we have some savings. The road department is carrying a little bit of a cash balance. So, we will meet with Buster, work together as a team, and assess where we will get the other \$400,000.

Commissioner Fahl: Where would the loan repayment come from?

City Manager Whitehead: The same pots, from Streets. It'll be a Streets loan debt, that's where that would be. Or we could find another way and put it from the general fund, we would just find a way, intercept agreement through gross receipts tax is probably what the Water Trust Board would want for loan security.

Mayor Pro-Tem Forrister made a motion to approve Resolution No. 02 25/26 Authorizing Acceptance of Water Trust Board (WTB) Project No. 6621-WPF Funding Offer; Flood Prevention Project; Cantrell Dam Breach & Watershed Drainage from New Mexico Finance Authority (NMFA). Commissioner Hoepfner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

3. Discussion/Action: Resolution No. 03 25/26 South Central Council of Governments Annual Dues.

City Manager Whitehead: This is an annual contract with the South-Central Council of Governments, who represent Socorro, Sierra, and Doña Ana County. They are an arm of the Economic Development Department. I am pleased to ask and present this to you. The dues for the year, for us being members, is \$2,187. One of the primary functions the Council does is that they also oversee and manage the Workforce Development Board, which oversees all the dollars that come in from the Department of Labor, it's actually 7 counties, not just the 3 counties. But as it really pertains to us, you got to see Yvette, we brought the council in to help us with our ICIP this year, we are building a

relationship with SJOA so that we can help them there. We are going to use Yvette a few more days in the office, so we're getting some, what looks like free service, but it really is membership service to find the grants. We are inviting Yvette to many of these grant meetings, so she can see, potentially, where we are pulling back some items, we have been handing off to engineers to fill out for us. Engineering firms have become pretty good at finding all the grant programs, they have good staff, they are fast and nimble. But we think we can save some money by using the Council. I think this year we are going to see that we will get our money's worth. We may move Evette, or we may actually need to pay some more, and you Yvette, so I refer to her by her first name, so you can have that relation, but potentially, we can get 2 or 3 days of work where we bring her in as some additional support staff. So, our recommendation is that we approve the additional agreement with the South-Central Council of Governments. Angela helped us with our map program that we just did and presented. We are receiving about, I think, \$500 for the Street Sidewalk Project. The Council of Governments does touch on a lot of things that are quiet, you don't really know about, but they need all of us to participate and be members.

Commissioner Fahl: COG is very important to the things that we can do.

Mayor Hechler: I think this is some of the best money that we could spend right now. A couple years ago, and I served on that board, I represent the community on that board, but I was wondering what they did for us because we didn't ask for enough. That story has changed, we are asking, and they're delivering. That's the important relationship that we want, we want to belong with them, but we also need to know what to ask for and how to get it, and we are achieving that. As a former member of that group, Gary, you know the inner workings of it, and you know what they can do, and what they can produce. I think that's an important relationship, and I look forward to your education in that regard so that we know what to ask for and what we can do for our community, so I think it's money well-spent.

Commissioner Fahl made a motion to approve Resolution No. 03 25/26 South Central Council of Governments Annual Dues. Commissioner Hoeppner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

- 4. Discussion/Action: Resolution No. 04 25/26 Authorizing Acceptance of Colonias Infrastructure Fund Project No. 6738-CIF funding offer; Water Infrastructure, Municipal WW Collection PER from the New Mexico Finance Authority (NMFA).**

Assistant City Manager Alvarez: This is an award from the Colonias Infrastructure Fund Project. We received a 90% grant in the amount of \$171,900, a 10% loan in the amount of \$19,100, as well as a required cash match of 10% of \$19,100. These funds will go to do a Municipal Wastewater Collection PER. Mayor, as you stated, we have been extremely lucky in all the funding that we have received in our Water system, but one of the requirements of Colonias, Water Trust Board, USDA, all of those, require a preliminary engineering report, a planning document, in order to apply for their funds. Our hope is that we can get the collection system PER completed, and that will open us up to start applying for funds to start fixing some of our Wastewater areas.

City Manager Whitehead: I will add that this is a project we will use GO Bonds to do the match.

Mayor Hechler: Thank you for that. You know, I wasn't expecting this award until September, and my worry was that we didn't get it until September, using that report to approach our legislature for money for next year. Having this award so soon and knowing we are going to get it so soon, I hope it opens the door for us to get our PER done quicker. I'm hoping that's the case, I don't know if it will be.

Assistant City Manager Alvarez: The resolution is part of Readiness to Proceed items. So, we will do the resolution and then in your packet, you'll see an award letter, there are a few other items we will have to submit, and then they will be sending down the loan and grant agreement. I don't necessarily expect us to see the loan and grant agreement portion until September. That's their normal timeframe.

Mayor Hechler: I get a little excited when we have the opportunity for money. But that's okay, it's coming so we will get it then. Remember, we are completing the circle here, first is Water, and we have gotten that, now it's Wastewater, we are taking it out, we have got to get it back home, then it's going to be Streets. I wish I had 10 more years, I don't. So, that's the big picture, that's the direction we are going to, and we will get it worked out. So, good job on that and I'm looking forward to it. These are exciting times, even though it's hard to get there sometimes.

Mayor Pro-Tem Forrister made a motion to approve Resolution No. 04 25/26 Authorizing Acceptance of Colonias Infrastructure Fund Project No. 6738-CIF funding offer; Water Infrastructure, Municipal WW Collection PER from the New Mexico Finance Authority (NMFA). Commissioner Hoeppner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

5. Discussion/Action: Resolution No. 05 25/26 Declaring a disaster in the City of Truth or Consequences related to a natural tornado force wind event.

City Manager Whitehead: On July 2nd, there was a weather event that happened in Truth or Consequences, around 7th Street to 9th Street, actually it extended all the way

to the Golf Course, we didn't find that out until the next day. If you draw a line, you can see it consistently moved about 8 city blocks, causing damage. The disaster declaration in this particular case, let me point out a couple of items. I did work with Ryan, our EMO, I want to thank the chief. When we got on scene, the scene was in pretty good shape, it wasn't chaos, the event was over, the residents were safe, there was no injury or damage, so it became a really easy scene to manage and figure out how to get the poles back up and electricity back on. I really have to thank Bo and his team. Bo assesses the damage in minutes and started sending the crew to pick up pieces, that was really impressive to watch how quickly he assesses what needed to come back on. It took us about 3 hours to get to that, and we did have rain in the middle of that, so the crews had to come down for about 30 minutes, but the crews did a good job. We were able to get the Streets department out to barricade the roads, we were able to use the Streets department to pick up one of the roofs that was in between Date Street and the parking lot of AutoZone. The primary reason to ask for the declaration of emergency really was that we were unsure what we needed to do, we did have a roof laying on a private residence. I felt like we were going to need someone that had a crane at that moment to potentially get that off. As the scene settled down, it turned out that the lines that were down were primarily Windstream lines, so there was no electrical concern. Windstream had to send a team all the way from Española to get here to fix those lines. They weren't able to get on scene until 3 in the morning, so we couldn't really move the roof that was in the road and the roof that was on the house until the next morning. The emergency declaration really allowed me the ability to make some decisions to bring in any assets that we would have inside the community. Bartoo was the only contractor that I was aware of that had a crane, that was my initial thinking was that I was going to have him get his crane and lift that off, but it turned out they had a better idea in the morning, they assessed it and within an hour had the street cleaned and re-opened. Speaking with our Emergency Management Officer, the level that we would have to receive dollar-wise to approach the state would be \$51,397. The damage could possibly be that. I don't know if Windstream is going to ask for any support on their damage, they have not asked for the city. We were able to work within our means, so we have some overtime expense that night, some electrical inventory we were able to use, so again, I haven't received all the costs to see if we surpassed that level, but it would seem like we wouldn't be at that level. We won't be asking the state to assist us in this particular case. Items should generally come out of the budget, and the only outside expense we would have would be to cover the purchase order we listed. Again, the Emergency Declaration, I contacted the mayor, indicated to him that I would be doing so, contacted the finance department, and then contacted the chief. The chief and I are working great on the EMO side, where the chief was really able to contact. Once we got on-site, I think we felt together that we didn't need the EMO necessarily on-site. I have since asked the EMO to supply me with the weather report to see what the wind speeds were, what the wind damage was, I think Commissioner Mitchell has provided some assessment she has done through some of her students on the additional damage of what was done throughout the city. I think everybody has a copy of that. We also have some pictures, I'm sorry I didn't take the time to put those on the agenda. In the future, should we have a disaster that surpasses \$51,000, it would need to go to the state and also requires the County Commission to approve that. A declaration of disaster, we would approve it to

authorize me to have done the items we needed to do procurement-wise, and then we would approve it, and it would go to the County. The County would approve it, and it would go onto the state. It was clear that the other issue we didn't have was really a place for emergency procurement. As Jocelyn pointed out, in the final budget we are going to add a line item to the Commissioners, we will call it "Emergency Procurement". We have several certificates of deposit that we use as a backstop for additional cash, so we would probably remind the Commission that that line item would have 0 dollars in it, we would use that line item for the disaster, and then we would be able to pay for it using cash on-hand. We probably would budget the \$52,000, that would be the amount to put in that line, so we would know if we spent that, and we would be in a position to request some support from the state. Having said that, I will stand for any questions. So, what we would do here today would be to ask that you approve the disaster declaration, it specifies the time, and this would support Windstream, if they needed a disaster declaration to help them, if any of the residents needed a disaster declaration, an insurance company could come and say "I'm not going to replace your roof.", this would help any resident that might need that declaration. Further, the police chief will complete the report from that, and then we would be able to provide that to the citizens. As I said to them, we will get the roof off your house, the reason I needed to get that was because the wind could have come the other way and blown that backwards back onto our powerlines, so we clearly needed to remove it, but that was as far as we were able to go, everything else needs to be handled within their insurance companies. We will provide them the information and the disaster declaration, and I will stand for questions.

Commissioner Fahl: This really just is an internal document to authorize you to act? The actions that you took then, this just allows us that documentation to protect us from what you did, just saying you did that, and we are okay with it?

City Manager Whitehead: Correct, that would be acknowledging that the event happened, it was a real event, and at that moment we had to make decisions that would require us being able to utilize items outside of normal procurement. By bringing the finance director in, she was able to complete the emergency declaration, post that with the state, and in this particular case, the only emergency purchase was authorizing Bartoo to come in with his crane and other equipment to get the roof off the house. It could have been more, as the night progressed and we found other damage, we might have needed more. I know a lot of my disaster work that has come in the County where we are dealing with drainages and floods where you have to bring in all the contractors that have dozers, and you just have to be able to make that decision in the moment. In this case, it worked out pretty well, but you're acknowledging the work we did, and for the public that we had to do that at that moment, and for these reasons.

Commissioner Fahl: And then we're not going to send it to the County?

City Manager Whitehead: No, there would be no reason for us to do that.

CITY COMMISSION JULY 9, 2025 REGULAR MEETING MINUTES

City Attorney Rubin: As Gary said we were in a state of emergency, I guess, are you okay with the time frame, though, because you had July 2nd at 5:30 and then it says July 3rd, 2025, did you mean to put a time?

City Manager Whitehead: I apologize, the time didn't get added, so we will need to correct that. The time was 6:50 I think that I had on my note. That was the notification that I received from Bo that Windstream had completed their work, and the streets were re-opened to the public, so that's the time. From the time we got the initial call, until I got notification that everyone was off scene, all entities that were working on the public's behalf.

City Attorney Rubin: So, it would be 6:50 on the 2nd, and 5:30 on the 3rd?

City Manager Whitehead: 5:30 from July 2nd until 6:50 July 3rd.

City Attorney Rubin: Got it.

Mayor Hechler: Commissioner Mitchell, thank you for your hard work in providing the additional documentation, is there anything you would like to say?

Commissioner Mitchell: I just wanted to put it out there, I thought this would be a really great opportunity for my students to do a real-world lab and learn that stuff doesn't just come out of a book. We solicited pictures from online and addresses, put them together, and came up with a little plot map. I was just curious as to where it all hit, so this gave us an idea. I wanted to put it supplemental to this report, to show that there is data that supports it, not just that we saw wind.

Commissioner Hoeppner: I'm questioning the resolution, when we are getting over \$50,000, what is necessary, then I see the necessity, but we don't have a detailed report yet of what the actual cost was. Did we go over that amount? Otherwise, when I did my research on it, with insurances, the roof was a private residence, the roof landed on a private residence, and the removal is the responsibility of the private resident or insurance, if they file a claim. My understanding of this discussion was that the city crews did their job. We established power, the power lines were reinstated, the internet, the Streets department cleaned up the debris from the streets, that is pretty much away from every city property, it was taken care of by city employees. So, to me, it seems like we did our part of the job, and everything else, when it comes to private property, it is sad, but it is up to the homeowner. It is not ours to remove things, and I looked at the picture of where the roof landed, and it was behind a bush. The likelihood that the roof would be blown over again was probably minimal. For safety reasons, then we should also include the fire department. We did our job, our part. So, my question is, with the removal of the roof off the private property, it wouldn't be our responsibility to pay. It would be insurance or the citizen who owns the home. Who will pay for that removal of the roof? Is it the resident who will need an insurance adjuster to come in and make an appraisal for estimated costs? I'm afraid that the insurance is not going to make the argument of it was removed so it isn't our problem anymore.

City Manager Whitehead: Sure, I think the first thing to say is that in those situations, there's a fine line between what's in the public good and what should be left. If the roof would have just been laying in their yard, potentially we would have said that they need to get insurance to remove that. In this particular case, once we get the report, we might be able to make a claim, we would work with our attorney, to make a claim against whoever's roof it was, once that's determined, through our investigative reporting, we would potentially go back and make a claim for whatever cost we had to their insurance. I think all those things are absolutely possible, but I would say to you, that I am not going to leave a scene where a roof is laying over people's homes that they have to live in and sleep in that could potentially harm them, that we could have some liability because we were on the street, we were working, for a couple thousand dollars. I think in those moments, that's why we have to make decisions, that's why I declared an emergency, we went through the process, and I think you just have to balance that out. I did speak to everybody, I did contact the fire chief who said, "It looks like it's beyond our scope.", we have a volunteer fire department, I don't think they have a crane, I don't think they would have brought their fire truck and try and use the ladder to try to remove it, it appeared to me that the simplest way to remove that piece of debris off the house was some type of a crane. I could have tried to call 4 companies in town that might have had a crane to try and get bids, try to get costs, but the emergency declaration says, you use what assets you have within the public domain to resolve the immediate emergency. That's as far as you can go, and that's as far as we did, and that was my communication. I will say, we are lucky it was a simple one, we are not dealing with what's going on in Ruidoso, or other places. It gives us a chance to assess what we should and shouldn't do, and make sure we can be a little bit more prepared.

Commissioner Hoepfner: For me, what is important here is, now we are partnering up with Sierra County Emergency Services, and they are included in those things. They normally do the assessment of danger and determine what is absolutely necessary at that moment. The concern here for me, like with the flooding in Williamsburg or everywhere else, is here in the city, where we spend the money. You said it is only \$2,000 but it is \$2,000 of taxpayer money. I want to make sure on the record here that we are getting the money for that removal back, that it is not on our side of the bill.

City Manager Whitehead: I would have to stand and say, we may not get that money back.

Mayor Pro-Tem Forrester: We did what we had to do, and if we can, great, and if we can't, then no. But we are human beings, and we take care of our citizens. If that was an emergency and that was your call, make the call.

City Manager Whitehead: We will get the reports, find the property owners, if the roof was not attached properly, if they had insurance, they've got to make claims. There was lots of vehicles damages, all the houses that were hit, all those residents are going to make claims against that insurance. We would be one of those parties that would say, "These were our costs for the damages that roof did.", we may get paid, we may not,

but certainly, I wouldn't want to leave something in this case and see if we get paid for it. We needed to deal with that, and that's the way I would approach any emergency in that situation. I'm always cognizant of, we have an obligation to remember that it is public money, and it has to be done correctly, hence why I started from the top, worked my way down, followed the process, and we have everything in order to have done what we did.

Commissioner Hoeppe: I wanted to see if we can table it until we have all the information together, damage estimates and all the reports in front of us. So, we can know what the damages were, where it took place, the reasoning for the decisions, etc. That way, we have it when insurance is asking for this declaration, they can proceed since they need a reason, and we would have the research to back it up.

Commissioner Fahl: What you could say is that he had to act in an emergency, and we are saying that he needed to do so. What we could ask him to do, is continue to follow this, which he will, and he will provide that information to us, so it gives us that clarity about what's going on because he's not just going to say, "I'm done with that, I'm going to put that aside."

City Attorney Rubin: That's exactly right, I was thinking the same thing. I think you can adopt a resolution, you should, and that doesn't stop the City Manager from further investigations, to see if we can recover any of our funds.

Commissioner Fahl: When you were saying, we can learn from what's happening in other places, in my work and in my husband's work, what they did at the County, when we have a big event like this, they always call in an After Action Report, so everybody sits down, and discusses what they did well and what they did poorly, and this is one of our first events like this, those are just good learning tools. I'm sure, chief, they will talk to you about that when you do those IC trainings. Those will really help the city leadership staff, Bo, and the street guys. Then when an event happens, they can say, "Oh, well we did this wrong, but we did this right. Let's work on our strengths and our weaknesses and we can all learn for the next time." Something bad always happens, but we can always learn from them. And soon, before people forget, it's only been a week, but in another week, nobody is going to remember what they said or what they did exactly, so you need to do that quickly. Those practices really help improve employee response and it helps the leaders a lot too, so just a suggestion.

Commissioner Mitchell: I think what we are putting into place here is a policy we have in place for in the future so that he can act. It's not referring to just this specific incident, but more detail will be coming out on that in the future.

Commissioner Hoeppe: Yeah, when we have a complete report with this document, it's very important. When I did my research, questions were coming up like what the impact was, what our budget was, and so on. There is so much on the list, so for me, there is a lot of documentation missing at this point. I'm not saying I don't want to scrap it, just that we have everything necessary, that is required, in place. The data, that there

was a storm, I mean we know, we see that there were winds, with our own eyes, but at the end of the day, we need to have data from the weather service explaining what happened, because insurance will ask. They will do that the easiest way, which is asking us. So, I want to make sure we are prepared for that, that we have the real numbers ready to go. That's why I'm saying, to do the resolution, in my opinion, it is a little early because we need more information.

Commissioner Fahl: What you're really doing, Ingo, is you're telling him that he had the authority to act in that capacity that day. For the future, and I don't know what we already have in place, Gary, but is there something in there that gives the City Manager the authority, like if we had another flood next week, would we have to do another resolution?

City Manager Whitehead: Absolutely. You have to do this every time; this is just the process. Like it or not, this is the statute.

Commissioner Fahl: So maybe in the future you can just do and then you could report to us, and we didn't need to do a resolution every time you had an event like that. Now, once it gets to the dollar level, of course, but if it stays below that, is that just something you can have in your capacity where we allow you to act in an emergency situation.

City Manager Whitehead: I would say no. Each one of these events are individuals. Jocelyn is pointing out that these are acts of God, so you can't make a policy that says the manager can do this, they are individual, independent. The bigger part of it is what we do in procurement, the fact that we spend public money to benefit the private sector in a disaster, it has to follow this process. So every single time we do this, these are the rules, the chief elected official needs to be contacted, the finance department needs to understand what is happening, has to do those declarations, we need to put it to the public, if the disaster was still ongoing, take Ruidoso, for example, they're able to, because the disaster is active, all the time, they probably convened an emergency meeting of their commission to say, "We are declaring this a disaster. Don't know what's going to happen, don't know where the chips are going to fall, but this is an unprecedented act of God, worse major is what our attorney might even say. So, you're saying, we're declaring that, so we can now act, at the fastest response. That's why I would say we aren't going to look for a policy that would give us something, we would say that in every instance like this, it would be our team. It could have been the Emergency Management Officer, Ryan could have been called, and it could have been something that happened in the County and in the city, and he would have been the active manager, I would have been part of that team. In this particular case, I just happened to be driving by. It could come in either direction, so you'd want to do those independently, each time, and they all rise to a different level. In this case, this is a simple process, the declaration says it happened, we understand, we have reported, we have shared the information with the public, and anything that comes out of it, the public has access to, there will be a full report, and if there's anything that could happen through applying for funding or through the insurance, we will make all those processes.

Jocelyn Holguin, Finance Director: I just want to clarify, through the state statute, when it's an emergency declaration, it's for the life, health, and wellness of the public. That's what the emergency code actually says. When you do the emergency declaration, you have to put it in the form that's on the state website, which is what we did, and I estimated \$5,999 just in case we met that threshold. All that is covered, and every time there is an emergency declaration, you have to declare it and you have to do a certain format, then you post it on the state site, they recognize it and send you an email. It's all a process, and there's not a threshold on an emergency declaration. You try to do your best to conserve, as needed, but in a real disaster case, you need to get people in, you just get them in, that's why it's called an emergency. That's why some things aren't considered time-sensitive, because you can get it done within the entity, but when it's an emergency, you just go out, like how Gary went and got Bartoo to assist, he did the right thing, and we were trying to make sure nobody was injured. If you actually walk the trail of the disaster, it was kind of scary to see. I feel like he did his due diligence, and I believe we all, as a team, did our due diligence. I agree with trying to get with the insurance, but there is a process, and we followed it. It's not my first emergency declaration, so we were on it, I just wanted to throw that in there.

Mayor Pro-Tem Forrister: Good job, team.

Commissioner Hoepfner: I just wanted to add, thank you for all the team has done to take care of the problem as quick as possible, I just want to make sure, because insurance will always try to get out of paying, that we have the proper documentation, that it was really a danger to the public, that we had to remove something from private property, that we have that in writing somewhere we can show to the insurance companies for the reason why, that it could have potentially harmed civilians, that it was absolutely necessary to do it this way. In the future, it's always a good thing to contact more people, like emergency services, so that we are in sync with those things, especially when we have to make those resolutions. With everyone's explanations here, I am okay with saying we can move forward.

Mayor Hechler: First of all, Manager Whitehead, thank you for being there at the time that it happened. That was an 18-hour day for Manager Whitehead, by the way. He stayed there on scene, took care of things, I always want to be on the side of doing more than we need to, than less. I never want to second guess anybody or anything. Safety, life preservation, property preservation, are paramount here, and I think we did everything we were supposed to do. That's important. We will pick up the pieces afterwards and figure it out, but when we go through the process, we do everything we possibly can to mitigate those things, and I think we did that, that was done. The next day, I went to the office, and Gary was working until 5:00, we looked at McAdoo Street, McAdoo was flooding, it was going to go over the edges, and he had the crew out there working on it. Guys, we are lucky to have Manager Whitehead here. We are lucky to have him working and doing the things he is doing. I am very appreciative of your efforts, Gary. Thank you for your hard work. I know it's been a long week for you, and it keeps on going, but you have to know that you're appreciated.

City Manager Whitehead: Thank you.

Commissioner Fahl: He said he loves his job.

City Manager Whitehead: I'm having a good time.

Mayor Hechler: That's where we are and that's how I feel about it. I think you make some valid points, Commissioner Hoeppe, in that we do need to have the final numbers, we need to have a final report, I think that's important. I'd like to entertain a motion that we do approve this resolution, but that we ask for a final report.

Mayor Hechler made a motion to approve Resolution No. 05 25/26 Declaring a disaster in the City of Truth or Consequences related to a natural tornado force wind event with a final report submitted. Mayor Pro-Tem Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

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

This item was removed from the agenda.

G. NEW BUSINESS:

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

Jocelyn Holguin, Finance Director: This one is for the Electric Department, they sent over the request items for \$60,000 and over. These are the power services, a portion from the Sierra Electric Co-op, SSA Solar, Western Area Power Administration and Tri-State. The total is \$4,612,000 the breakdown of the totals for each one. That's just continuing services that are submitted through the Electric Department. It exceeds \$60,000 so we brought it to Commission.

Commissioner Fahl: We do these at the beginning of each fiscal year, don't we?

Jocelyn Holguin, Finance Director: Yeah, I sent out an email request to staff, and I am going to try to have everything next fiscal year.

Mayor Hechler: I do have a question, regarding the solar, is this our station down here by the Sanitation Department? I want to kind of get an update.

City Manager Whitehead: Each one of these items on the list is for us to pay the bill as we get charged. This is our wholesaler supplies. As it relates to solar, we would still have an open purchase order to pay for them. Currently they are not charging us, they are not

generating. They are still down. We're not paying, we just offset the loss and generation from solar from Sierra Electric. All these are, are open POs to those vendors that we buy power from, so that on a monthly basis when we get our invoice, finance can pay. We will have a few more of these, remember that one of the changes in finance was streamlining some of these things that we have to pay all year. This is instead of doing POs from each department. We have a few more \$60,000+ that are just annual regular items of normal course of business. But specifically, to the solar, we are not generating solar there, they are still paying rent, but we are not buying power from them.

Mayor Hechler: Thank you for that clarification.

Mayor Pro-Tem Forrister made a motion to approve Purchase Requisitions over \$60,000. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

2. Discussion/Action: Statewide Price Agreement #40-000000-23-00023. Pluma, LLC for Foch Street project through Main Street.

Jocelyn Holguin, Finance Director: I apologize, I didn't have my usual letter, but I was working on the emergency part also. This one is, and I did send it out with the final edits from both the city and Pluma, and it's for the Foch Street project Statewide Price Agreement. Attached is the pricing list associated with it. I'm requesting to move forward with this approval so that we can get that Foch Street project going.

City Attorney Rubin: Angela, could you show us the first page of the contract? I've looked back and forth at several drafts and I want to make sure we had the right parties. There it is, it has Pluma LLC, we went back and forth on how we were designating that, that's all I wanted to see.

Commissioner Fahl: Just a question, are they going to do project oversight and they're doing the construction, do they have turnkey people?

City Manager Whitehead: There's an additional contract you will see on there that will be for our contract management, with the architect firm that did the design. Jocelyn will present that. This will be just for the contractor.

Jocelyn Holguin, Finance Director: For construction.

City Manager Whitehead: Just the construction portion.

Mayor Hechler: It's interesting to note that Mayor Steve Green started this project before 2020, and here we are, hopefully finally putting the final pieces together to get this thing done.

City Manager Whitehead: Let me state that it's a bit odd for Jocelyn and I to be talking between Traci, she has been really instrumental, it's been on her plate for a long time. This has been a tough project, let me just remind you, I want to state that the project is completely visible to the public on our website. You can go to our website, you can click on Foch Street, see the plans, see the bids, the cost, the timeline, everything is there for the public to go look at. This was an effort before we got here, for 5 years at least, as you've said. It's taken several pots of money to come together. Through some good work by the team, we feel like we have a good understanding, we are the fiscal agent for this project, it's not our project, necessarily, so we are limited. We have been very open and clear with the contractor, we had to negotiate a price that would give us a complete project, would allow us some contingency dollars, and some project management dollars were there, there might be a few changes within the project on, not the scope of work, but the items we purchased that could give us some savings. We're going to put those in our pocket, if you will, for contingency. If the plan goes well, there were a couple of alternatives for some shading and other items that would go on Foch, we've agreed that if there were dollars left, we would try to then spend those with the contractor. The contractor had to make some considerable concessions to get to our number, so our hope would be that we spend everything down to the last penny, we get exactly the project, we get a good project, and we don't have many change orders. This has been a good collaborative effort and a really long project for all of you. I think Jocelyn and I are at the end here, and it's kind of worked out well for us for 2 months, but we know you guys have had a lot of work done to make this come together. We will set up meetings, we will go door-to-door of every residence and business that is on Foch Street, we will make an effort to let them know what the plan is, the construction time, we will even try to get to the side streets if we can, to let those residents know that it will be a little hard to get around Foch Street for, potentially, 6 months. We looked at opportunities and the best time to start, and there's no good window to start, we are going to mess up Christmas, etc. So, as soon as everybody's in order, as soon as we have an obligation from our funding source, as soon as we can get the contractor mobilized, we are going to start and try to get in and get out. With that, I will say to the team, great job here on this particular project, a really tough project.

Commissioner Mitchell made a motion to approve the Statewide Price Agreement #40-000000-23-00023. Pluma, LLC for Foch Street project through Main Street. Commissioner Hoepfner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

3. Discussion/Action: CES-Pland- direct purchase for Foch Street T or C Great Blocks project through Main Street.

Jocelyn Holguin, Finance Director: As you are aware, Pland started this project a few years ago, so the initial contract has expired. We had to go look at other resources in order to incorporate them and do the project management. They are on CES, so we are

going that route in order to not hinder the project from moving forward. I would just request acceptance and approval of continuing with Pland to complete the Foch Street project.

Commissioner Fahl made a motion to approve the CES-Pland- direct purchase for Foch Street T or C Great Blocks project through Main Street. Commissioner Hoeppner seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

4. Discussion/Action: CES 2023-05-R123-All-Smithco, traditional purchase for Well 2 replacements.

Jocelyn Holguin, Finance Director: Initially, we had a review of Well #2; myself, Gary, and Jamie. We thought we would just need to replace the foundation, but upon further review, found that instead of just doing the outside of the well, we need to replace the well. That changed the scope of what we were expecting. Well #2 is above now, and with this process, we are going to turn it into a low ground well, and it won't need the covering and the housing we initially expected because it is so old. This well will be lined up with all the other wells that are already underground wells. This is a separate item because we are going to use the GO Bonds for this purchase as well, but it is a necessity. Basically, there is water in the forest growing behind the sheds, so we have to address and fix it.

Mayor Hechler: Mr. Whitehead, explain a little bit about this. This is a pretty hefty build, pretty expensive, and the alternative was a little bit cheaper, but this is actually much better for our community in the long run. Can you tell us a little bit more about that?

City Manager Whitehead: Jocelyn did a nice job explaining, I will try to add to it. Jamie introduced me, as I was coming on, looking at the different well fields, and all the wells are in really nice shape, and then she takes me to Well #2 and it's a 10x10 wooden structure, the bottom is rotted out, there's water in the well, the well is kind of leaking. When Jocelyn talks about above-ground and below-ground, there are submersible pumps, and there are above-ground pumps, so this is the last of the wells we have where the motor is above-ground. When we go look at it, it looks like a bearing is leaking, or a seal is out, so it's depositing water, the water has been there long enough that there's a cattail field that grows in the back of the wellhouse, so there's a way for rodents to get in. She said this has been one of those projects they haven't been able to get done, and they really need to get it done. I said we could look at the GO Bonds and see what we can do. Her vision is that it would be a seal and some bearings to make the shaft work, that would solve the water. Then we would just put in a new building, spend \$30,000-\$40,000. The foundation was in good shape, we would clean it up, we have already done Scada on Well #2, so the electric part is all out there, it's a very nice structure, so the well is attached, but it's just not in good shape. So, we invited 4 contractors to come participate in a process to look at this and give us a design-built concept, to tell us how they could fix the well and put a building. Simple process, we think we could do that under \$40,000. One of the contractors was Mauldin Drilling, they

chose not to participate. SmithCo. and Steve Bell were called, I'm not sure if Steve Bell ever put in a proposal, but those are the folks involved. When Mauldin partnered with SmithCo. and went to the site, his assessment was, "You don't have a well that's pumping this much capacity in an above-ground situation anymore." If we fixed it like we had intended, he said it would probably only last a few more years, and it would start the same process. That's where their proposal came to say, if we took the time, we would get rid of the building, he pad is good, we would go in and put a brand-new submersible pump at the 400 foot level, we would put in all new pipes, make it a 20+ year repair, we wouldn't have to build a new building, because you wouldn't see the well. We went back to the team and ultimately agreed that this is the best course of action, I had planned about \$200,000 to use at the Wastewater treatment plant from Bond #2, and I have not programmed any money from Bond #4 for Wastewater or water, we have not gotten to that. So, what I've proposed to the team is that we move those funds, we would use Wastewater in Bond #3 or #4, and let's go ahead and present and use this money, get Well #2 back online, get it to match the system, it would be the last well that really would then be proper, be the right repair. That's really our proposal. Between the time Jamie and I spoke, we had a water survey, and we had a pretty significant write-up for all those items I just described, Well #2 definitely needs our attention and that's giving us the next step to say, A) We should have done it a long time ago, but B) Now it's on the radar for the NM Water Department, our environment department, to see what we are going to do. We would ask for your approval to allow us to finish this process. Well #2, for those who aren't familiar, it's on Cook Street, and it's on the North side of the solar plant, so if you're driving down Cook, like you're going towards the big dam in Williamsburg, you would see it on the left side of the road. You can go by there and take a look and see what poor condition that well is in. It produces about 300-400 gallons a minute of water.

Mayor Hechler: So, this is a semi-permanent fix? In our lifetime, we won't have to mess with it again.

City Manager Whitehead: This is a permanent fix.

Mayor Pro-Tem Forrister: Until we have to replace the well.

City Manager Whitehead: Until we have to replace a pump, submersible pump, etc.

Commissioner Fahl: If you recall I got into a big argument with Arnie about this particular well, because he wanted \$1 million to fix Well #2. I know it's a substantial amount, but to get that well operating and using it better, that's certainly a lot less than we were told 2 years ago, that it would cost to fix it.

Mayor Hechler: Anyway, I thought it was worth the explanation so thank you for sharing.

Commissioner Forrister made a motion to approve the CES 2023-05-R123-All-Smithco, traditional purchase for Well 2 replacements. Commissioner Hoeppner

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

H. ADJOURNMENT:

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

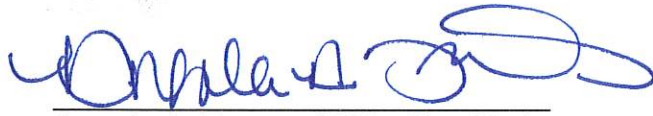
Passed and Approved this 23rd day of July, 2025.





Rolf Hechler, Mayor

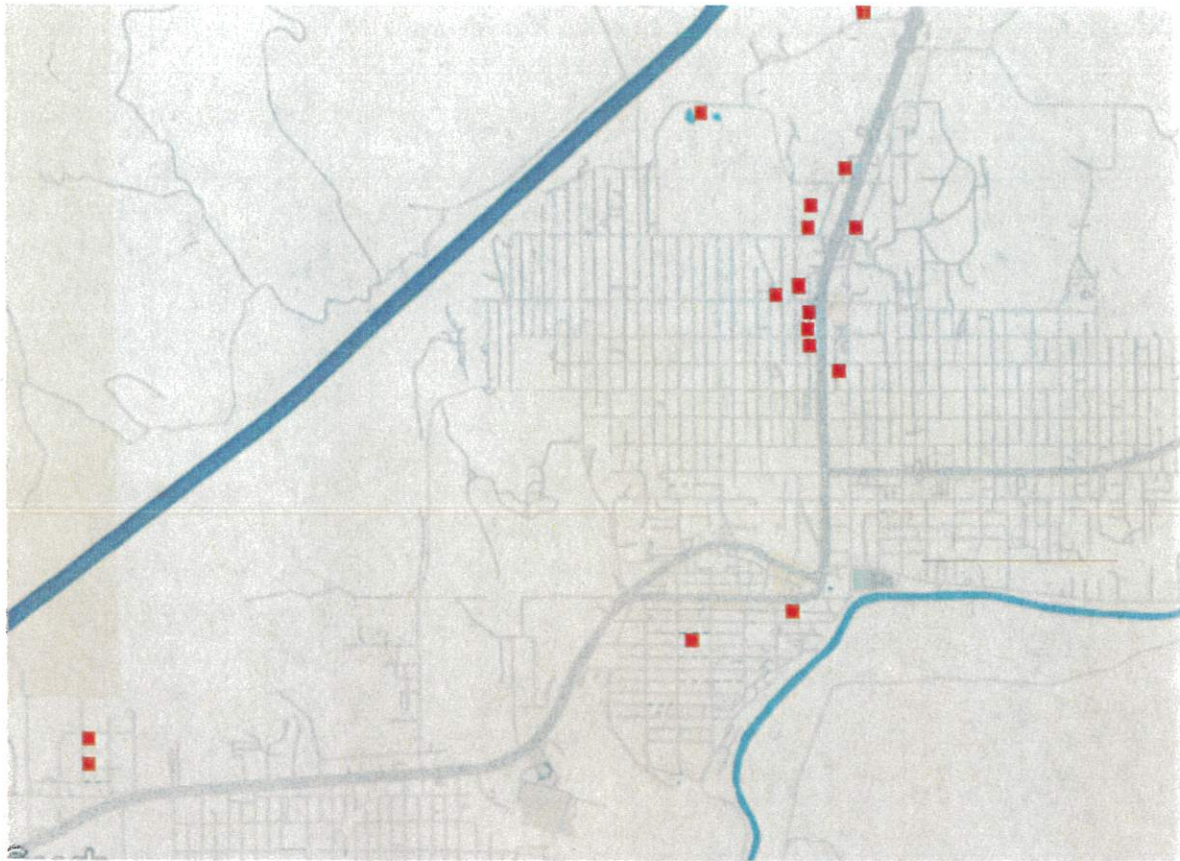
ATTEST:



Angela A. Torres, CMC, City Clerk

Library – activity report for FY 2025

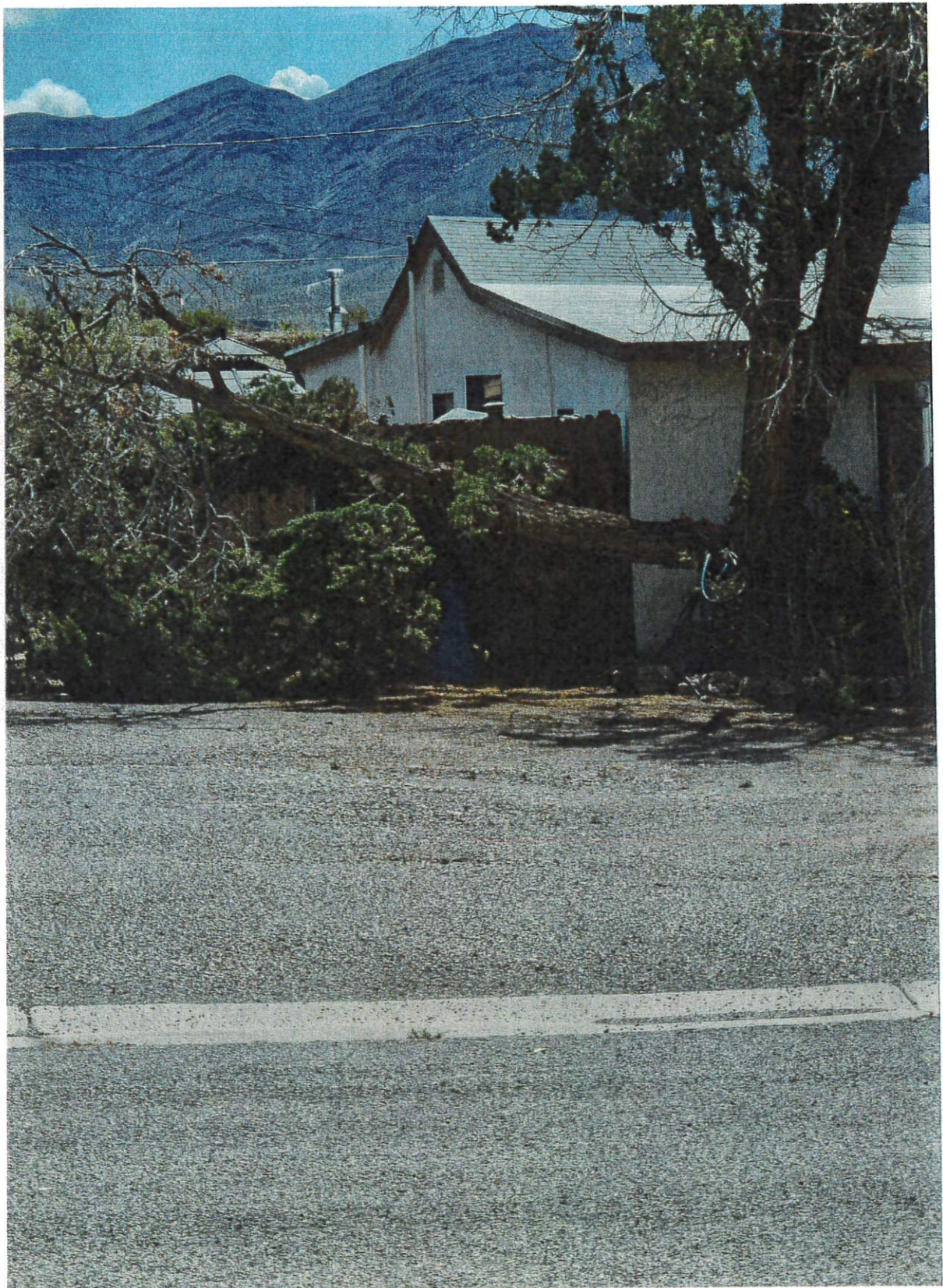
- As of June 30, 2025, Truth or Consequences Public Library has approximately 56,790 circulating items in our collection. The estimated replacement value of our collection is \$8,908,557.
- During FY 2025 (July 1, 2024 through June 30, 2025), the total number of people who visited our library was 19,992. We checked out 13,244 books and other library items, issued 170 new library cards, and we added 422 new items to our circulating collection.
- Our pre-school Story Time and Summer reading programs welcomed 385 children and adults for crafts and story-reading hours during the year.
- Our public computers were used in 3,364 individual sessions averaging ½ hour per session.
- The New Mexico State Library's Annual Report, which also serves as our application for the State Grant-in-Aid, opened on July 1, 2025. It consists of 52 pages asking 265 questions, both State and Federal, detailing the library's services to the community. The Report must be completed and returned on or before August 11, 2025. Its acceptance will determine our continued eligibility for the State Grants-in-Aid, as well as our participation in the State's GO Bond program and other government grants and assistance.



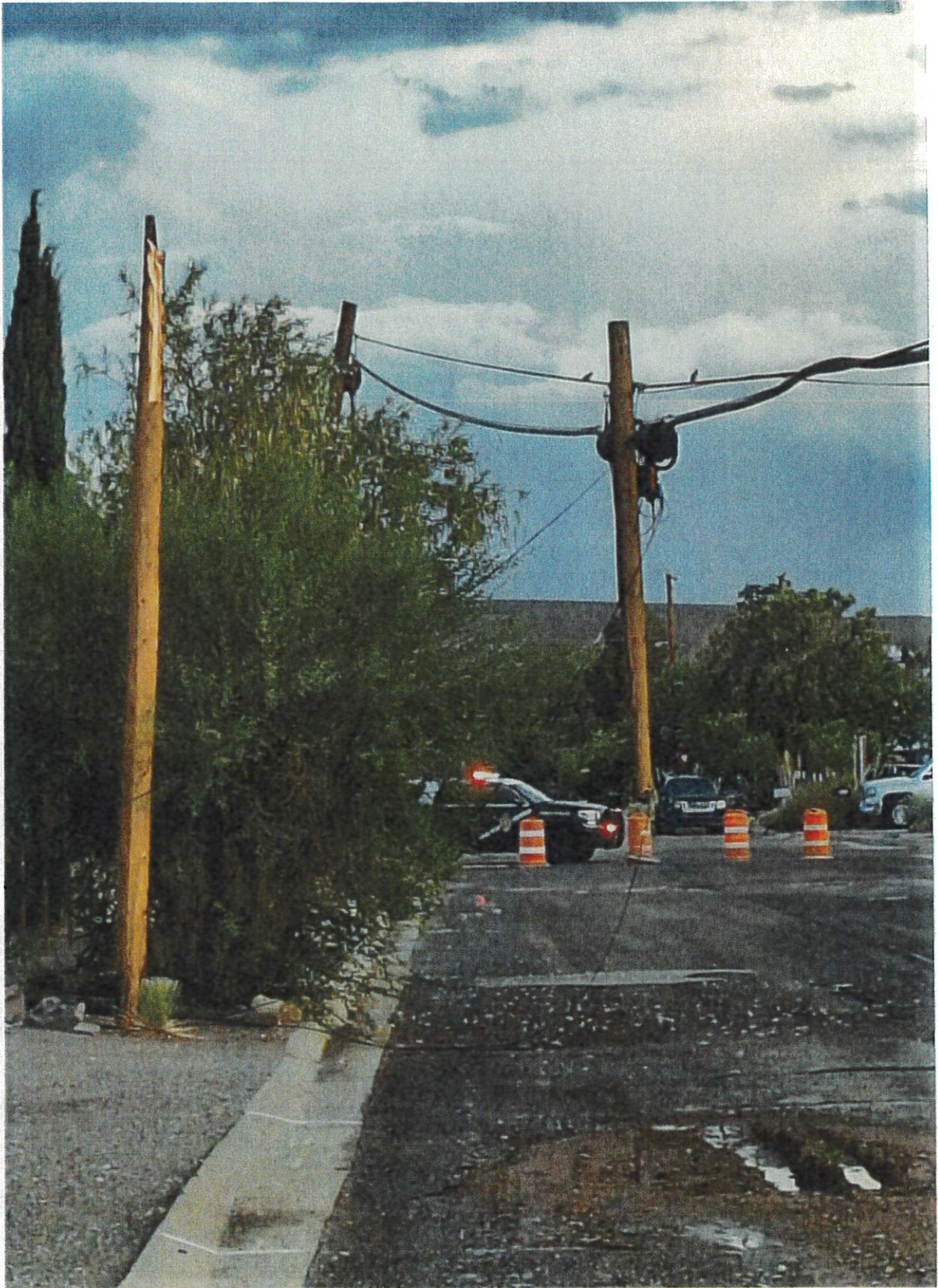
Letter	Address	Business	Description	Area
A	901 Myrtle	Residential	Downed Tree	SW
B	800 Myrtle	Residential	Downed Tree	SW
C	522 Van Patten	Residential	Uprooted Tree near swimming pool	SE
D	200 Austin	Near Riverbend	Downed tree branch	SE
E	904 1/2 Date	Daddy's Farm & Gift	Roof flew backwards towards pershing	NE
F	800 Date	Residential	Carport Roof	NE
G	1400 N. Date	Los Arcos	Property Damage	NE
H	1301 N. Pershing	Tradewinds Carriage A	Fallen Tree	NE
I	1301 N. Pershing	Tradewinds Carriage A	Air Conditioner blown off	NE
J	712 N. Date	Jetson's Garage	Fence knocked over	NE
K	820 N. Date	Autozone	Debris	NE
L	800 Fir	Residential	Porch roof removed	NE
M	515 N. Date	Catholic Church	Downed Tree	NE
N	900 Pershing Street	Residential	Downed Tree	NE
O	909 N. Date	Michelles Salon	Downed Sign	NE
P	1801 N. Pershing	TCMS	Property Damage	NE
Q	601 Marie	TorC Golf Coure	Bench/Trash cans	NE















7:44

5G+



Amy Griffin Whitehead

44m · 🌐

I think we had a micro burst in town! I hope everyone survived it!



Location affected by the storm

Did buildings collapse in the storm

