

CITY COMMISSION MEETING MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
WEDNESDAY, AUGUST 27, 2025

A. CALL TO ORDER:

The meeting was called to order by Mayor Rolf Hechler at 4:00 p.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 via telephone
Hon. Destiny Mitchell, Commissioner
Hon. Merry Jo Fahl, Commissioner
Hon. Ingo Hoepfner, Commissioner absent

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
Tara Manning, Animal Shelter Supervisor

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

2. SILENT MEDITATION:

Mayor Hechler called for fifteen seconds of silent meditation.

3. PLEDGE OF ALLEGIANCE:

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

4. APPROVAL OF AGENDA:

Commissioner Fahl moved to approve the agenda as submitted. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

5. COMMISSION COMMENTS:

Commissioner Mitchell: I just have one comment, to remind people about the Fall Fiesta September 12th, 13th, and 14th in downtown T or C.

6. STAFF COMMENTS:

City Manager Whitehead: Just a couple of quick comments, first of all, we had a citizen present an email this week, asking if we could add public comment on this agenda. We didn't have the time, and the structure we have seems to be working in the best situation, so we work through and what I've found out is that the particular issue has a time-sensitive issue, so what I'd like to do, on behalf of Ariel Dougherty, is to submit the email public comments and have those items included in our record going forward. What I would say to the Commission, is that we will continue to explore ways to take public comment, you shouldn't have to just come to a meeting, we wouldn't always accept them, but this particular item has a 30-day window for which the comment needs to be posted, and if we waited until the September 10th meeting, the 30-day window would have passed, so this would allow the citizen's comments to be in the public record that a request has been made of the body to do so. We'll get that going, and in the future, we would consider such events that would be public comments that needed some timely presentation. Currently, we take no action on it, but to be submitted, we'll also work on our website to make sure we can get comments that come in via email that could just be included in the record for the public as well. We will continue to work towards that, this was a good effort and I appreciate Ariel Dougherty taking the time to work with me through this, so I will hand this into the Clerk and we will add it in.

Mayor Hechler: Thank you Manager Whitehead, and I'll state for the record that I think all of our Commissioners did receive a copy of her comments, so it is part of the record and we're well aware of it. Thank you to Ms. Dougherty for visiting that aspect of it and sending it to us.

City Manager Whitehead: I apologize for mispronouncing her name. Secondly, I will say that today is the first day we're on YouTube. I think we're using our YouTube channel now. We're excited about that, it's a little bit of a different platform, it's a little bit more accessible across platforms, so we're excited and we'll continue to explore that and make it better. With that, we're ready to move into the meeting.

Ariel Dougherty's comments are attached hereto and made a part hereof.

C. CONSENT CALENDAR:

- 1. Take Home Vehicle Form: Electric Department**
- 2. Purchase report of items between \$20,000 and \$60,000**

Commissioner Mitchell moved to approve the Consent Calendar as submitted. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

D. ORDINANCES/RESOLUTIONS/ZONING:

- 1. Discussion/Action: Resolution No. 11 25/26 Authorizing City Staff to Submit an Application to Water Trust Board for Design & Construction Services for the Wastewater System Improvements Project.**

Assistant City Manager Alvarez: The City Commission approved us submitting a notice of intent to apply to Water Trust Board, so this is part of the application process to pass a resolution approving us submitting the application. We are submitting an application for \$2,522,764.55. The city pledges a 10% local match for that of \$252,276.46 and the same for a loan component. This is for improvements to the Wastewater Treatment Plant, and it would be pursuant to the administrative order that we received to help bring us into compliance. It is a little bit of a shot in the dark on the application, we do have an outstanding application for the funding we received two years prior for \$16 million. Water Trust Board does mandate that you expend 70% of their funds, and from what they look at and see, we've expended none of their funds, but that's because we are using the HUD funds of \$1.6 for the cash match and we have expended approximately \$700,000 of those. We will be submitting a waiver request and see if they will still consider our application. With that, I stand for any questions.

Mayor Hechler: Thank you, I appreciate your presentation and thank you for answering my question before I asked. I don't have to ask. Commissioners, did we have any comments or questions?

Commissioner Fahl: Just to confirm, if we are approved, our match, would that come out of our Utility Department, or where would that match come from?

Assistant City Manager Alvarez: It would come out of either the Wastewater Enterprise fund, or potentially, bond funds.

City Manager Whitehead: We would have multiple sources, we could use the GO Bonds, we also are still waiting on a capital outlay appropriation that's come from the governor in the amount of \$1 million for our Wastewater plant. We're applying for the same projects that we're trying to do on a shoestring budget, we've asked to expend it, so we could use those funds, potentially, to match, we would be able to cover it in, we think, three ways.

Commissioner Fahl: And again, to clarify, because you've talked about this before, but what we intend to do if we're approved is to get us back into compliance and make us functioning until we save up enough money and get more planning so that we do a bigger project in the next 5-7 years, is that right?

City Manager Whitehead: Yes, that's our vision right now. We're working on what we call a 5-7-year stabilization plan, so that the plant would be functional and then allow us the time to prepare for a complete renovation. The plant's operating well, we are broken, I don't want to act like we're not, but it's operating well, and if we could fix a few of the things that ail us, we would have a very good system. But we do meet our standards every day, our effluent is meeting the standards we're not missing on anything, but we're doing it with a lot of effort.

Commissioner Fahl: Effort is important.

City Manager Whitehead: The team's doing a good job out there.

Commissioner Fahl: Good for them. Well, those are the questions that I had.

Commissioner Mitchell: She answered the questions for me?

Mayor Hechler: Mayor Pro-Tem do you have any questions?

Mayor Pro-Tem Forrister: No and it's very hard to watch this on YouTube and then answer back, and it's delayed.

Mayor Hechler: That echo's right there in your ear, isn't it?

Mayor Pro-Tem Forrister: Yeah, so I'm trying to listen on YouTube because I can hear it better than on my phone, but be able to answer right when you answer, and it's delayed on YouTube, so we're working through it.

Mayor Hechler: I had one of those calls last week and I actually had to get out of the vehicle, because I was in my vehicle, and I answered while I watched YouTube inside the vehicle. It was pretty interesting.

Commissioner Fahl moved to approve Resolution No. 11 25/26 Authorizing City Staff to Submit an Application to Water Trust Board for Design & Construction Services for the Wastewater System Improvements Project. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

2. Discussion/Action: Resolution No. 12 25/26 Budget Adjustment Request.

Jocelyn Holguin, Finance Director: This is a long one so bear with me. Just to clarify, we were passing the BARs and then the final budget was approved, so hopefully it won't take that long to move forward with this process. Initially the final budget hadn't been approved when I submitted this, but now it is, so we'll just move forward like normal. I'll just go down the list. So bottom line is the additional funding from the general fund that was mentioned at the prior commission meeting, for the \$90,000 to include some contingency for the boat dock. The \$90,000 that we're requesting, and the carryover from the match from the project. Number 2 is Lynco because of the additional electrical items that we needed to include for the signage on Date Street and at the baseball field. We were just slightly under, so it's to make up for that cost that we pulled from the lodger's tax. Number 3 is the Best Friends Animal Society Grant that Tara received. That's in the amount of \$12,354. Number 4 is the CDBG project, it's part of the comp plan. Number 4, the second line, we have that \$5,000 and after we submitted this, we caught it. It was already budgeted, so it's just the part on number 4 on the first line, the second two lines are not really part of it. It's already budgeted. For the parks on number 5, we were looking at the final budget to try to catch some numbers and corrections that we might have underestimated or overestimated, and the parks was already expensed on theirs. They're already close to the \$3,000 on the overtime, which we've decided to increase by \$5,000 to bring it up to \$8,000 so hopefully it'll last the rest of the fiscal year for that. That's just an estimate as well. On number 6, it was not budgeted for the rollover field for the vehicle, so that was just carrying it over as well. For number 7, initially it was in at \$22,323 but the current dollar amount was \$27,907 so that's a correction of what was actually allotted. The investment is also a shortfall so we increased it by \$400 to bring it up to the \$900. Number 9 is the NMDOT Map Project for Pershing. That's being budgeted, we just received that comp grant. Number 10 is the funding source to continue to pay off the offset cost of the Foch Street Project. We already received the agreement, it's just doing to the bond, because it happened during the interim. Number 11 is the JAG grant. It was increased in the budget to \$12,024. Number 12 is the NMDOT Electrical infrastructure that we're currently working on. That's to increase the budget as well. Number 13 is the other NMDOT project for 2nd Street. It's part of the design construct. Number 14 is additional to that project as well, for the other NMDOT grant, so they're both for 2nd Street, and then they kind of tie into each other, for those two. Number 15 is additional funds that were received from the auctions, so they're listed for the departments; fire department, streets, SJOA, water, and airport. So those are the amounts of revenue that was received at the auctions that weren't budgeted because we didn't have the funds at the time, so now it's moving into that GL. Number 16 is where we created the line item and removed the impact fees from those accounts that was approved by Commission, so the total amount is what we're moving into for the expense to move forward as discussed. I stand for any questions.

Commissioner Fahl: I have a question about number 12. Is that the one where you said that's for our electric cars? I thought last meeting when he presented it, that grant amount was \$650,000 and this says \$908,000.

Jocelyn Holguin, Finance Director: Hold on let me check my packet.

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City Manager Whitehead: The grant amount is \$618,000.

Commissioner Fahl: This says \$908,000.

City Manager Whitehead: I didn't go back and look at this, I apologize, I think that would be the total of the line in the budget. So, we've probably added it to the professional services side so it would add up to that.

Commissioner Fahl: Okay so if that's true.

City Manager Whitehead: I did not look at the contract so I do apologize to the commissioners. The grant amount is \$600,000.

Commissioner Fahl: That's just kind of confusing. If you can clarify that, if that's other fees. It was during the presentation, I believe, that he said that was going to be of no cost to us.

City Manager Whitehead: It is no cost to us. There's no match.

Commissioner Fahl: So that's a substantial difference in the numbers.

City Manager Whitehead: I would agree with you.

Jocelyn Holguin, Finance Director: We got it off of the contract grant agreement that was provided, and it does say \$900,000 on there, but we can double check and verify.

Commissioner Fahl: So then how do you want to handle that item?

City Manager Whitehead: Let me get to my email on the contract, I just had that today, I was just working through that. I apologize.

Mayor Hechler: So, we're just going to approve all items except that one.

Commissioner Fahl: We can do that and then we can just move on, would that be okay for you guys, or we have to do it today?

City Manager Whitehead: I would have no concern with us moving that item off and representing that to you. NMDOT would like us to move quickly, they've given us a 1-year window to do it, but certainly we're not going to spend it in the next two weeks, we could easily represent that on the 10th for that particular item.

Commissioner Fahl: Okay.

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Mayor Hechler: In respect to item 5 for parks and the \$3,000 overtime, we're just barely into the new year, what happened? We had \$3,000 scheduled for the whole year and it's only August.

Jocelyn Holguin, Finance Director: I don't know, but I think a lot more activities are going on, is what I think might be happening. When we budgeted initially, that wasn't happening.

Commissioner Fahl: Don't they have like only the superintendent and two guys or something...

Jocelyn Holguin, Finance Director: We are very short-staffed, as well.

Commissioner Fahl: I guess we didn't plan ahead too well.

Mayor Hechler: It's a little unusual. Manager Whitehead, any explanation?

City Manager Whitehead: Again, no explanation. The focus I've had with the parks has been with our seasonal, which you see, I've got a presentation on here to kind of up and extend. I was not made aware that we were running overtime short. We only have the two guys that work, so if the seasonals don't show up, only the two are able to do that. I did not review that with parks and/or our supervisor.

Jocelyn Holguin, Finance Director: And then it was really just a judgement call on our end, more than it was, in Gary and OJ's defense, we saw it short and we were cleaning stuff up, so that's why we took that initiative. Because I think they're already at two thousand and something.

Commissioner Mitchell: So, we haven't burned through, we're just anticipating it?

Jocelyn Holguin, Finance Director: Planning, yes. Exactly, because we're at about \$2,800 so we're like "Oh there's only \$3,000, so let's bump it." is kind of what happened.

Commissioner Fahl: That's understandable.

Mayor Hechler: Thank you for that. So yeah, I'll entertain a motion and remember, item number 12 we want to exclude.

Commissioner Mitchell moved to approve Resolution No. 12 25/26 Budget Adjustment Request excluding item #12 NMDOT item and to be brought back to us at a later date. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

E. NEW BUSINESS:

1. Discussion/Action: E-911 GIS and GPS Address Database Compliance in Collaboration with Sierra County.

Assistant City Manager Alvarez: The City of T or C has an MOU agreement with Sierra County regarding our GIS addressing system. Part of that MOU is for the administration of the accurate and geographical information necessary for the operations of emergency services. Keith and I have been working closely together over the last couple years addressing some of the addresses within the city and now we're kind of down to some that are going to require a little bit more work on the back end, it will affect various customers, there are some spots throughout the city. Working with them to bring us up, they're kind of down at the final end of things, and I'll let Keith talk here in just a second. But our presentation, once he explains our next steps for this, is presenting to you guys today, and if you approve us to go ahead and let us work together so we can come into compliance, then starting tomorrow roughly, we'd be working with utility billing, and we get social media postings, and we'd be advertising those between the end of August through the end of September, giving the full cycle for utility billing to go out, you guys have an example in your packet of a letter that we would send out to everybody that says, "Hey this is what we're going to be doing and you may get notified." And then once we go through a good 30 days plus of notifying customers that we're working through this, we would then identify the actual addresses that we need to change. We'd send those property owners the change letter, give them 90 days so this would essentially take them through the first of the year, and then we would make that change within the system. I'll let Keith speak about what he's doing on the county's side of things.

Keith Whitney, County Assessors Office: When I took over the addressing system, we had a number of areas that were needing to be updated and corrected. Over the last 3-4 years, we've worked together on finding and identifying those areas. So now that we've found those areas, the dispatch center has actually updated their software, it used to be called Enhanced 911, now it's Next Gen 911. It's a little bit more accurate with mapping in their department. With mapping being a primary backbone to this, it definitely requires us to have solid data. Over this last couple of years, I've identified the areas in T or C, we've worked with other communities as well to get those same type of issues fixed, so with Traci and Gary's help, she's come up with a process so that we can notify those residents and businesses that may or may not need to change or that are going to be affected by this correction. Hopefully we'll be able to get our first wave of these done and completed right after the first of the year so it doesn't affect any of the holiday shipping or anything like that. As we're doing it, we'll probably have two or three phases of these address corrections.

Commissioner Mitchell: So, is this changing the actual address of the business or residence to a new number?

Keith Whitney, County Assessors Office: There will be a few of those that will have to change.

Commissioner Fahl: Are you thinking 100? 1,000?

Keith Whitney, County Assessors Office: No, I think it's going to be 50 or less as a whole.

City Manager Whitehead: I certainly don't want to let the public think that this is – this is, I've described it to the team as E-911 is 98% efficient and now we're at the last cleanups. Potentially there's an address that's on the odd side of the street that has an even number and it's in that, so there's just anomalies across the board.

Keith Whitney, County Assessors Office: I've identified 4-5 different areas that might have 3-4 changes to it, so that's what we're looking at.

City Manager Whitehead: And I would certainly say, I don't want to minimize it. There will be some businesses or residences that will change, but that's why we want to get everybody out, not everybody is going to have to, it's a small group, and then we'll do it in small phases so that we can manage it and help those residents, but this would allow that E-911 or the Next Gen 911 to be precise.

Commissioner Fahl: And that's so important, and for the people that are affected.

Keith Whitney, County Assessors Office: Well, we want to make sure the primary reason behind this is for emergency services, we want to make sure that everyone has their information in the system correctly, and they're identifiable by 911 dispatchers, so they can send the personnel to the right location.

Mayor Hechler: So this service will help improve services for not only 911, but also for FedEx, UPS...

Keith Whitney, County Assessors Office: My data does not go directly to those entities without their request for it, and I can tell you that in 4 years that I've been doing it, I have yet to get a request from any of those companies.

Mayor Hechler: Can people that have an address but people get lost getting there because the GPS is not correct, how can those folks get that fixed? Or can they report that?

Keith Whitney, County Assessors Office: That's another third party. There is a way, Google Maps allows homeowners to submit their own correction, if they see the need for a correction, or for an addition if they're not being pulled up. So you can submit your own.

Mayor Hechler: I didn't know that.

Commissioner Fahl: Me neither, that's cool.

Mayor Hechler: I ask because I'm one of those addresses. Everybody ends up in the street behind me, because they're 4-wheel drive.

Keith Whitney, County Assessors Office: And I had to do the same thing for myself, so it does work.

Commissioner Fahl: That's good to know.

City Manager Whitehead: I'll make just one final comment, the addressing is the responsibility of the city, it's our responsibility to make sure, but this is a true partnership between the city and the county, and we rely on the expertise the county can bring. We also met with the county manager as well, so this is being done as a cohesive partnership.

Keith Whitney, County Assessors Office: And we did have the SCRTA director as well, she was at our meeting, she's aware of exactly what we're doing, and she will make her staff aware of what the process is going to be with the city.

City Attorney Rubin: Given the fact that we already have a signed contract, and as you point out, paragraph 3, under the city's obligations, we are required to provide the county's rural addressor updated GIS addressing and MSAG database information on a timely basis, is there anything else we need to do? Actually, we're already required to do what's being requested, I guess.

Mayor Hechler: The contract was signed in 2021.

City Attorney Rubin: Yes.

Mayor Hechler: Okay, good point.

Commissioner Fahl moved to approve the E-911 GIS and GPS Address Database Compliance in Collaboration with Sierra County. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

2. Discussion/Action: P & Z Board recommendation of approval for a Variance Request pertaining to proposed Love's Travel Stops and Country Stores Sign Application Permit.

Assistant City Manager Alvarez: The Planning & Zoning board met on August 11th and recommended approval of a Variance request for some signs at the Love's Travel Truck stop. The applicants are requesting an allowance of 3 freestanding signs located within their property boundary, the ordinance allows for 2 so they're requesting to have 3. They're also requesting a height Variance and sign Variance for the sign that's located near the interstate. Within your agenda packet, you do have the P & Z packet that has a lot of the pictures of the signage, and we also have Barbara Peck from Love's available virtually to answer any questions.

Commissioner Fahl: I like the pictures that she sent, so you can see the freeway signs to give us a good conception of what those are going to look like, they are like all the Love's Truck Stop signs, but it shows a way that people can find it from the interstate, and then on the site. Very good ways for safety reasons, for cars to stay out of the way of those 18-wheelers. It seems very upfront to me.

City Attorney Rubin: And that mirrors what was said at the Planning & Zoning meeting. I saw, member Hammer said, "I think most of the signs promote safety for your truck drivers."

Commissioner Fahl: I didn't copy it from that.

City Attorney Rubin: No that's okay, I'm just saying I agree with your observations, and there's no opposition to Planning & Zoning.

Mayor Hechler: Yeah, the only comment I'd make is that it's very comprehensive, very well put together, they addressed the night sky issue, which was a concern for some of our citizens, so that was good. Other than that, I don't see any additional problems unless you guys have anything else to say.

Commissioner Mitchell: My only concern is this one sign is advertising gas at 99 cents a gallon, I was hoping to keep it that way.

Assistant City Manager Alvarez: That came up at the P & Z board too, we couldn't get her to commit.

Commissioner Mitchell moved to approve the P & Z Board recommendation of approval for a Variance Request pertaining to proposed Love's Travel Stops and Country Stores Sign Application Permit. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

3. Discussion/Update: Loves Utility Improvements discussion.

City Manager Whitehead: We're really getting close to being able to close the door, if you will, on Love's ability to make a decision to finally come here. They're waiting on several steps that have to fall into place to make sure that they're set to be able to make the purchase. They've done their due diligence, they've done a considerable amount of work, so the last piece that has to happen is, they have requested, and we are looking at ways that we can incentivize them based on the influx of the dollars that they are proposing. If you remember, by their proposal, the top number they estimated was somewhere around \$170,000 a year in gross receipts tax. They're also going to be, potentially, one of our larger utility services. There's a water line that has to be extended under the road, so they're going to improve cemetery road leading up to their site, and they've agreed to improve the water line for us, so we've actually taken off a stretch – the length of that is not being designed by us, it's designed by us, but they're actually going to pay to put that

in. So, what I want to present to you today is where we think we are cost-wise, and the items that we are working on to present to you at the September 10th meeting on what we would call a proposal or incentive package that we could provide to Love's. We have a couple of ordinances, and we do have a local economic development plan, the commission of 2006 adopted that plan, it does exist. We would be looking at utilizing that for one aspect. Right now, the estimated cost to run the electricity from where we have it, so if you could imagine, we have three-phase power that is at Denny's, I use that north side, and it crosses I-25 and it ends at a pole right on the other side of I-25. So, Love's has done their estimate for us to extend power from that pole on the west side of I-25 to their site. The city does have to do a few improvements to our side, just to upgrade our ability to serve it, but it's in order, so we would not be proposing to charge Love's anything to do with improvements to our site, it already exists, it would not be unreasonable for them to assume that we had power at that site, and that's where they made their development from. So, we'll have some costs to do that on our side. Right now, the estimate is about \$230,000 to run power in size enough to get to their site. Under that, we have some costs which we might call not necessary, we projected our labor, we're already paying our staff, the trucks exist, that cost is in there, and then traditionally, the city has been able to provide a transformer to a business that comes in. Remember, we're distributing, think of the transformer much like your cell phone, the company would give us a cell phone and then charge us for the service. So, we think the transformer and being able to discount some of our labor might help get the costs in or around the \$200,000 range, or a little under. So, from there, that's what Love's would potentially need to be paying us to run the service. We do charge, if you want to extend our service, we have to charge for that. Under the local economic development plan, we might look at a proposal that we can take care of the transformer and some internal labor that wouldn't necessarily affect us, but we would get compensated for the items that we tangibly have to purchase. The extension of the three-phase line is about \$150,000 and it has to be done live. Again, it's 15 poles, so we would propose contracting it out, we have looked, so we think that estimate's pretty close, so we would bid out some of it, they would take care of that, we would build some of that. We also have an ordinance, and I've provided that to you, under section 14-52 of our local code which would allow us to provide a potential rebate to a large user of electricity. Actually, we would be able to provide up to 20% of a discount back for 18 months on everything, water, wastewater, solid waste, and electric. What I've been doing is working with Barbara, she's been sending me electric bills from both the Santa Teresa operation and the Belen operation to kind of come up with an estimate and I've estimated those to be around \$10,000 a month in just the electric bill, is on average what they're paying at both of those sites. I've also taken a look at what Walmart's paying us, because I think they would be in similar atone, Walmart's about \$15,000 a month. This doesn't give them full credit for their solar, but you can take a look at both of those. Right now we run at about 52% gross profit on our utilities, that means what we get paid versus what it costs us, that doesn't take into the labor and all the expenses that we have, that's just the difference, so we're at somewhere around \$46,000 that we would potentially have in revenue back to our system if we could do so. We'll be looking at how we can use that. If we use the Walmart number, the 20% discount could be approximately \$40,000 in rebate just on the electrical side. If it was at 15% it could be somewhere around \$30,000 in rebate if we went with what they're doing in Belen and Santa Teresa.

Commissioner Fahl: Over the 18 months?

City Manager Whitehead: Over 18 months, that's what the ordinance says, we could provide a 20% rebate, given that they provide 8 jobs or 400 hours' worth of part-time or full-time work in that period of time, and they have to remain here for 36 months. So again, if they make their investment, our deal would require that and there might be some time where the payback doesn't happen until the full 36 months. The point I give to you today is it looks like it could be about a 2-year payback if we were able to provide them something around \$30,000-\$40,000 in incentives, plus they would get the rebate, that could be another \$40,000, and then the last piece, is we do charge impact fees for every water and wastewater apparatus that they add. We would propose waiving the impact fees in lieu of the water line that they're installing in the road for us. Impact fees can be used to improve the demand on the system, and this would be exactly in that, so we think their impact fees were somewhere between \$10,000 and \$12,000, that was an estimate Traci, and I worked through. We've not seen the architectural plans, if you will, so that would be another area where we would come to you and say, instead of charging them the impact fees, we're going to waive them because they're putting in \$100,000 water line in the street for us as a benefit. So I present those to you, just for general conversation at this point, to open up that we are looking at ways to make sure that we incentivize Love's according to the rules we have available to us, and what makes sense to them, so that we can secure them coming to our community. With that, I'll stand for questions.

Commissioner Fahl: I think that if there are things that we could do to help facilitate them coming here in the long run, some of our community members may not like that in the short-term, but I think in the long-term for our community, the jobs and gross receipts tax that it would bring are certainly worth it for us to help them invest that into our community. The idea should come up very palatable to me, and to Destiny.

Commissioner Mitchell: I was talking through Mary Jo.

Mayor Hechler: I guess the way I look at it is this is an investment in our future. By spending or allowing some concessions at the beginning, we're going to enter into a long-term relationship with a business that's going to be here for many years.

Commissioner Fahl: That's right.

Mayor Hechler: And if that's the case then I think we're going to come out ahead at the end, and anything we can do to facilitate that relationship up front, I think is important. I think you did a nice job putting the package together. I look forward to them moving to our community and providing those jobs and paying that GRT and becoming our customer. So, it all makes sense to me, I think it's a great investment for our community, and nice job in getting that done.

City Manager Whitehead: I appreciate that, but we have a little work to do with the Love's corporation. Barbara and I, I assume after this, we'll sit down and tighten up everything

and make sure it makes sense to them, and we'll work with Jay. We're doing everything within the guides of the ordinance and the rules that we have on the books.

4. Discussion/Action: P & Z Board recommendation of approval for Special Use Permit Renewal at 3500-3700 E. 3rd for the purpose of a Kennel Permit.

Assistant City Manager Alvarez: This was heard again at the August 11th P & Z meeting, it's just an annual renewal, there were no proponents or opponents, the P & Z board does recommend approval, you have the application information in your agenda packet, as well as the applicable section of the meeting minutes. There were no issues or concerns through code compliance and animal control. With that, I stand for any questions.

Commissioner Fahl: And the owner is present. They approved it, we are all aware of the situation from last year, and Code Enforcement said it was fine, so I think it looks fine to me.

Assistant City Manager Alvarez: I think the first one that we did, we didn't designate the amount of animals that were allowed, so we did make sure that that designation was made in this kennel application. They're allowed. I think it was 16 or 17 animals.

Commissioner Fahl: Because they come and go.

Assistant City Manager Alvarez: Yeah.

Mayor Pro-Tem Forrister recused herself from this item.

Commissioner Fahl moved to approve the P & Z Board recommendation of approval for Special Use Permit Renewal at 3500-3700 E. 3rd for the purpose of a Kennel Permit. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer.

Hon. Rolf Hechler, Mayor voted aye

Hon. Destiny Mitchell, Commissioner voted aye

Hon. Merry Jo Fahl, Commissioner voted aye

Hon. Amanda Forrister, Mayor Pro-Tem abstained

Motion carried with a 3-0 vote with 1 abstention.

5. Discussion/Action: Consider the P & Z Board recommendation of approval for a Conditional Use Permit for 412 Coleman St. – Shipping Container - Contingent on Relocation of the Container to the rear yard.

Assistant City Manager Alvarez: It was a very busy Planning & Zoning meeting as you can see. Again, the public hearing was heard at the P & Z meeting on August 11th, there were no opponents or proponents. The P & Z board did have some questions and concerns they reviewed, as you can see from the minutes, they reviewed the 7 findings of facts and they did feel that based on the finding of fact #5 (Unreasonably impair established property values within the surrounding area) they had some concerns about the shipping container being in the front yard, even though our municipal code does allow in that area for them to have it, and it doesn't designate front or rear, they did feel that there was a concern about the property values. The applicant agreed to move it into the rear yard, and I did confirm today it's actually been moved to the rear year. With that, I stand for any questions.

Commissioner Fahl: I drive by that house every day, and I noticed it was there and he moved it right away. That's a clean neighborhood; they do a really good job there. I don't think it would matter one way or the other, but the neighbors, it could have affected their ability to resell their home, I would think so too.

Mayor Hechler: Okay, well I appreciate Planning & Zoning's hard work and diligence in asking all the questions and making that move and catching that, I think Ms. Hammer's the one that did that, so I appreciate that and with that if we have no further issues, I'll entertain a motion.

Commissioner Mitchell moved to approve the P & Z Board recommendation of approval for a Conditional Use Permit for 412 Coleman St. – Shipping Container - Contingent on Relocation of the Container to the rear yard. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

6. Discussion/Action: Consider the P & Z Board recommendation of approval for a Special Use Permit and Variance Request for 506 Gray St. – RV Park.

Assistant City Manager Alvarez: Public hearing was heard at the August 11th Planning & Zoning meeting, we had no opponents, we had one proponent that spoke in favor of, I think that manager Whitehead had spoken to that property owner and they had sent a representative to speak on behalf of the applicant. The P&Z board did recommend approval. The applicant has requested a Special Use Permit to identify 506 Gray Street as an RV park with 5 RV spaces. The Variance request is pertaining to the streets and access standards: minimum road width required 24 feet with a 50-foot turn radius. Originally the applicant was requesting an allowance of 12 feet and no turn radius; as I updated the Commission via email, upon further conversations with the fire chief, he was

requesting 20 feet for the firetrucks to go through, and the applicant has submitted a new site plan with that 20-foot variance. The RV Park is allowed in the R3 district by Special Use Permit, and what I'm actually going to do now is turn it over to the city manager because I was in a meeting when the fire chief came in to update on some of this, and I want to make sure it gets explained properly.

City Manager Whitehead: The fire chief's recommendation was that it have 20 feet, however in consultation and conversation with the property owner, there may be provisions in the fire code that would allow a smaller road, somewhere between the 12 and 20 feet. Our request today would be to grant the Variance at 20 feet, which is required by the fire chief, and the motion would require that if the fire chief allows for a different size, would provide notification to the property owner and to the city that the adjustment is made, so that way we can cover both sides. It would either be 20 feet because that's what the fire chief requests, or the fire department would have the ability to amend it to the size that would meet the fire code. So that was really the discussion, and I think the property owner and the fire chief have spoken via phone and they're both amenable to a condition that would allow for proper fire protection within that area.

Mayor Hechler: That makes sense.

Assistant City Manager Alvarez: The applicant is here as well.

Commissioner Fahl: I think we should ask them some hard questions, then, since they came.

Mayor Hechler: You've read the minutes. They were asked hard questions.

Commissioner Fahl: The minutes were very comprehensive.

Mayor Hechler: Do you folks have any comments or concerns or questions before we start?

Anica Poli, Applicant: Yeah, I spoke with the fire chief today, happy to do whatever you guys need us to.

Mayor Pro-Tem Forrister: I was at the meeting, and I can't speak on it because then I'd have to get rid of my vote but let me assure you guys that she was asked some hard questions.

Anica Poli, Applicant: My preference would be to stick with the site plan that the Planning & Zoning board saw on the August 11th meeting, I think our driveway on there is 12 or 13 feet wide, but I did submit an updated site plan with 20 feet wide, if that's what the fire chief needs me to do, I'll do that, it makes some tweaks to it, but I'll work with you guys, whatever you need me to do. With what the city managers recommended, if you do it that way, I'll meet with the fire chief. He said if it is a private driveway, then we would be okay

with the 13 feet, if it's considered more of a fire lane or roadway, that's when we need the 20 feet, was my understanding. He was going to look at the code and get back to me.

Mayor Hechler: Okay. I think our stipulation, if we approve it, would be with the 20-foot request, however, once you and the fire chief come to an agreement, as long as he's okay with it, then we'll let that happen, is that okay?

Anica Poli, Applicant: Perfect, that helps me a lot. Thank you.

Commissioner Fahl moved to approve the P & Z Board recommendation of approval for a Special Use Permit and Variance Request for 506 Gray St. – RV Park with the adjustment requested by Fire Chief Tooley. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

7. Discussion/Action: School Resource Officer Service Agreement.

Chief Tavizon: What you have in front of you is the school resource officer contract that the school provided. It's an annual renewal contract, we've had this for a few years now, and what it does is provide an officer full-time in the schools, they float between the three schools here. This year, they asked for them to also go to Arrey, make an appearance there, so we've been working with the Sheriff to make sure he's okay with that as well. It does pay the salary, I believe the amount is on there, \$56,000 goes to salary, so it helps with the salary budget line item. With that I'll stand for any questions you may have.

City Attorney Rubin: Same agreement we've been provided, the same conversation?

Chief Tavizon: Yes sir.

Mayor Hechler: Does the school resource officer have an office?

Chief Tavizon: He does have an office there in the school, I believe it's in the high school, they do provide him with a place to work there at the middle school as well.

Mayor Hechler: And he travels between the three schools?

Chief Tavizon: Yes sir. Depending on where they're having issues, whether it's vaping or fights, whatever the case may be, he's just there to help with security and hopefully mitigate and prevent any incident, like what happened in Minnesota.

Mayor Hechler: And you're comfortable letting him go out of town to go to Arrey?

Chief Tavizon: I prefer that he stay here in the schools but if they feel that they are left out as well, I feel that they should feel secure as well.

Mayor Hechler: Is that on a request basis or is it going to be a part of his patrol?

Chief Tavizon: It's on a request basis. Just since they're part of the district.

Commissioner Mitchell: I just have to make a comment that I'll be recusing myself from the vote on this one.

Commissioner Mitchell: I was just going to compliment the Chief and the school, obviously this is a wonderful program for both of them and I'm so glad we have that in place. I was also glad to hear you say you're working with the Sherriff, going down to Arrey, it's always good that our law enforcement people work together. That's always encouraging.

Commissioner Mitchell recused herself from the vote.

Commissioner Fahl moved to approve the School Resource Officer Service Agreement. Mayor Pro-Tem Forrister seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

Hon. Amanda Forrister, Mayor Pro-Tem

Hon. Rolf Hechler, Mayor

Hon. Merry Jo Fahl, Commissioner

Hon. Destiny Mitchell, Commissioner abstained

8. Discussion/Action: Consent to working with "My dog is my copilot".

Tara Manning, Animal Shelter Supervisor: Dog is my Copilot was founded in 2012, their main goal was to transport animals across the country from shelters that were at-risk to rescues anywhere in the country. They recently had a death a few months ago from one of their pilots, and it took a toll on them. They took kind of a backseat, stepped back a little bit, but now they are in full force and they are coming back. They are asking us to be a part of it, there are a total of 20 shelters that they have asked to partake in this, they are still in the selection process of choosing who they want to take, they will take a minimum of 5 animals from us, all the way up to 12. We are in the works of selecting, still, and figuring out who is going to go and all that. I found out about this amazing opportunity 2 days after the last commission meeting, so they gave us a 1-week deadline to have the partnership and the MOU filled out, which is why we're just doing a consent at this point. As far as the MOU goes, it just states that they are paying for all the transport, the fuel, that sort of thing. We have to get manilla folders, which were donated by a local business here in town, the Money Man, we're very fortunate for that. Zip ties, stickers, crates, which we've had a lot of crates that were already donated to us over the years, however, if we need bigger ones, Best Friends is willing to donate the bigger crates, the zip ties, the tags, the stickers, and all that sort of stuff. We have found a volunteer who is willing to drive them all the way up to the Belen Airport, which we're super excited about. The transport is happening next Saturday, September 6th. Originally the flight time was supposed to

leave at 1 in the afternoon, which meant that we were loading at 12:30pm. They have changed that, so the volunteer now has to be at the Belen Airport by 4:15am. So they are leaving and flying out at 4:30am. That's when we're going to start loading and getting them all off. We're super excited about this opportunity.

Commissioner Fahl: That's great.

Mayor Hechler: Did you say how often this was going to happen?

Tara Manning, Animal Shelter Supervisor: We don't know. I'm hoping that it happens every few times a year, yearly, that sort of thing, but it is something they are still working on because there are so many shelters that are in desperate need of help.

Mayor Hechler: Is there a call for these dogs elsewhere? Is that why?

Tara Manning, Animal Shelter Supervisor: Yes.

Mayor Hechler: That's good, we have too many sometimes, and if somebody else is willing to take them, that's great.

Tara Manning, Animal Shelter Supervisor: Exactly. So far it sounds like they're going to take a lot of our long-term residents that have been there, or the ones that have slight behavioral issues that were making it hard to find them homes.

Mayor Hechler: And once they're shipped off, we're probably not going to get the crates back, so you're going to have an ongoing need for crates, is that correct?

Tara Manning, Animal Shelter Supervisor: This time around, because it's such an early morning flight, yes, we will not be getting those crates back, but that is something that, in the future, if this were to happen, people are donating them quite often, and they said in the future they usually do have collapsed crates that they just exchange for us, and Best Friends said that they are more than welcome to continue donating if we need them.

Mayor Hechler: Great, and this will add to your endeavor to keep a no-kill level at your shelter, so this will make it a lot easier to keep those numbers high, right?

Tara Manning, Animal Shelter Supervisor: Very much, and it's going to be really exciting being able to see them go across country. I do know that their first stop is in Kanab, Utah, and then they're going to Denver, Colorado, and then there are some even going further from there. Very exciting to see them travel.

Mayor Hechler: What a great program. Thank you for bringing that to us.

Commissioner Mitchell moved to approve the Consent to working with "My dog is my copilot" MOU. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

9. Discussion/Update: Emergency Response Report.

City Manager Whitehead: As you remember, July 2nd, we did have a weather event in T or C on the north side of town. We did declare an emergency that evening, we had a roof blow off of a commercial building and land on a residential building. That roof and debris took more capabilities to remove than we thought necessary, some concerns. The emergency was declared to allow us to make the necessary provisions to help life safety and welfare. This is the final report from that, I won't go too much into detail, but you can see that we've provided you a map of all the locations that we found in concert with other members of the community that showed damage throughout the town that evening. We've provided you the significant damage area, photographs of the damage, the team worked together and the Police Chief was instrumental in handling the reporting side of this to make sure that every resident was able to submit a report. So, you can see how all that was handled. We also did conclude, by having a roundtable discussion, we brought the whole team in to review the incident, to go over the successes and the failures. What we would agree on, probably the biggest failure that evening for us, was our communication. It turned out, with the power being out on the north side of town, one of our repeaters from the city was down as well, and we probably didn't catch that, so we were having some communications issues, but E-911 was operating properly on the generator. We'll work to repair that. The second piece is, I guess some time back, all city department heads used to carry a radio, and cell communication has kind of made that obsolete, but we recognize that potentially we need to go back to that, where each of us has a backup communication through a repeater where we could communicate via radio. The Fire Chief has offered to help us facilitate that. He thinks funds would be able to provide emergency radios. So that was the biggest issue that came out of that. Lastly, I will report, you can see the costs, we estimate the cost just under \$8,000 for the event. We did pay Bartoo under an emergency procurement \$1,600 which was to remove the metal roof from the street, as well as from the house. Our largest expense was labor and materials for the electrical side, we did have to replace quite a bit, and then we had a small amount of overtime from the road department. This is our report and we submit it just for the record on the event, and the emergency declaration.

Mayor Hechler: I think we've all heard of this report before, and you've briefed us before on several of these issues, so thank you for putting it on paper.

Commissioner Fahl: Good detail.

City Manager Whitehead: I want to thank my staff, it would be remiss to not mention Jo who put this together, brought all the notes together. The staff did a great job here and I want to thank everybody that participated. It was a small enough disaster to help us think about what a big one could look like, so we're very fortunate.

10. Discussion/Action: 30-day Amendment for Seasonal Program Casual Employee Position.

City Manager Whitehead: As you heard earlier, we have a potential issue with overtime, I will brief myself on that to make sure I know where we are, but the primary issue, if you remember, when we started the season, we were up against a \$17.75 hourly rate from the state parks for seasonal workers, and we were paying \$12.50. We requested that you allow us to move that rate up to \$15.50 and then an amendment came that would allow for those that received a certification, an additional 75 cents. The program has had wins and losses. Certainly, at the swimming pool, it's been a hit. We were able to find enough employees that were comfortable with the compensation that they were able to build out a nice schedule, so we're really pleased with that. We did struggle at the streets department, the parks, and the golf course. We just have not been able to sustain and keep an employee for long. They come, they call out, they leave in the middle of the day, so we definitely want to work back through it to figure out. I asked for 10 seasonals, next year I think we're going to ask for 20 part-time seasonals so that we can say, "We have enough employees that want to get paid, and if someone doesn't want to work today, we'll call the next guy or gal up and then keep that rotation going." We are certainly disappointed, but as we get to the end, we still have some needs, summer is still going, it's still hot, people still want to use the swimming pool, so what we've come to realize is, if you would allow us to use the seasonals that we do have, we have some good ones in-house, we'd like to keep 6 of those seasonals for another 4 weeks, and be able to keep the pool open. So, we would go into October with a pool schedule. When we wrote this, we had 3 that looked like they were going to make it, we're down to 2, but the parks could use them. We really want to do some work at the ball fields, we'd like to get them a little healthier for the winter so we can come out. It looks like we might be able to host the state baseball tournament next year, they were very pleased with what we did this year. We'd like to get the golf course, the parks, and the facilities into good shape as we go into winter. We've just been short, so it's been tough to keep that going. As you can see from the proposal, if we would have used all the employees at \$15.50 an hour, our total expense for 26 weeks would have been approximately \$185,000. To date, we've spent \$64,000 with the part-time employees, the seasonal employees we have, so we have significantly underspent within the program, so we're not asking for more money than we have, we don't necessarily need to do a budget adjustment, we just need permission to go 30 days longer than the policy allows for a seasonal employee. With that, I'll stand for questions.

Commissioner Fahl: I think this was a good learning process for our first year, some people like to work, and others are not as dependable, but it certainly was, as you said, a benefit to the pool. I know parks needs workers, and I think this gives us an experience on how to plan for next year too. Next year then we go longer for seasonals, because it stays hot longer so parks will need them and the pool will still need them, so this was a good exercise in trying to plan for that for the future.

City Manager Whitehead: I would add, as we're doing the pay study, we have written seasonal employees into the pay study. So, we have put a spot for them, so we won't be

guessing, it'll be a set rate for either trained or not trained at the pool, we'll have that set, so really it would just be coming to you and saying that we're going to reactivate it and tell you the number of employees we want to utilize.

Mayor Hechler: Well I think it's a great program, you know, we're talking about quality of life for our citizens, and by taking care of them in this matter, I think it's good for our community, so thanks for that aggressive approach, and I agree with you, let's hire twice as many next year and see what'll stick. See if they'll hang around with us.

City Manager Whitehead: Right.

Commissioner Fahl moved to approve the 30-day Amendment for Seasonal Program Casual Employee Position. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

11. Discussion/Action: \$30,000 Lodgers Tax Facility Improvements for the Skate Park.

City Manager Whitehead: I want to back up a little bit, and a large apology to the community, if you remember, at the last meeting, we asked you to approve an expenditure from the general fund to complete a boat ramp. We recognized after that, we had not done a really good job on our side to put that plan out, like we've done with all of our road and water projects, we just missed it. We did get some pushback this week, from the community, concerned that we were going to open Ralph Edwards Park to a boat ramp and for powered boats to access the river. We quickly responded to that, and we are here to tell you that what the boat dock is, is really just that. It's really a boat dock and the ability for a non-motorized vehicle to enter and exit the river at Ralph Edwards Park. The boat dock will move up and down with the river, and you'll be able to walk out, there would be no way for a vehicle to back in or get on at all, there would be no possible way, and it's part of your long-term plan. I had not looked at it in its entirety, and we really truly missed it. Hopefully we've put that back and we have a story being written, we'll get that on the website, but certainly the boat dock is really, again, just to help people get in and out of the river at Ralph Edwards Park. We want to make that clarification.

Commissioner Fahl: For canoes.

City Manager Whitehead: For canoes, kayaks.

Commissioner Mitchell: We're not going to have jet ski races on the Rio Grande?

City Manager Whitehead: No jet ski races, no. And again, the mayor has talked with me, we would work with the Police Chief, we might want to begin upping our enforcement and our ability to protect the river and protect those river users if we need to, so we recognize that, our intention here was never to create a situation where boats would be running up and down the river at all, so we get that.

Mayor Pro-Tem Forrister: Well first of all, boats and jet skis are already on the river. So, it's not us allowing that regardless, but the ramp is not a concrete thing that you could back boats into, is what I think the clarification on that is. But regardless, jet skis and boats are already on the river.

Mayor Hechler: Alright thank you.

City Manager Whitehead: In that discussion, we identified 3 projects that we've been working diligently to try to get done at Ralph Edwards Park to kind of finish out the vision. The shade cover is under construction, the boat dock, and then the skate park. We identified that we were short funds based on the cost, they've been on the books for quite a while, and the skate park was short \$30,000, I did bring that to you at the last meeting but indicated that we would bring that forward this time to get approval to use Lodger's Tax funds. I presented you with my 25/26 Lodger's Tax breakdown to show you that under the 40% side of the Lodger's Tax, which can be used for facilities and facility improvements, I have \$47,500 unallocated. You can see the items that we've put money into for that, so we have \$47,500 there. I would ask that you grant us permission to use \$30,000 of that for the skate park. Part two of that, we presented that we had also applied for some state funding. There is approximately \$5 million in additional state funding for quality-of-life grants, we thought we were in the hopper to get those funds, and we are, but we do have to make an application. We've submitted all the documents, we've made the request for \$160,000 but now they've told us that there are a lot of communities that want it, so we're going to have to make a formal application. The good part for us is that every one of our projects are beyond shovel-ready, they are shovels-working. We think we're in a good spot to potentially receive an allocation. Whatever we do receive, we would divide equally amongst the general fund and back to Lodger's Tax, if we were to receive state funding from that additional funds, to cover some of our costs. But we certainly want to make sure that the Commission knows, this would be an expenditure that we should not expect back, but it's possible, and if it did, that's how we would handle it. With that, I stand for questions.

Mayor Hechler: A couple of comments on my end. I think at some point we need to explore an ordinance restricting motorized vehicles in between city limits on the river. We could do that. I know that enforcement's going to be an issue, I don't know if we can respond, I know New Mexico State parks is supposed to respond in those situations, but their response time is going to be a half hour to 45 minutes, at least, if it's an emergency. They are also trained in swift water rescue and things of that nature, so that's something I think we should probably explore, Chief, and look at it and at least have it on the books as an ordinance. We have an opportunity, we can always catch them when they're going to put their boat or jet ski back out, to do some education if we need to. I think that would be one thing we can look at down the road.

Commissioner Fahl: To follow up on that, in the Turtleback Trail Network, there's a copy of the ordinance that Carlsbad uses for that kind of work, so there's one already approved, that would be a good place to start.

Mayor Hechler: I've gotten a couple of calls, people were concerned about the side that the money was coming from, it's not to put heads in beds, the money's coming from the city's portion, which is used for these kinds of things.

City Manager Whitehead: That's correct.

Mayor Hechler: I'll call those people back and assure them that's not where it's coming from. With that, I'll entertain a motion.

Commissioner Mitchell moved to approve the \$30,000 Lodgers Tax Facility Improvements for the Skate Park. Commissioner Fahl seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

12. Discussion/Action: Re-appointment of Victoria Harrington to the Lodgers Tax Advisory Board.

Clerk Torres: Victoria Harrington, she's a current member on our Lodger's Tax Advisory board. She served 3 years on our board and her term expired in June of this year. For that seat, the member serves an initial 3-year term, and if they are re-appointed, the term will move to a 4-year term. We recommend approval for a 4-year term for Ms. Harrington. I'll stand for any questions.

Commissioner Fahl moved to approve the re-appointment of Victoria Harrington to the Lodgers Tax Advisory Board to serve a 4-year term. Commissioner Mitchell seconded the motion. Roll call was taken by the Clerk-Treasurer. Motion carried unanimously.

13. Discussion/Update: NMDOT Project CN1102340 - Road Diet Modification and enhancements to T or C downtown. Andreas Linnan, NMDOT-D1Engineer.

Mayor Hechler adjourned the meeting at 5:31 p.m. The NMDOT presentation was presented after the City Commission meeting adjourned.

I. ADJOURNMENT:

Mayor Hechler adjourned the meeting at 5:31 p.m.

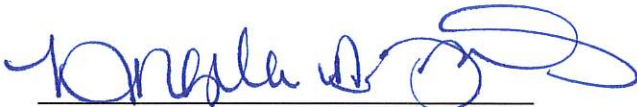
Passed and Approved this 10th day of September, 2025.

CITY COMMISSION AUGUST 27, 2025 REGULAR MEETING MINUTES



Rolf Hechler, Mayor

ATTEST:



Angela A. Torres, CMC, City Clerk



Figure 1

What is a Road Diet?

A Road Diet is a traffic calming strategy that reallocates roadway space to improve safety, enhance mobility, and support a better quality of life for all users. Typically implemented through low-cost measures like restriping. Road Diets reduce vehicle lanes to slow traffic, increase driver awareness, and create space for features such as bike lanes, pedestrian paths, or turn lanes.



ROAD DIET ENHANCEMENTS

within Truth or Consequences

Project Overview

In Spring 2025, the NMDOT completed a \$5.6 million paving and road diet project along the I-25 Business Loop in Truth or Consequences (T or C), Sierra County, New Mexico. The project limits covered Date Street, Broadway, and Main Street (5.5 miles total).

This project aimed to improve pavement conditions, ADA ramps, and public safety in downtown T or C. The road diet was recommended in the 2021 Multimodal Transportation Safety Plan, to address key concerns including speeding and wrong-way driving in the downtown corridor. By changing the roadway striping configuration, visual friction was increased, and as a result, vehicle speeds reduced.

This upcoming safety initiative will modify the roadway striping to mitigate municipal safety concerns about fire truck access while still addressing the key concerns identified in the safety plan. The road diet enhancement project does specifically target traffic calming and driver guiding to enhance safety for all roadway users.

Key Enhancements

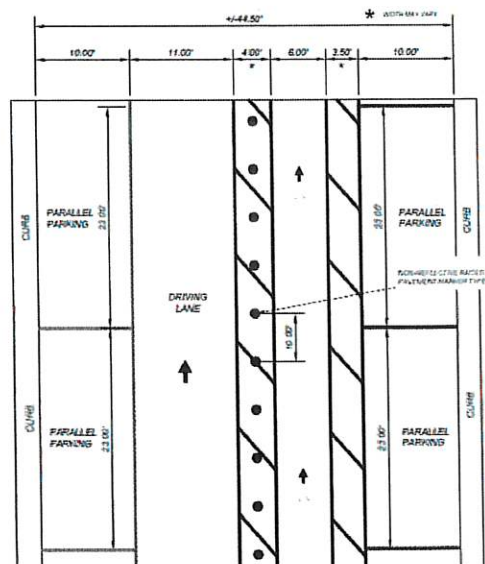
New Pavement Markings: We're reconfiguring the road markings to mitigate municipal safety concerns while maintaining the road diet concept (see Figure 2).

Upgraded Signs & New Installations: Keep an eye out for new and clearer signs to guide you along the road with ease.

Delineator Systems: These new markers will improve visibility and prevent vehicles from accidentally entering into the bikeway (see Figure 1).

Other Construction Enhancements: Various updates, including radar speed feedback units, will support the road users, ensuring smoother and safer traffic flow for everyone.

Figure 2 Striping Changes



What's Next?

These upgrades will be observed and evaluated to determine if future improvements would further enhance the safety on the road. This project has been funded through the NMDOT Highway Safety Improvement Program (HSIP) and will be let for construction in the Fall of 2025.

Project Website: <https://www.dot.nm.gov/t-or-c-road-diet/>

Explore FHWA Resources:

<https://highways.dot.gov/safety/other/road-diets>

Contact Us with Questions: Ami Evans, NMDOT District 1 Public Information Officer, Email: ami.evans@dot.nm.gov, Phone: 575-640-5981

From: Ariel Dougherty films <arielcamera@gmail.com>

Sent: Monday, August 25, 2025 11:04 AM

To: Whitehead, Gary <gwhitehead@torcnm.org>; Torres, Angela <atorres@torcnm.org>; Hechler, Rolf <rhechler@torcnm.org>; Forrister, Amanda <amanda.forrister@torcnm.org>; Fahl, Merry Jo <mfahl@torcnm.org>; hoepfner@torcnm.org; Mitchell, Destiny <dmitchell@torcnm.org>

Cc: Kathleen Sloan <kathleensloan@gmail.com>; sierracountynews@gmail.com

Subject: Public Comment. and the National Guard

Dear Truth or Consequences Commissioners –

First, I urge you to reinstate Public Comment for this meeting on August 27. It is shocking that at every meeting you do not want to hear from the public on any matter of public concern.

The deployment of National Guard – now armed – in Washington DC against the citizens of the Nation's Capital is a HUGE overstretch of Presidential Authority. Exactly, what is the “emergency”?

I grew up in Washington DC and was in the DC public schools in the decade prior to passage of the Home Rule Act of 1973. In order to update a textbook – that discussed how clipper air ships could in the future fly across the Atlantic in light of Lindbergh's flight – we had to go to Congress before a Congressional committee filled with Dixiecrats to get new updated textbooks. This was especially the case for the schools that were predominately black.

Placing the Guard in DC and threatening other black led cities with their deployment is a retrograde extension of the racist policy that permeated the entire Jim Crow era up until the Civil Rights Movement.

I urge you as public elected representatives to take a stand against such deployment of National Guard in this manner. It is not only an actual threat to DC residents today, but to all citizens of the United States. As regards jurisdictions other than DC it would be a



All Americans should be opposing such misuse of the military force and its growing escalation into a police state and nation. Do you want the National Guard here patrolling our streets?

I will draft a Resolution for you to discuss this matter and to use as a blueprint to enact such a Resolution. I will bring it to the Wednesday meeting.

Best regards, Ariel Dougherty

ArielCamera@gmail.com 575-740-5868 @MediaEquity



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