

*Rolf Hechler
Mayor*

*Amanda Forrister
Mayor Pro-Tem*

*Merry Jo Fahl
Commissioner*



*Destiny Mitchell
Commissioner*

*Ingo Hoeppe
Commissioner*

*Gary Whitehead
City Manager*

*505 Sims St.
Truth or Consequences, New Mexico 87901
P: 575-894-6673 ♦ F: 575-894-7767
www.torcnm.org*

REGULAR MEETING

THE REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO, TO BE HELD IN THE COMMISSION CHAMBERS, 405 W. 3RD ST., ON WEDNESDAY, MARCH 26, 2025; TO START AT 4:00 P.M.

A. CALL TO ORDER

B. INTRODUCTION

1. ROLL CALL

Hon. Rolf Hechler, Mayor
Hon. Amanda Forrister, Mayor Pro-Tem
Hon. Destiny Mitchell, Commissioner
Hon. Merry Jo Fahl, Commissioner
Hon. Ingo Hoeppe, Commissioner

2. SILENT MEDITATION

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA

C. CONSENT CALENDAR

1. Purchase report of items between \$20,000 and \$60,000

D. ORDINANCES/RESOLUTIONS/ZONING

1. Discussion/Action: Resolution No. 36 24/25 Budget Adjustment Request.

E. NEW BUSINESS

1. Discussion/Action: 865 W. 4th Avenue Multi Animal Permit Renewal.
2. Discussion/Action: Appointment of Molly Hammer to serve as a member on the Planning & Zoning Commission.
3. Discussion/Action: Comprehensive Plan Steering Committee/Stakeholder Selection.
4. Discussion/Action: General Obligation Bond Program.
5. Discussion/Action: Approval of Purchase Requisitions over \$60,000.

F. EXECUTIVE SESSION

1. Limited Personnel Matters (City Manager) Pursuant to 10-15-1(H.2).
2. Purchase, Acquisition, or Disposal of Real Property (612 E. 2nd) pursuant to 10-15-1(H.8).
3. Purchase, Acquisition, or Disposal of Real Property (Clancy & Daniels Street) pursuant to 10-15-1(H.8).

G. RETURN TO REGULAR SESSION; ACTION (if any)

1. Limited Personnel Matters (City Manager) Pursuant to 10-15-1(H.2).
2. Purchase, Acquisition, or Disposal of Real Property (612 E. 2nd) pursuant to 10-15-1(H.8).
3. Purchase, Acquisition, or Disposal of Real Property (Clancy & Daniels Street) pursuant to 10-15-1(H.8).

H. ADJOURNMENT

**The meeting will be streamed through Facebook Live on the City of Truth or Consequences
Public Information Facebook Page**

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting please contact the City Clerk's Office, at 505 Sims Street, Truth or Consequences, New Mexico 87901, phone (575) 894-6673 at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk's Office if a summary or other type of accessible format is needed.

NEXT REGULAR CITY COMMISSION MEETING APRIL 9, 2025



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: March 26, 2025

Agenda Item #: C.1

SUBJECT: Purchase report of items between \$20,000 and \$60,000
DEPARTMENT: Finance
DATE SUBMITTED: March 21, 2025
SUBMITTED BY: -
WHO WILL PRESENT THE ITEM: Consent Calendar

Summary/Background:

Review of purchases between \$20,000 and \$60,000.

Recommendation:

Review of purchases between \$20,000 and \$60,000.

Attachments:

• -
-

Fiscal Impact (Finance): Choose an item.

-

Legal Review (City Attorney): N/A

None.

Approved For Submittal By: ☐ Department Director

Reviewed by: ☐ City Clerk ☐ Finance ☐ Legal ☐ Other: [Click here to enter text.](#)

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. - Ordinance No. -

Continued To: - Referred To: -

☐ Approved ☐ Denied ☐ Other: -

File Name: CC Agendas 3-26-25



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: March 26, 2025

Agenda Item #: **D.1**

SUBJECT: Resolution No. 36 24/25 Budget Adjustment Request

DEPARTMENT: Finance Department

DATE SUBMITTED: March 21, 2025

SUBMITTED BY: Kerin Salcedo, Accounting Officer

WHO WILL PRESENT THE ITEM: Jocelyn Holguin, Finance Director

Summary/Background: Reconciling Budget Adjustments Requests (based on Chapter 6, Article 6 NM Statute) needed for budget adjustments, increases, and decreases per attached.

Recommendation:

Approval Resolution No. 36 24/25 Final Budget Adjustment Requests for Fiscal Year 2024-2025

Attachments:

Resolution No 36 24/25

- Schedule of Budget Adjustments, Supporting Documentation

Fiscal Impact (Finance): Yes

Changes in funding as presented on the Department of Finance and Administration Schedule of Budget Adjustments

Legal Review (City Attorney): N/A

Approved For Submittal By: ☒ Department Director

Reviewed by: ☒ City Clerk ☒ Finance ☐ Legal ☐ Other: [Click here to enter text.](#)

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. [Click here to enter text.](#) Ordinance No. .

Continued To: . Referred To: .

☐ Approved ☐ Denied ☐ Other: .

File Name: CC Agendas 3-26-25



RESOLUTION NO. 36 24/25

A RESOLUTION REQUESTING FINAL BUDGET ADJUSTMENTS IN THE REVENUE AND EXPENDITURE BUDGET FOR FISCAL YEAR 2024-2025.

WHEREAS, the final budget for was approved by the City Commission of the City of Truth or Consequences, New Mexico, pursuant to Chapter 6, Article 76 NMSA 1978; and

WHEREAS, the City Commission in and for the City of Truth or Consequences, State of New Mexico needs to adjust the current approved budget for Fiscal Year 2024-2025; and

WHEREAS, said budget was adjusted on the basis of need and through cooperation with all user departments, elected officials and other department supervisors; and

WHEREAS, the official meeting for the review of said documents was duly advertised in compliance with the State Open Meetings act; and

WHEREAS, it is the majority opinion of this Board that the adjusted budget meets the requirements as currently determined.

NOW THEREFORE, BE IT RESOLVED that the City Commission of the City of Truth or Consequences, State of New Mexico hereby adopts the budget adjustment hereinabove described and attached and respectfully requests approval from the Local Government Division of the Department of Finance and Administration.

PASSED, ADOPTED and APPROVED this **26th day of March, 2025**.

Rolf Hechler, Mayor

ATTEST:

Angela A. Torres, City Clerk-Treasurer

Department of Finance and Administration
Local Government Division
Financial Management Bureau
SCHEDULE OF BUDGET ADJUSTMENTS

ENTITY NAME: City of Truth or Consequences
FISCAL YEAR: 2024-25 3/26/2025
DFA Resolution Number: 36 24/25
BAR NUMBER 11

For Local Government Division use only:

DOCUMENT NUMBER	FUND	ACCOUNT STRING	ACCOUNT NAME	REVENUE, EXPENDITURE, or TRANSFER (TO or FROM)	APPROVED BUDGET	ADJUSTMENT / INCREASE	ADJUSTED BUDGET	PURPOSE
1	299	299-7051-32375	AS- BFAS Grant - Medial Treatment	Revenue	\$ -	\$ 12,500	\$ 12,500	Best Friends Animal Society Grant for medical treatment for vulnerable animals
1	299	299-7051-48710	AS- BFAS Grant - Medial Treatment	Expense	\$ -	\$ 12,500	\$ 12,500	Best Friends Animal Society Grant for medical treatment for vulnerable animals
							\$ -	
2	299	299-7052-32375	PD-State Grant	Revenue	\$ -	\$ 41,476	\$ 41,476	2022-2023 Byrne State Crisis Intervention Program Grant 15PBJA-23-GG-00024-BSCI
2	299	299-7052-40110	PD-Salary & Wages	Expense	\$ -	\$ 18,000	\$ 18,000	2022-2023 Byrne State Crisis Intervention Program Grant 15PBJA-23-GG-00024-BSCI
2	299	299-7052-42310	PD-Travel	Expense	\$ -	\$ 1,000	\$ 1,000	2022-2023 Byrne State Crisis Intervention Program Grant 15PBJA-23-GG-00024-BSCI
2	299	299-7052-48599	PD-Contractual Services	Expense	\$ -	\$ 21,740	\$ 21,740	2022-2023 Byrne State Crisis Intervention Program Grant 15PBJA-23-GG-00024-BSCI
2	299	299-7052-43999	PD-Other Costs	Expense	\$ -	\$ 736	\$ 736	2022-2023 Byrne State Crisis Intervention Program Grant 15PBJA-23-GG-00024-BSCI
2	299	299-7052-39935	PD-Transfer In	Revenue	\$ -	\$ 41,476	\$ 41,476	2022-2023 Byrne State Crisis Intervention Program Grant 15PBJA-23-GG-00024-BSCI
2	101	101-1099-49930	GF-Transfer Out	Expense	\$ 1,691,470.00	\$ 41,476	\$ 1,732,946	2022-2023 Byrne State Crisis Intervention Program Grant 15PBJA-23-GG-00024-BSCI
2	101	101-1099-39935	GF-Transfer In	Revenue	\$ 1,651,823.00	\$ 41,476	\$ 1,693,299	2022-2023 Byrne State Crisis Intervention Program Grant 15PBJA-23-GG-00024-BSCI
2	299	299-7052-49930	PD-Transfer Out	Expense	\$ -	\$ 41,476	\$ 41,476	2022-2023 Byrne State Crisis Intervention Program Grant 15PBJA-23-GG-00024-BSCI
							\$ -	

ATTEST:

Angela Torres, Clerk-Treasurer

(Date)

Rolf Hechler, Mayor

(Date)



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: March 26, 2025

Agenda Item #: E.1

SUBJECT: Discussion/Action -865 W 4th Ave - Multi Animal Permit Renewal

DEPARTMENT: Community Development

DATE SUBMITTED: March 21, 2025

SUBMITTED BY: Traci Alvarez

WHO WILL PRESENT THE ITEM: City Manager Whitehead

Summary/Background:

See attached P & Z Packet

Recommendation:

Approval of Multi Animal Permit Renewal

Attachments:

- P & Z Packet
- Draft P & Z Minutes 3-10-2025

Fiscal Impact (Finance): TBD

[Click here to enter text.](#)

Legal Review (City Attorney): Yes

Approved For Submittal By: ☐ Department Director

Reviewed by: ☐ City Clerk ☐ Finance ☐ Legal ☐ Other: [Click here to enter text.](#)

Final Approval: ☐ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. [Click here to enter text.](#) Ordinance No. -

Continued To: - Referred To: -

☐ Approved ☐ Denied ☐ Other: -

File Name: CC Agendas 3-26-25



CITY OF TRUTH OR CONSEQUENCES
PLANNING AND ZONING COMMISSION ACTION FORM
DATE: 3-10-2025

ITEM:

Discussion/Action – Special Use Permit 865 W 4th Ave Multi Animal Permit

BACKGROUND:

Annual Renewal of previously approved permit

SUPPORT INFORMATION:

Application
Public Hearing Notice

Name of Drafter: Traci Alvarez	: Assistant City Manager	Meeting date 3-10-2025
E-mail: talvarez@torcnm.org	Phone: 575-894-6673	

CITY OF TRUTH OR CONSEQUENCES MULTI-ANIMAL PERMIT APPLICATION

Date: 12-14-24
 Applicant: Geneva Taylor
 Property Address: 865 W. 4th Ave
 Phone Number: 575-640-3683 Business license number (if applicable): _____
 Initial License _____ or Renewal X
 **Email Address: Deeyoliver68@yahoo.com

TYPE	GENDER	AGE	BREED	COLOR	NAME	CITY LIC#	EXP DATE	RABIES TAG #	EXP DATE
F	F	7	CAT	Tortoise	Suzie	88	1/4/26	230043	1/4/26
F	F	5	CAT	Gray	Rose	99	7/19/25		7/19/25
F	F	2	CAT	Tabby	Roxy	115	4/16/27	241471	4/16/27
F	F	4.5	CAT	Black	Tuxi	94	2/25/25		2/25/25
F	F	4.5	CAT	Tabby	Lily	93	4/12/25		4/12/25
F	M	4.5	CAT	G-Tabby	Stormy	1090	8/14/26		8/14/26
F	M	4.5	CAT	Tabby	Chavez	-	7/19/22	22000978	7/19/25

Proof of payment, rabies vaccinations, and city animal/business licenses must accompany application

Applicant Signature: [Signature]

ON SITE INSPECTION (A=Acceptable or U=Unacceptable)

- A Enclosure/fencing type/gates/latches/pens sufficient to prevent escape/proper confinement.
- A Adequate habitat space necessary for each animal's movement.
- A Animal(s) habitat is sanitary, good condition (weatherproofing), ventilated/heated, and accessible.
- A Animal(s) have access to protection from weather.
- A Sufficient fresh clean/sanitary potable water and food/sufficient access for each animal.
- A Property is clean/sanitary and free of hazards/trash/debris and not dangerous to animal(s).
- A Property size is adequate for the number of animal(s) allowing for compliance as noted above.
- U Property has the following conditions that require immediate attention: _____

Inspected by ACO: L. Knoll Signature Sergann Knoll Date 01/28/25

Code Enforcement Signature S. Knoll Date 01/28/25

Planning and Zoning Commission Meeting Date: _____ () Approved () Disapproved
 City Commission Meeting Date: _____ () Approved () Disapproved

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*Gary Whitehead
City Manager*

NOTICE OF PUBLIC HEARING

NOTICE is hereby given that the City of Truth or Consequences Planning & Zoning Commission will hold a Public Hearing during their regular scheduled meeting on Monday, March 10, 2025, to receive input regarding the following:

Public Hearing/Discussion/Action: Request for a Special Use Permit at 865 W. 4th Ave. for the purpose of a Multi Animal Permit Renewal.

The meeting will be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico starting at 4:00 p.m.

Should you have any questions regarding this Public Hearing, please contact me at (575) 894-6675 or by email at aaatorres@torcnm.org.

The agenda may be obtained on Friday, March 7, 2025 on the city website calendar at www.torcnm.org; by contacting the City Clerk's Office at 575-894-6673; or by email to: torcclerk@torcnm.org.

/s/ Angela A. Torres, CMC, City Clerk

Publish on the following date:

- Sentinel— Thursday, February 13, 2025

100 Ft. radius Adjacent Property Owner Lising: 865 W. 4th

owner name	mailing address	city	state	zip
CITY OF T OR C	505 SIMS ST	T OR C	NM	87901
STEWART JOHN D & SUSAN S	122 COYOTE ROAD	JEMEZ SPRINGS	NM	87025
SOCHIEF LP	302 MECHEM DR	RUIDOSO	NM	88345
COLLETE KAY B	825 W 4TH ST	T OR C	NM	87901
SOCHIEF LP	302 MECHEM DR	RUIDOSO	NM	88345
PRYOR GENEVA R	PO BOX 3282	T OR C	NM	87901

BAKER CATHERINE MARIE REV TRUST PO BOX 3566 T OR C NM 87901

**CITY OF TRUTH OR CONSEQUENCES
PLANNING & ZONING COMMISSION
MINUTES
MONDAY, MARCH 10, 2025**

REGULAR MEETING

Regular meeting of the Planning & Zoning Commission of the City of Truth or Consequences, New Mexico to be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico, on Monday, March 10, 2025 at 4:00 p.m.

INTRODUCTION:

ROLL CALL:

Chris Sisney, Chairman
Susan Buhler, Vice Chairman
Esther Luchini, Member
Lisa Kent, Member

ALSO PRESENT:

Gary Whitehead, City Manager
Traci Alvarez, Assistant City Manager
Katy Martinez, City Clerk Admin Assistant

1. APPROVAL OF AGENDA:

Member Luchini made a motion to approve the agenda. Vice-Chairman Buhler seconded the motion. Motion carried unanimously.

2. APPROVAL OF MINUTES:

a) February 18, 2025.

Vice-Chairman Buhler made a motion to approve the minutes. Member Kent seconded the motion. Motion carried unanimously.

3. COMMENTS FROM THE PUBLIC (3 Minute Rule Applies)

There were no comments from the public.

Deputy Clerk Martinez swore in the participants for the public hearings.

4. PUBLIC HEARINGS (5 Minute Rule Applies)

- a) Public Hearing/Discussion/Action: Request for a Special Use Permit at 865 W. 4th Ave. for the purpose of a Multi Ani-mal Permit Renewal. Traci Alvarez, Assistant City Manager**

Assistant City Manager Alvarez: This is an annual renewal. The applicant has 7 cats they are all indoor cats. She has a nice set up for them for what I understand. Animal Control has gone out and done their annual inspection. Everything looks good. We are recommending review and approval for their annual renewal.

Chairman Sisney opened the public hearing.

Proponents:

Opponents:

Chairman Sisney closed the public hearing.

Chairman Sisney made a motion to recommend approval to the City Commission for a Request for a Special Use Permit at 865 W. 4th Ave. for the purpose of a Multi Ani-mal Permit Renewal. Vice Chairman Buhler seconded the motion. Roll call vote was taken. Motion carried unanimously.

- b) Discussion/Action: Recommendation to appoint Molly Hammer to serve as a member on the board.**

Molly Hammer Applicant: I've been a T or C resident for about 9 years. I'm a landlord, a short-term rental owner and a business owner. I've been wanting to get a little bit more involved with the community and planning and zoning is an interest to me in how business and residents how their decisions influence the rest of the community depending on the rules, regulations and the ordinances that are set before us for planning and zoning. Because my business is here it's important to me that people have a good experience either through business or through walking around town. What are they taking away and what are they saying about Truth or Consequences. I think that it's really important to be an advocate and kind of an ambassador of the city in that small little role as a business owner. I just want to bring some of my background to the board.

Member Kent: What business do you own?

Molly Hammer Applicant: I have 3 short-term rentals, but I also rent to long term renters and traveling nurses. I have been doing that full time for about 5 years, so I see a lot of different kinds of people come through. Katy sent me the ordinance section for planning and zoning specifically I was looking for what the roles and responsibilities of the board members? What are you reviewing? I see that you have short term approvals like someone wanting to have 7 cats that kind of thing. Are you guys also developing a long-term vision for the city on a commercial and residential basis or is it more just kind of making sure we are the voice of residents and business and making sure we are complying with city ordinances. My apologies if I'm not explaining that right, but I wanted to understand what is expected in your role should I be included on the board.

Chairman Sisney: There is no planning. We don't get to plan. The only thing that we have done is if there are requests for variances, then we listen to all the stuff they have to say. We make a recommendation. The recommendation then goes to the city commission then they decide whether to follow the recommendations or not. That's been my experience. If somebody comes and everything that they ask for is fine with their request it never comes to us. Only things where they are asking for a variance. That's all we have dealt with since I've been here.

Molly Hammer Applicant: Its more residential or commercial variance of for the property lone of the rules?

Chairman Sisney: Any variance to the rules in the town.

Molly Hammer: But no planning?

Chairman Sisney: No

Assistant City Manager Alvarez: I can speak on what I bring to the planning and zoning commission. I bring anything that is required by the municipal code to go in front of a public hearing, or a special use permit, a variance request, summary plot amendments. If somebody is going to be doing a full subdivision development, then that would come to planning and zoning per out code. We haven't had anybody that's developed an entire subdivision, but you never know down the line things are going a little but that is something. A big development like that would come through planning and zoning. They are encouraged to review the sections of the municipal code, I know they have talked a little bit about short-term rentals. There have been some talks about the section of our code that has been changed or updated, there is review. They can definitely make recommendations or meet as a planning and zoning commission to discuss and recommend potential changes or updates to the code.

Molly Hammer Applicant: I reviewed the ordinance and the planning and zoning sections that Katy sent me, and it wasn't real clear about the rules and responsibilities. It said more like how

many members and that they meet once a month, but it wasn't really clear about the decision making.

Vice-Chairman Buhler: We do have a set of rules that you should be given. So, you would know. It's basically like Robert's rules. Jay called it Battershell. If they pass you, they will probably give you that also.

City Manager Whitehead: I have not really reviewed the whole scope of planning and zoning I'm just getting kind of my feet down. I don't want to tell you I think you are going to do this or do that. It feels to like planning and zoning really needs to be intimate in what we do with these areas and maybe we've not done it well, maybe we need some improvements and so I would lean into what Traci said. She's probably got the best view of how it's been up till now and then potentially I might change the whole thing.

Vice-Chairman Buhler made a motion to recommend approval to the City Commission for Recommendation to appoint Molly Hammer to serve as a member on the board. Member Kent seconded the motion. Roll call vote was taken. Motion carried unanimously.

c) REPORTS FROM THE BOARD:

No Reports from the Board

d) REPORTS FROM STAFF:

City Manager Whitehead: I was hoping to meet with the Chairman today. We might want to stay a bit and visit but certainly with the commission you guys being active I thought it was a good time to come down and visit a little bit. It's the first zoning issue that's come before us, this variance/special use permit that you guys approved at the last meeting. I wanted to take the time to really be diligent in my deliberations and make sure. I understand that I pose a challenge to us in zoning right. Because I've been inside the code. I've worked in it, I've asked for things, I've presented, and I've built things. I certainly want to make sure that I'm not doing something that would be aversive to another position that I might have had somewhere else. It's critical that I do that. I don't think there is anything in that except for one issue, we'll get to that in a minute. I went through the code as it relates to special use in this particular issue, it seems that going down the road of tiny homes opens a new door for us. In the variance/special use permit that we ask for, my recommendation to the commission is that we don't call it a tiny home. Under the New Mexico code and under the international building code, tiny homes are identified as anything that's under 400 square feet. When we add tiny homes to the code, it

comes with a set of rules, a very good set of rules. So again, it opens the door to containers, storage containers being tiny homes, but it doesn't open the door to living in a storage container. The storage container has to be built to IRC standards. It would have to meet all the codes, ingress, egress, stairs, doors, width. It's got a whole set of criteria. The point I make is number 1, I don't think I'm going to recommend that we grant a special use permit for a tiny home. Then I went and looked at the manufactured home and the park model, under the code it's very clear if the wheels remain on the unit it's an RV. If the wheels come off the unit, it can be considered a manufactured house or a home. So, it does seem reasonable that you maybe talk about these park models, especially because they become, they become the next step. Which is a concern to me which is affordable housing. I studied a lot of places that said being able to put these park models in places really open the door because they're 35,40 and 50 thousand dollars. They're not \$250,000 and is it in an area where you open it? It feels like that's a new item to come down to. The third thing that challenged me to say, if we're going to pass a variance or a special use permit, what door are we opening? Are we potentially walking into something that we can't get out of? Or in this particular case, are we opening a door for something that we probably need to do. As it relates to the item that we have on the table, if R3, we looked at it as a 2-family dwelling, 2 families would be separate locations, they can be connected, they can be separate. It already requires that space to be 3000 square feet per unit in the particular case, they have 6000 square feet, so they already qualify. So, there's 2 things we don't need to give a variance for. The only item would be that the unit has to be a minimum of 500 square feet. My recommendation to the commission is probably going to be that we allow the special use permit, not a variance, a special use permit that would grant them 390 square feet because the park models all of them come out to be 397 square feet. Also, we require that they remove the wheels and set it on a permanent foundation. In this case, that would be the only thing that you would be granting to them in your approval, correct? You've already approved that they could do it, but you've said, and the question was is it a special use or is it a variance? I'm going to request that the commission grant them a special use permit for the particular lot and that the special use permit say that in that particular lot they can reduce the size of the home from 500 to 390 and that it requires that the foundation be set and the wheels be removed. That would give them the choice of either using a park model or they could simply build a house of 390 square feet, or a house of 500. They wouldn't need any special use to build a 500 square foot home on those lots. That's the deliberation I came with, and then the challenge would come where I would want to come back to this committee, and this where it comes into what are we going to do. Do we open up R2 to two families to the same kind of condition where we would reduce that from a 700 square foot build to a potentially say, you could apply for a special use permit, and we might grant a special use for 390 provided the wheels are off and it's on a permanent foundation. Then somebody in R2 could also add a park model. This is our discussion time I would stand for questions, or thoughts of where I could be

going down the wrong line. I'm certainly here to hear your feedback. I wanted to brief you. I was hoping to call you today and at least let you see my notes

Vice-Chairman Buhler: What are other cities doing, larger cities?

City Manager Whitehead: Las Cruces is where I started, I find no comment on tiny homes. When I went into their code, I could find nothing in the code. I found nothing in Silver City for the code. All I can assume in those 2 areas where I looked, they are using them probably like we are, where it's a special use and somebody's coming and saying "I want to build a tiny home. Here's all my plans. Here is my design". I have to assume that the committee's giving them some permission to do so. I couldn't find anything in those places. In the code for New Mexico in the N Mac which in section 147-328, which is tiny homes and that's where the definition comes from. When I think about us granting a variance or a special use to do something. It's what are we doing on this particular case that may or may not get us in trouble or may not open the door? I feel like this park model thing is not a bad thing. It opens a door to affordable housing; it looks like they are built to a very good standard, and people might clean up especially on Marr Street. When I drive down the entire street it's the last piece of property there that doesn't have anything really nice on it. Otherwise, everybody kind of cleaned up that street.

Vice-Chairman Buhler: You might talk to Socorro. I have googled and they have something that they're doing with RV's. We had a case not too long ago where a man wanted to make his permanent home in a motor home. You can't take the wheels off of a motor home and make it a home it doesn't have smoke detectors in it. It's not safe.

City Manager Whitehead: It's not, it's not built to a standard.

Vice-Chairman Buhler: We had another case on the riverbank, a very small lot where a man wants to build a home, and the neighbors are very upset on each side. One of them had already built what looks like to me an 8-foot fence to wall this guy out. Another question is you have someone who spends \$400,000 for a home and then to have a tiny home right next to them. What is that going to do to their property values? Also, if you have several of these, there's not going to be parking. There are lots of factors that are involved with these types of units.

City Manager Whitehead: I concur. I think again going down the code, the one thing with the word tiny homes that kind of got me nervous if we were going to say yes, we give you permission to put a tiny home, its it could be he could do it 200 square feet house, right? If they were crafty enough to do it. That's where we wouldn't want to open it, and then if we do allow

tiny homes, then how do we consider something that's beneficial to someone that's going to build a really cool tiny home. That may be 600 or 700 square feet, but it's got all these cool features versus someone that says I'm going to build a 100 square foot house.

Vice-Chairman Buhler: Basically, a shack.

City Manager Whitehead: It would be. I feel like if I want to build a tiny home, I want to be fair to how I would ask, and I probably would. I would hope that we had it protected enough that we would have a good standard that would give us a great tiny home. I've got no problem with somebody wanting to stack 3 storage containers and paint them and fix them, make all the patios like you see on TV, build it beautiful. Maybe that's what we need to a kind of eclectic, cool place, but we don't want someone sticking one out, putting a TV up on the wall and saying I have a home.

Vice-Chairman Buhler: Someone the river who builds a three-story home. Now the people on the other side are not going to be able to see the river anymore. That is another factor with height. There are lots of different things that really need to be taken into perspective with this.

Assistant City Manager Alvarez: All of our zones have a maximum height code.

City Manager Whitehead: Somebody asked me about a piece of structure that is in the R3 zone and how they got that in, but it meets the height requirements and so your kind of limited in that. It's a good structure, it's just really high.

Member Kent: I think with the small home having some good guideline standards for these homes because it's a slippery slope with like well they got to roll in with an RV which we have already talked about its outlined in our code so you can't do that. I think requiring something to be set on a foundation, whether they bought a park model, modular type thing and put it on a foundation or do a small stick-built home, so that you at least get a certain quality of home. The number they can put on a lot needs to be greatly monitored. I know some of these lots already can allow a duplex, so I guess two small homes is no different than a duplex. I agree not just completely going off the rails and saying yes, we will grant whatever you want but having specific guidelines to allow it and probably still requiring a special use maybe.

City Manager Whitehead: It feels like that's the right structure to give you guys the ability to say we are only going to do that if it meets these conditions. I don't know if it catches right. I don't know how much enforcement we've done. I'm not trying to throw Traci under the bus, but I don't know if somebody puts an RV on their lot and we find out a year later, I don't know what

we are doing. As I'm watching it feels like the codes guys are writing tickets, were doing stuff but that becomes the second piece of it, are we going to be stronger in the enforcement to do those things.

Member Kent: There's a lot of RVs in my neighborhood that people live in right now and they have been there a while.

Vice-Chairman Buhler: Well, you know we don't have building inspector either and that's a problem. I've had people tell me all you have to do is put a piece of paper up in a window and you can do whatever you want to do inside your building.

City Manager Whitehead: I spend a lot of time on YouTube researching, so I put in tiny homes and I started watching different videos about thinking about different things when you are going to zoning and there was a video on there that said if you are going to zoning to build your tiny home don't because you're wasting your time. Just go build it, let me show you how to do it and they can't make you move. So, it's wow there are things out there trying to help people be thoughtful and there's things out there that tell people if you have a zoning committee don't worry about it just go build your thing, they're not going to stop you and potentially we are not better or worse. Any thoughts?

Member Luchini: I like the setting guidelines, terms and ordinance, the problem I have is when they come to ask for a variance. When do we stick to the rules and the guidelines or when do we give a variance? Why do we have the guidelines if we are going to allow variances?

City Manager Whitehead: I remember that statement. I've done some soul searching on that I'll be honest. I'll get myself in trouble here. I see nowhere in the code where you have the ability to grant me a variance. Nowhere in our code is there the language that would allow me to have the variance that I requested. I still haven't spoken to the lawyer; Jay may tell me it's here or it's there but again going down this when I was researching is it a special use or is it a variance? A variance only appears in our code 2 times and one time is in the definition. The definition says the only variances that shall be granted are those related to size, scope and the use of the land. So, if the lots are not big enough to do the setbacks. So, say in this case it was 5,500 square feet and they wanted to put 2 units, you have the ability to say it's a good neighborhood, nice people it looks like they are going to do it we can grant that. I don't see where its broad a scope in the code to say you guys have the ability to look at any kind of code, and kind of question within those and do that and say its ok to move away from that particular thing. No w that's just over research I did I could be wrong, again Jay through the code can show me where that's in some kind of international code, it may be in the bill, it may be somewhere that says, a

variance is something that the city always has, they always have the ability to change their rules and its implied. The lawyer side might say it's an implied factor. So, I'm not telling you that it's wrong, I just didn't see anything in there that I can say yes they can do that. It looks like the only thing would be for size. That's why I wanted to see if it is a special use or is it a variance in this case. It led me to really begin to challenge that question that I ask the commission for. I'm internally searching and saying I may have been wrong which may mean I'm more than likely not going to accept the variance that I've been granted and move forward with that because I create a problem for us here. Which is if I did it, somebody else is going to use it against us and I need to be in the spot where the law and the zoning code could be administered and enacted fairly and justly without that hanging over our heads. Those are the challenges I thought about. Any other thoughts?

Chairman Sisney: How about the planning part in the name of the commission? I mean everybody that's on here, when they put in their application, I'm sure they thought they were going to be involved in the planning help. What gets approved and what doesn't in town.

City Manager Whitehead: You are not wrong to ask, and I will take that chart seriously especially in this. My recommendation is going to be this let's grant a special use permit to them, they meet every other condition except the size. Let's make the special use permit for those scopes 390 square feet, has to be on a permanent foundation, and we also need to make it for one year because the special use permit expires in 90 days, according to our code because if they haven't begun their project. The second thing I would ask the commission is to send back to the planning committee tiny homes and let us begin to discuss do we or don't we want to put tiny homes in our code. At some point after my discussion with Jay I may talk about variance. I'm not opposed to having the variance language say the planning and zoning can look at a variance from any type of the code provided it doesn't cause a nuisance to the neighborhood. Then we open that door if it needs to be. I think we should start doing those things and I think we should start offering to fix the code a piece at a time. That's the way I feel about it.

Vice-Chairman Buhler: Also make sure they are permitted through the state.

City Manager Whitehead: Yes. Let's take the next issue that we had a variance for, if somebody comes in and asks for a variance in this particular case, it's not a bad one, it's probably a good one, it will probably give us an opportunity to help people create something. Then let's go fix it and make sure the next person doesn't have to ask for a variance. We've addressed it, we fixed it and we've moved on. I think that's what you're asking for, kind of can we get it back and let you guys be a part of the planning?

Chairman Sisney: That also, I was looking at broader. When companies want to come into town and build stuff or that nature. That's what I'm interested in. Do you have to get on a different committee to do that sort of thing?

City Manager Whitehead: I do not know, give me an example?

Vice-Chairman Buhler: Is Loves going to our commission?

City Manager Whitehead: No, they meet every requirement within the zone. They have checked every box of the zoning code according to Traci. I've not reviewed the permit, but I've asked the questions.

Chairman Sisney: But they don't have to come before the planning committee?

City Manager Whitehead: No, they don't.

Chairman Sisney: Wouldn't we want to have input before it gets all the way. Before it gets to the point of them building because firstly, I wouldn't want that in my town. That's trouble.

City Manager Whitehead: That's a tough one because I would tell you if mi going to be honest with the code, if I could buy a Loves franchise and I wanted to put it here and I passed everything with the zoning ordinance, I should be able to build just like anybody else. That's the tough part for you guys to independently say I like that business, or I don't like that business.

Chris Sisney: That's the difference between me and an amateur that doesn't know what's going on because why wouldn't you be able to keep a business out of your town. You tell me if you have got the money, you could do whatever you want, it's what it sounds like to me. I mean that America, right?

City Manager Whitehead: Well, sort of.

Vice-Chairman Buhler: It is beneficial to the city; the city will be making a good amount of money. Will it impact the city, yes. There should be some kind of study done on that. I believe also that they are a privately owned family company. They are not a you can buy into.

City Manager Whitehead: I just used that as an example, but to say there was a franchise I wanted to buy, or anybody wanted to buy, and they met the requirements. I would find it hard to think that we would say yes or no because we liked them or didn't like them.

Vice-Chairman Buhler: I don't know if there should be a study sone, but it will impact the city. Their fuel prices may be the same as the city, you just don't know. It will impact McDonalds, it will probably impact Walmart, it will impact the Teston gas station. They will certainly see some less business because of it.

City Manager Whitehead: My door is going to be open. I hope to be able to take what you do seriously, take what I need to do seriously. Be thoughtful in my deliberation for it is, so again I'm not creating problems for you that I don't particularly need to bring and then help you so that we can develop a good code.

Member Luchini: I appreciate that.

Vice-Chairman Buhler: I do to, and we appreciate you. One other thing it would be nice that after our planning and zoning meetings if one of our representatives, and I know that's a lot to ask but could go to the city council and address if we did have something of concern, if we did feel that something was important. We should go to the city meeting.

Member Luchini: To express that concern?

Vice-Chairman Buhler: Yes, because I think some people read what we decide and what we say, but I don't know that every city council member reads what we come up with.

City Manager Whitehead: I was hoping to at least speak to the chair this week to let him know about the deliberation so at least the chair would be notified, but I was good that you guys were meeting today, and I could share with you. At least on how I plan to deal with this first one and I hope to create some consistent work with Traci and I where we're really considering this a little bit more and trying to make sure that we're forward thinking with you. Also try our best to be proactive on these.

e) ADJOURNMENT:

Chairman Sisney adjourned the meeting at 4:38 p.m.

PASSED AND APPROVED ON THIS 13th DAY OF MAY, 2024.

Chris Sisney, Chairman
Planning & Zoning Board



City of Truth or Consequences

AGENDA REQUEST FORM

MEETING DATE: March 26, 2025

Agenda Item #: E.2

SUBJECT: Appointment of Molly Hammer to the Planning & Zoning Commission.

DEPARTMENT: Clerk's Office

DATE SUBMITTED: March 17, 2025

SUBMITTED BY: Angela A. Torres, City Clerk

WHO WILL PRESENT THE ITEM: City Manager Whitehead

Summary/Background:

The Planning & Zoning Commission currently has one vacant seat available on their board. On March 10, 2025 the Board unanimously recommended the appointment of Molly Hammer to serve a 1 year term on the board.

Recommendation:

Appointment of Molly Hammer to the Planning & Zoning Commission.

Attachments:

- Board Application
- -

Fiscal Impact (Finance): No

-

Legal Review (City Attorney): N/A

-

Approved For Submittal By: ☒ Department Director

Reviewed by: ☒ City Clerk ☐ Finance ☐ Legal ☐ Other: [Click here to enter text.](#)

Final Approval: ☐ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. - Ordinance No. -

Continued To: - Referred To: -

☐ Approved ☐ Denied ☐ Other: -

File Name: CC Agendas 3-26-2025



City of Truth or Consequences

City Boards Application

Name: Molly Hammer Address: 780 West 4th Ave, T or C, NM, 87901
Phone: 415-902-2212 Email: emhammer@gmail.com

I am interested in serving as a member of one the following Boards:

- ☐ Airport Advisory Board ☐ Public Arts Advisory Board ☐ Recreation/Golf Course Advisory Board
☐ Public Utility Advisory Board ☐ Library Advisory Board ☐ Impact Fee Board
☐ Lodger's Tax Advisory Board ☒ Planning & Zoning Commission
☐ Other: _____

My qualifications are:

I have been a homeowner, business owner and landlord in T or C for almost a decade. I

have been wanting to get more involved locally, be in service to my community and planning and zoning has always been of interest to me.

I have a combined 30 years of Supply Chain Operations, Process Improvement, Planning,

Procurement, Contracts Administration, Technical Training and Management experience leading and collaborating with internal and external customers.

I believe that positive communication and fact and evidence-based decisions are key to an organization's success especially when dealing with the public.

I hereby certify that my appointment to this board neither creates, nor should create, any conflict of interest for myself or the Board. I further confirm that any possible conflict of interest that may arise will be reported to the Board and the City Clerk.

Signature: *EM Hammer* Date: 3/5/2025



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: March 26, 2025

Agenda Item #: E.3

SUBJECT: Comprehensive Plan Steering Committee/Stakeholder Selection

DEPARTMENT: Community Development

DATE SUBMITTED: March 26, 2025

SUBMITTED BY: Traci Alvarez

WHO WILL PRESENT THE ITEM: [Click here to enter text.](#)

Summary/Background:

Establishment of a Steering Committee for the Comprehensive Plan Update

Recommendation:

Establish Steering Committee

Attachments:

- 2014 Comprehensive Plan – (Available for download on the City Website under: [Community Development](#))

Fiscal Impact (Finance): Yes

CDBG Planning Grant Award \$50,000.00 with \$5,010.32 Cash Match

Legal Review (City Attorney): Choose an item.

[Click here to enter text.](#)

Approved For Submittal By: ☐ Department Director

Reviewed by: ☐ City Clerk ☐ Finance ☐ Legal ☐ Other: [Click here to enter text.](#)

Final Approval: ☐ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. [Click here to enter text.](#) Ordinance No. -

Continued To: - Referred To: -

☐ Approved ☐ Denied ☐ Other: -

File Name: CC agendas 3-26-25



CITY OF TRUTH OR CONSEQUENCES

AGENDA REQUEST FORM

MEETING DATE: March 26, 2025

Agenda Item #: E.4

SUBJECT: General Obligation Bond Program
DEPARTMENT: City Manager's Office
DATE SUBMITTED: March 21, 2025
SUBMITTED BY: Angela A. Torres, Clerk-Treasurer
WHO WILL PRESENT THE ITEM: Mark Valenzuela, Bosque Advisors, LLC

Summary/Background:

Mark Valenzuela from Bosque Advisors, LLC will review the Series 2025 General Obligation bond #3 – projected amount totaling approximately \$790,000.

Recommendation:

Discussion and review.

Attachments:

- General Obligation Application

Fiscal Impact (Finance):

 Choose an item.

Legal Review (City Attorney):

 Yes

Approved For Submittal By: ☐ Department Director

Reviewed by: ☒ City Clerk ☐ Finance ☐ Legal ☐ Other: [Click here to enter text.](#)

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. - Ordinance No. -

Continued To: - Referred To: -

☐ Approved ☐ Denied ☐ Other: -

File Name: CC Agendas 3-26-25

City of Truth or Consequences, NM

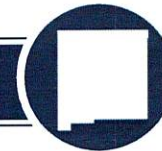
March 26, 2025

General Obligation Bond Program

Mark Valenzuela
Managing Principal
505-910-1081
mark@bosqueadvisorsllc.com

Nathaniel Gomez-Valenzuela
Analyst
505-910-1125
nathaniel@bosqueadvisorsllc.com





General Obligation (GO) Bond Financings

Municipalities are granted the authority from State Constitution to issue debt paid from property taxes:

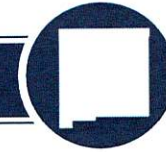
- Bonding Capacity - Constitutional limit is based on assessed values (AV) within municipal boundaries
 - Public Schools: 6% of AV
 - **Cities: 4% of AV**
 - Counties: 4% of AV
 - Community Colleges: 3% of AV
 - Hospital Districts: 3% of AV
- Bonds must be approved via a ballot question placed on a local general election or a mail special election.
- Cities can request voters authorize an amount up to the available bonding capacity.
- Truth or Consequences NM AV: \$ 122,588,985
- TorC Bond Capacity (Gross): \$ 4,903,559
- Bond Cycle Program: Routine Elections, annual bond issuance to provide match funds for funding programs.

CITY OF TRUTH OR CONSEQUENCES General Obligation - Roads: Shall the City of Truth or Consequences, New Mexico be authorized to issue up to \$1,000,000 of general obligation bonds for the purpose of laying off, opening, constructing, repairing, and otherwise improving municipal alleys, streets, public roads and bridges, or any combination thereof?

For 81 percent
Against 19 percent

CITY OF TRUTH OR CONSEQUENCES General Obligation - Water: Shall the City of Truth or Consequences, New Mexico be authorized to issue up to \$2,000,000 of general obligation bonds for the purpose of enlarging, improving or extending the City's water and wastewater system?

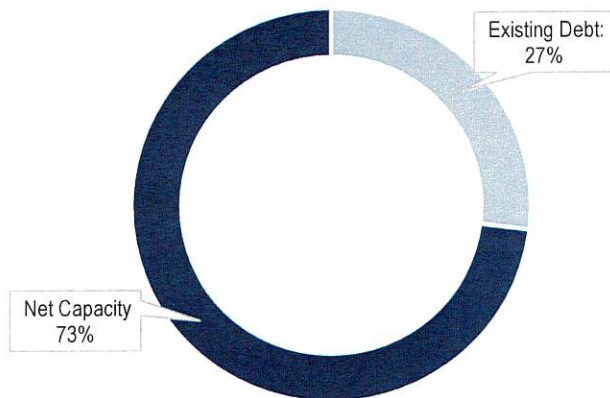
For 84 percent
Against 16 percent



City of Truth or Consequences, Sierra County, NM

Year	County Assessed Value	Residential	Nonresidential	City Total Assessed Valuation	Debt Service Mill Levy	Debt Service Revenue Produced	Bond Capacity
2018	319,657,445	62,938,170	39,423,966	102,362,136	-	-	4,094,485
2019	316,778,014	63,874,068	38,863,587	102,737,655	-	-	4,109,506
2020	320,888,780	64,466,452	39,378,007	103,844,459	-	-	4,153,778
2021	333,793,084	65,597,826	39,290,088	104,887,914	-	-	4,195,517
2022	351,936,213	68,921,991	38,435,762	107,357,753	-	-	4,294,310
2023	352,005,616	73,714,865	38,830,727	112,545,592	-	-	4,501,824
2024	338,703,151	78,928,926	43,660,059	122,588,985	4.535	555,941	4,903,559
Existing Debt:							1,325,000
Net Capacity							3,578,559

Truth or Consequences, NM:
Bonding Capacity



- The City's gross bonding capacity is \$4.903 million.
- The City currently has \$1,325,000 of outstanding General Obligation debt. The two bonds were financed by the New Mexico Finance Authority and will be paid off in 2036 and 2040.
- The City had a bond election in 2022 and got approval from voters to issue 3 million of general obligation bonds. The City has issued 1.58 million and has 1.42 million remaining.



Original Finance Plan - \$3 million voter approved

- Series 2023: \$790,000
- Series 2024: \$790,000
- Series 2025: \$790,000 – Projected
- Series 2026: \$630,000 – Projected

Current General Obligation Debt

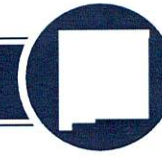
Total Existing Principal: \$ 1,325,000

Total Existing Interest: 238,658

Total Payments To Date: \$ 1,563,658

City of Truth or Consequences - Long Term Bond Program													
Number of Years Calendar Year		Revenue for Debt		2022 Election: \$3 Million			Total Debt Service	Excess Revenue					
		Mill Levy	Property Tax Revenue	Existing Debt Payments	Series 2025	Series 2026							
0	2024	4.535	555,941	288,974	-	-	288,974	266,967					
1	2025	3.500	429,061	280,643	-	-	280,643	148,418					
2	2026	3.500	429,061	87,628	404,500	-	492,128	(63,067)					
3	2027	3.500	429,061	80,930	56,250	376,500	513,680	(84,619)					
4	2028	3.500	429,061	99,385	54,500	39,250	193,135	235,926					
5	2029	3.500	429,061	102,387	52,750	38,000	193,137	235,924					
6	2030	3.500	429,061	100,228	51,000	36,750	187,978	241,084					
7	2031	3.500	429,061	98,063	49,250	35,500	182,813	246,249					
8	2032	3.500	429,061	95,889	47,500	34,250	177,639	251,423					
9	2033	3.500	429,061	103,693	45,750	33,000	182,443	246,618					
10	2034	3.500	429,061	101,118	44,000	31,750	176,868	252,194					
11	2035	3.500	429,061	98,370	42,250	30,500	171,120	257,941					
12	2036	3.500	429,061	101,196	40,500	29,250	170,946	258,116					
13	2037	3.500	429,061	49,784	28,750	18,000	96,534	332,528					
14	2038	3.500	429,061	53,123	27,500	17,250	97,873	331,188					
15	2039	3.500	429,061	56,218	26,250	16,500	98,968	330,093					
16	2040	3.500	429,061	55,000	-	15,750	70,750	358,311					
17	2041	3.500	429,061	-	-	-	-	429,061					
18	2042	3.500	429,061	-	-	-	-	429,061					
19	2043	3.500	429,061	-	-	-	-	429,061					
20	2044	3.500	429,061	-	-	-	-	429,061					
21	2045	3.500	429,061	-	-	-	-	429,061					
22	2046	3.500	429,061	-	-	-	-	429,061					
23	2047	3.500	429,061	-	-	-	-	429,061					
24	2048	3.500	429,061	-	-	-	-	429,061					
		\$	10,853,416	\$	1,852,631	\$	970,750	\$	752,250	\$	3,575,631	\$	7,277,785

*Preliminary, subject to changing market conditions.



City of Truth or Consequences, NM - Series 2025 General Obligation Bonds
\$790,000

Finance Calendar - (Preliminary, Subject to Change)

Date Due	Item or purpose	Notes
Tuesday, February 11, 2025	Discuss plan of finance	City, Bond Advisor
Wednesday, February 26, 2025	DRAFT NMFA Application due for April 2025 Board Meeting	Bond Advisor
Thursday, February 27, 2025	Finalize plan of finance to align with capital projects schedule	City, Bond Advisor
Wednesday, March 26, 2025	Presentation to Commission - Plan for remaining GO Bonds	City, Bond Advisor
Wednesday, September 24, 2025	City Commission adopts NMFA Application Resolution and First Reading of Ordinance with Delegated Authority to City Manager	Bond Counsel, Bond Advisor
Thursday, September 25, 2025	Submit First Reading of Bond Ordinance to Newspaper	Bond Counsel
Friday, September 26, 2025	Publish Bond Ordinance Adoption in Newspaper	<i>Sentinel</i>
Tuesday, October 7, 2025	Submit signed application to NMFA and other information	Bond Advisor
Tuesday, October 14, 2025	Submit draft Bond Ordinance to City with Agenda Item	Bond Counsel
Wednesday, October 22, 2025	City Commission public hearing on Bond Ordinance with Delegated Authority to City Manager	Bond Counsel, Bond Advisor
Thursday, October 23, 2025	Submit Commission adoption of Bond Ordinance to Newspaper	Bond Counsel
Friday, October 24, 2025	Publish Bond Ordinance Adoption in Newspaper - 30-day Statute of Limitations Starts	<i>Sierra County Sentinel</i>
Thursday, October 23, 2025	NMFA distributes loan summary, preliminary debt schedule (DSS), credit assessment	
Thursday, October 23, 2025	NMFA Board Meeting to Approve Loan Application	City, Bond Advisor
Monday, October 27, 2025	Sets Final Interest Rates, Finalize DSS, Bond Purchase Agreement	City, Bond Advisor, NMFA
Monday, October 27, 2025	Review DRAFT Sales Certificate and Bond Ordinance	Bond Advisor, Bond Counsel
Tuesday, October 28, 2025	Final Sales Certificate and Bond Ordinance	City, Bond Counsel
Wednesday, November 12, 2025	Distribute DRAFT Closing Documents	Bond Counsel
Monday, November 17, 2025	Distribute DRAFT Closing Instructions	Bond Advisor
Tuesday, November 18, 2025	Submit Bonding Capacity Certificate to Local Government Division	Bond Advisor
Tuesday, November 18, 2025	Comments on closing documents and closing instructions due	All
Tuesday, November 25, 2025	30-day Limitation of Action Period Expires	
Monday, November 24, 2025	Pre-closing, document signing	All
Tuesday, November 25, 2025	Documents delivered to NMFA Attorneys, NM Department of Justice	Bond Counsel
Monday, December 1, 2025	Distribute Final Closing Instructions and Requisitions	Bond Advisor
Tuesday, December 2, 2025	DFA Local Government Division submits approval	Bond Advisor
Thursday, December 4, 2025	NM Department of Justice submits approval	Bond Counsel
Friday, December 5, 2025	Close transaction	Group

Bosque Advisors, LLC
Municipal Finance & Policy Advisors
New Mexico Public Finance
Albuquerque
(505) 532-2701

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City of Truth or Consequences

AGENDA REQUEST FORM

MEETING DATE: March 26, 2025

Agenda Item #: E.5

SUBJECT: Approval of Purchase Requisitions Over \$60,000
DEPARTMENT: Finance
DATE SUBMITTED: March 20, 2025
SUBMITTED BY: Jordan Javier, CPO
WHO WILL PRESENT THE ITEM: City Manager Whitehead

Summary/Background:

Execution of Contracts; Grant Agreements; Memoranda of Understanding; Joint Powers Agreements; Settlement Agreements; Purchases (Contract and Purchases More Than \$60,000)

Recommendation:

Approval Recommended by Finance Director

Attachments:

- Listing of Purchase Requisitions \$60,000 or More
- Purchase Requisitions, Procurement Documentation

Fiscal Impact (Finance): Choose an item.

As Per Total on Listing of Purchase Requisitions

Legal Review (City Attorney): Choose an item.

[Click here to enter text.](#)

Approved For Submittal By: ☒ Department Director

Reviewed by: ☒ City Clerk ☒ Finance ☒ Legal ☐ Other: [Click here to enter text.](#)

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. [Click here to enter text.](#) Ordinance No. [Click here to enter text.](#)

Continued To: [Click here to enter a date.](#) Referred To: [Click here to enter text.](#)

☐ Approved ☐ Denied ☐ Other: [Click here to enter text.](#)

File Name: CC agendas 3-26-25



City of Truth or Consequences

AGENDA REQUEST FORM

MEETING DATE: March 26, 2025

SUBJECT: MEAL TRUCK FOR SJOA
DEPARTMENT: Finance
DATE SUBMITTED: March 19, 2025
SUBMITTED BY: Jordan Javier, Chief Procurement Officer
WHO WILL PRESENT THE ITEM: Jordan Javier, Chief Procurement Officer

Summary/Background:

- The City is the Fiscal Agent for the SJOA Senior Center and they would like to purchase a meal truck.
- Purpose of the meal truck is to distribute hot and cold food to seniors residing in Sierra County.
- Statewide Price Agreement #40-00000-24-00068.
- Proposal #031725-1 for the truck is \$83,171.00
- Grants funded A23H-22062 and A24I-2021.
- Requesting purchase approval, pending NOO grant approval from Aging and Long-Term Services Department.

Recommendation:

Approval Recommended by Finance Director

Attachments:

- Letter from Chief Procurement Officer
 - See Attached
- [Click here to enter text.](#)

Fiscal Impact (Finance): Yes

40-

The fiscal impact of this purchase will be the use of grants A23H-2062 and A24I-2021.

Legal Review (City Attorney): Choose an item.

N/A

Approved For Submittal By: ☒ Department Director

Reviewed by: ☒ City Clerk ☒ Finance ☐ Legal ☐ Other: [Click here to enter text.](#)

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. [Click here to enter text.](#) Ordinance No. [Click here to enter text.](#)

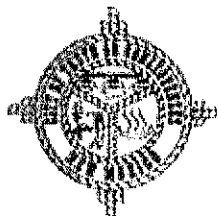
Continued To: [Click here to enter a date.](#) Referred To: [Click here to enter text.](#)

☐ Approved ☐ Denied ☐ Other: [Click here to enter text.](#)

File Name: CC agendas 03/26/2025



ORIGINAL



REQUISITION

Requisition #: 94148

Date: 03/18/2025

Vendor #: 8145

ISSUED TO: CHALMERS FORD INC.
2500 RIO RANCHO BLVD SE
RIO RANCHO, NM 87124-

SHIP TO: City of Truth or Consequences
505 Sims St.
Truth or Consequences, NM 87901

ITEM	UNITS DESCRIPTION	PROJECT #	PRICE GL ACCOUNT NUMBER	AMOUNT
1	0 2025 FOR F150 1/2 TON WITH HOT/COL		0.00 304-7039-80810	31,617.00
			304-7049-80810	51,554.50

PO Description: MEAL TRUCK SJOA

Detailed Description:

WAITING ON NOO

WAITING ON DFA BAR APPROVAL

STATE PRICE AGREEMENT 40-00000-24-00068

SJOA GRANT AGREEMENT A23H-2062

SJOA GRANT AGREEMENT A24-I2021

SEE ATTACH FOR QUOTE, SPA, AND GRANTS

COMM DEV

Authorized By: _____

SUBTOTAL:	83,171.50
TOTAL TAX:	0.00
SHIPPING:	0.00
TOTAL	83,171.50

*Rolf Hechler
Mayor*

*Amanda Forrister
Mayor Pro-Tem*

*Merry Jo Fahl
Commissioner*



*505 Sims St.
Truth or Consequences, New Mexico 87901
P: 575-894-6673 ♦ F: 575-894-7767
www.torcnm.org*

*Destiny Mitchell
Commissioner*

*Ingo Hoepfner
Commissioner*

*Gary Whitehead
City Manager*

March 19, 2025

To City Mayor, Pro-Tem and Commissioners,

RE: SJOA MEAL TRUCK STATEWIDE PRICE AGREEMENT# 40-00000-24-00068

The following reviews with the City of Truth or Consequences and the Sierra Joint Office on Aging. SJOA is requesting the City of T or C as their fiscal agent to purchase a meal truck for the Senior Center. The purpose the meal truck is to provide hot and cold food to the Senior Citizens residing in Sierra County. For purchasing, the truck and modification fall under Statewide Price Agreement #40-00000-24-00068. The price of the truck is \$83,171.50. Funding for the purchase will come from two grants A24I2021 AND A232062. Approval of the purchase is being requested pending the approval of NOO from Aging and Long-Term Service Department.

GRANTS A24I2021 AND A232062

Total Cost \$ 83,171.50

Please, review the attached documents and approve the requested procurement. Thank you.

Regards,

Jordan Javier
Chief Procurement Officer

Commission Approved: Yes ☐ No ☐ Tabled ☐

 **ORIGINAL**

Date of Approval/ Denied/ Tabled: _____

Notes: _____ PO # _____

PURCHASE REQUISITION APPROVAL

2024-25 Fiscal Year

COMMISSION MEETING 03/26/2025

Number	Vendor Name	Description	Requested By	Department	Total Amount	Procurement Type
94021	CHALMERS FORD	SJOA MEALTRUCK	Traci Alvarez	Community Development	\$ 83,171.50	SPA #40-00000-24-00068
		SEE ATTACH: QUOTE, STATE PRICE AGREEMENT, GRANTS				

\$ 83,171.50

ATTEST:

Angela Torres, Clerk-Treasurer Date

Rolf Hechler, Major Date

 ORIGINAL



2500 Rio Rancho Blvd
Rio Rancho, NM 87124

RECEIVED MAR 20 2025
RECEIVED MAR 20 2025
J.F.

Proposal

QUOTE TO: SJOA
Attn: Crystal Walton

PROPOSAL # 031725-1
PROPOSAL DATE March 17th, 2025
MEMBER PO #.
TERMS Due on Receipt
SALES REP Diego Martinez
SHIPPED VIA Pick UP
F.O.B.
PREPAID or COLLECT

SHIPPED TO:

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
	Statewide Price Agreement #: 40-00000-24-00068		
1	Item #13, Pickup 1/2 Ton ICE / Single, Extended Cab.	\$ 45,970.00	\$ 45,970.00
	2025 Ford F150 Regular Cab XL 4x4		\$ -
	Options:		\$ -
	- 5.0L V8 Gas Engine		\$ -
	- 10 Speed Transmission		\$ -
	- 17" Steel Wheels		\$ -
	- Running Boards		\$ -
	- All Weather Mat		\$ -
	- Backup Alarm		\$ -
1	NMSPA Discount 5%	\$ (2,298.50)	\$ (2,298.50)
	Item #27 Up-Fitting for all types of new vehicles purchased under this price agreement		
	10% Discount MSRP\$43,890.00		
1	- Delivery Concepts HOT/COLD Body	\$ 39,500.00	\$ 39,500.00
		SUBTOTAL	83,171.50
Units on order, ETA May			
Subject to Prior Sale			
DIRECT ALL INQUIRIES TO: Diego Martinez 505.712.3913 dmartinez@chalmersford.com			\$83,171.50 PAY THIS AMOUNT



**COMMERCIAL
VEHICLE CENTER**

**STATE OF NEW MEXICO
DEPARTMENT OF AGING AND LONG-TERM SERVICES
FUND 89200 CAPITAL APPROPRIATION PROJECT**

THIS AGREEMENT is made and entered into as of this ^{26th}~~14th~~ day of ~~February~~^{July}, 2024, by and between the Department of Aging & Long-Term Services, hereinafter called the “Department” or abbreviation such as “ALTSD”, and City of Deming, hereinafter called the “Grantee”. This Agreement shall be effective as of the date it is executed by the Department.

RECITALS

WHEREAS, in the Laws of 2023, Chapter 199, Section 04, Paragraph 59, the Legislature made an appropriation to the Department, funds from which the Department is making available to the Grantee pursuant to this Agreement; and

WHEREAS, the Department is granting to Grantee, and the Grantee is accepting the grant of, funds from this appropriation, in accordance with the terms and conditions of this Agreement; and

WHEREAS, State Agency on Aging (28-4-1 to 28-4-9 NMSA 1978: successor agency, Aging and Long-Term Services Department (9-23-1 to 9-23-12 NMSA 1978) may enter into grants and contracts as appropriated by law.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and obligations contained herein, the parties hereby mutually agree as follows:

ARTICLE I. PROJECT DESCRIPTION, AMOUNT OF GRANT AND REVERSION DATE

A. The project that is the subject of this Agreement is described as follows:

A23H2062 \$31,617

APPROPRIATION REVERSION DATE: 30-JUN-2025

Laws of 2023, Chapter 199, Section 04, Paragraph 59, thirty-one thousand six hundred seventeen dollars, \$31,617, to purchase and equip vehicles for the Ken James senior center in Truth or Consequences in Sierra county;

The Grantee’s total reimbursements shall not exceed **thirty-one thousand six hundred seventeen dollars, \$31,617** (the “Appropriation Amount”) minus the allocation for Art in Public Places (“\$0”)¹, if applicable, zero dollars, which equals thirty-one thousand six hundred seventeen dollars (the “Adjusted Appropriation Amount”).

¹ The AIPP amount is “an amount of money equal to one percent or two hundred thousand dollars (\$200,000), whichever is less, of the amount of money appropriated for new construction or any major renovation exceeding one hundred thousand dollars (\$100,000).” Section 13-4A-4 NMSA 1978.

**STATE OF NEW MEXICO
AGING AND LONG-TERM SERVICES DEPARTMENT
FUND 89200 CAPITAL APPROPRIATION PROJECT**

THIS AGREEMENT is made and entered into as of this 20th day of February, 2025, by and between the Department Aging and Long-term Services Department, hereinafter called the "Department" or abbreviation such as "ALTSD, and City of Truth or Consequences, hereinafter called the "Grantee". This Agreement shall be effective as of the date it is executed by the Department.

RECITALS

WHEREAS, in the Laws of 2023, Chapter 66, Section 4, Paragraph 13, the Legislature made an appropriation to the Department, funds from which the Department is making available to the Grantee pursuant to this Agreement; and

WHEREAS, the Department is granting to Grantee, and the Grantee is accepting the grant of, funds from this appropriation, in accordance with the terms and conditions of this Agreement; and

WHEREAS, State Agency on Aging (28-4-1 to 28-4-9 NMSA 1978): successor agency, Aging and Long-Term Services Department (9-23-1 to 9-23-12 NMSA 1978) may enter into grants and contracts as appropriated by law.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and obligations contained herein, the parties hereby mutually agree as follows:

ARTICLE I. PROJECT DESCRIPTION, AMOUNT OF GRANT AND REVERSION DATE

A. The project that is the subject of this Agreement is described as follows:

A24I2021 Vehicles APPROPRIATION REVERSION DATE: 6/30/2026
[Laws of 2023, Chapter 66, Section 4, Paragraph 13], Sixty Thousand Eight Hundred Eighty-Three Dollars (\$60,883.00), to Purchase and equip vehicles for the Ken James Senior Center in the City of Truth or Consequences.

The Grantee's total reimbursements shall not exceed Sixty Thousand Eight Hundred Eighty-Three Dollars (\$60,883.00), minus the allocation for Art in Public Places, \$0¹, if applicable, which equals Sixty Thousand Eight hundred eighty-three dollars (\$60,883.00), (the "Adjusted Appropriation Amount").

In the event of a conflict among the Appropriation Amount, the Reversion Date, as defined herein and/or the purpose of the Project, as set forth in this Agreement, and the corresponding appropriation language in the laws cited above in this Article I(A), the language of the laws cited herein shall control.

¹ The AIPP amount is "an amount of money equal o one percent or two hundred thousand dollars (\$200,000), whichever is less of the amount of money appropriated for new construction or any major renovation exceeding one hundred thousand dollars (\$100,000)." Section 13-4A-4 NMSA 1978.



**State of New Mexico
General Services Department
Purchasing Division**

RECEIVED MAR 20 2025

J. J.

Statewide Price Agreement Amendment

**Awarded Vendor:
13 Vendors**

Number: 40-00000-24-00068

Amendment No.: One

Term: August 6, 2024 – August 5, 2025

Ship To:
All State of New Mexico agencies, commissions,
institutions, political subdivisions and local
public bodies allowed by law.

Procurement Specialist: Jessica Chavez

Telephone No.: (505) 500-9824

Email: Jessica.Chavez@gsd.nm.gov

Invoice:
As Requested at Time of Order

Title: Automotive Vehicles

This amendment is to be attached to the respective Price Agreement and become a part thereof.

Please see the revised items on the following pages.

Except as modified by this amendment, the provisions of the Price Agreement shall remain in full force and effect.

Accepted for the State of New Mexico

Dorothy Mendonca
Dorothy Mendonca
New Mexico State Purchasing Agent

Date: 9/20/2024

State of New Mexico
General Services Department
Purchasing Division
Statewide Price Agreement #: 40-00000-24-00068

Page-6

Awarded Vendors:

(AA) 0000132535
BJW Ventures LLC. dba Accessories Unlimited
2322 Candelaria NE
Albuquerque New Mexico 87107
Jordan Liesener
505-888-5811
Ginger@wacupfitters.com

Delivery: 2322 Candelaria NE, Albuquerque New Mexico 87107

(AB) 0000047770
Albuquerque Motor Company
9621 Coors Blvd NW
Albuquerque, NM 87114
Jason Sanchez
505-907-2483
jsanchez@melloydodge.com

Delivery: Approx 60-120 days on ordered vehicles

(AC) 0000049896
Bob Turner's Ford Country dba Power Ford
1101 Montano Rd NE
Albuquerque, NM 87107
Manuel Beltran
(505) 449-1268
mbeltran@myforddealer.com

Delivery: Albuquerque and Santa Fe

(AD) 0000045857
Clark Truck Equipment Co.
PO Box 3483
Albuquerque, Nm 87190
Kevin Stacy
505-880-8222
Kevin@cte-nm.com

Delivery: As Requested

(AE) 0000094627
Construction Truck Equipment, LLC
PO Box 16020
Albuquerque, NM 87191
David Frederick
(505) 292-8018
dfrederick747@gmail.com

Delivery: As Required

(AF) 0000051541
Don Chalmers Ford
2500 Rio Rancho Dr SE
Rio Rancho, NM 87124
Mike Michnuk
505 897-2227
mmichnuk@chalmersford.com

Delivery: 2500 Rio Rancho Dr SE Rio Rancho, NM 87124



City of Truth or Consequences

AGENDA REQUEST FORM

MEETING DATE: March 26, 2025

SUBJECT: MSD CHANGE ORDER 13 SMITHCO (COR 33)
DEPARTMENT: Finance
DATE SUBMITTED: March 19, 2025
SUBMITTED BY: Jordan Javier, Chief Procurement Officer
WHO WILL PRESENT THE ITEM: Jordan Javier, Chief Procurement Officer

Summary/Background:

- In 2022 the City issued an Invitation to Bid for the Main Street District Water System Improvements under a USDA project.
- Change Order 13 reinstates items previously removed in change orders 10, 11, and 12 and ensures the establishment of a fully operational supervisory control and data acquisition (SCADA) system.
- The cost of change order 13 will be \$44,508.92 in.
- Change orders 10, 11, and 12 were approved by USDA in 2024.
- Change Order 13 was approved by the USDA and the use of Capital Appropriation approved NMED approved

Recommendation:

Approval Recommended by Finance Director

Attachments:

- Letter from Chief Procurement Officer
- See Attached
[Click here to enter text.](#)

Fiscal Impact (Finance): Yes

Change Order 13 will change increase cost of the project from \$382,318.58 to \$426,827.50 from the SAP Grant 24-I2460-GF and will add the Supervisory Control and Data Acquisition (SCADA) control system.

Legal Review (City Attorney): Choose an item.
N/A

Approved For Submittal By: ☒ Department Director

Reviewed by: ☒ City Clerk ☒ Finance ☐ Legal ☐ Other: [Click here to enter text.](#)

Final Approval: ☒ City Manager

CITY CLERK'S USE ONLY - COMMISSION ACTION TAKEN

Resolution No. [Click here to enter text.](#) Ordinance No. [Click here to enter text.](#)

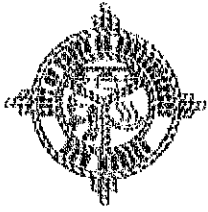
Continued To: [Click here to enter a date.](#) Referred To: [Click here to enter text.](#)

☐ Approved ☐ Denied ☐ Other: [Click here to enter text.](#)

File Name: CC agendas 03/26/2025



ORIGINAL



REQUISITION

Requisition #: 94021

Date: 02/27/2025

Vendor #: 3592

ISSUED TO: SMITHCO CONSTRUCTION INC
P.O. BOX 45
CABALLO, NM 87931

SHIP TO: City of Truth or Consequences
505 Sims St.
Truth or Consequences, NM 87901

ITEM	UNITS DESCRIPTION	PROJECT #	PRICE GL ACCOUNT NUMBER	AMOUNT
1	0 MSD CHANGE ORDER 13		0.00 380-7034-80860	426,827.50
PO Description: MSD WATERLINE PROJECT CHANGE ORDER 13				
Detailed Description: PENDING COMMISSION APPROVAL 03/26/2025 MSD USDA WATERLINE PROJECT FUNDING SHORTFALL CHANGE ORDER 13 PROJECT WILL BE FUNDED WITH CAPITAL APPROPRIATION APPROVED FROM NMED CHANGE ORDER 13 WILL REINSTATE PREVIOUS REMOVED ITEM IN OLDER CHANGE ORDER 10, 11,1 AND 12 SEE ATTACH FOR AWARD LETTER, GRANT AGREEMENT, SCOPE OF WORK, CHANGE ORDER 13, AND APPROVAL OF OBLIGATION OF FUNDS COMMU DEV				

Authorized By: _____

SUBTOTAL:	426,827.50
TOTAL TAX:	0.00
SHIPPING:	0.00
TOTAL	426,827.50

*Rolf Hechler
Mayor*

*Amanda Forrister
Mayor Pro-Tem*

*Merry Jo Fahl
Commissioner*



*505 Sims St.
Truth or Consequences, New Mexico 87901
P: 575-894-6673 ♦ F: 575-894-7767
www.torcnm.org*

*Destiny Mitchell
Commissioner*

*Ingo Hoeppner
Commissioner*

*Gary Whitehead
City Manager*

March 19, 2025

To City Mayor, Pro-Tem and Commissioners,

RE: SMITHCO PROJECT NO. 19-600-205-00 CHANGE ORDER 13

The following reviews with the City Manager, the Community Development Department, Purchasing Department, Vendors Wilson & Company and Smithco Construction. In 2022 the City of Truth or Consequences issued an invitation to bid for the Main Street District Water System Improvements. During this project Wilson & CO submitted Change Order 13 for Smithco which reinstates items previously in change orders 10, 11, and 12. Including the reinstated items, change order 13 also ensures the establishment of a fully operational Supervisory Control and Data Acquisition (SCADA) control system. With the reinstated items and SCADA system it amounts to \$44,508.92. This will change the Project from \$382,318.58 to \$426,827.50. Change Order 13 was approved from the USDA and allowed to be with Capital Appropriation on 02-24-2025 from NMED.

SAP GRANT 24-I2460-GF

Total Cost \$ 426,827.50

Please, review the attached documents and approve the requested procurement. Thank you.

Regards,


Jordan Javier
Chief Procurement Officer

Commission Approved: Yes ☐ No ☐ Tabled ☐

Date of Approval/ Denied/Tabled: _____

Notes: _____ PO # _____



PURCHASE REQUISITION APPROVAL

2024-25 Fiscal Year

COMMISSION MEETING 03/26/2025

Number	Vendor Name	Description	Requested By	Department	Total Amount	Procurement Type
94021	SMITHCO	MSD WATERLINE PROJECT CHANGE ORDER 13	Traci Alvarez	Community Development	\$ 426,827.50	BID
		SEE ATTACH: SCOPE OF WORK ANF CHANGE ORDER 13				

\$ 426,827.50

ATTEST:

Angela Torres, Clerk-Treasurer

Date

Rolf Hechler, Major

Date

 ORIGINAL



Smithco Construction, Inc.

6 King Canyon Loop

Caballo, NM 87931

P.) 575-894-6161 F.) 575-894-6012 E.) smithco@smithco.cc

Change Order Request (COR 33)

February 13, 2024

Mark Nasi
Wilson & Company Inc
4401 Masthead St NE Suite 150
Albuquerque, NM 87109
P. (505) 348-4170
Mark.nasi@wilsonco.com

RE: Truth or Consequences MSD Water System Improvements – COR 33 LE Electric Additional Costs

Dear Mark:

Smithco Construction, Inc. submits the following Change Order Request for the referenced project for the time and materials associated with electrical delays that have occurred during the course of the project.

Total amount of this Request: \$44,508.92

This change will require an **additional 0 calendar days** be added to the contract time.

Please feel free to contact me with any questions regarding this request.

Thank you,

Quaid Muncy

Truth or Consequences MSD Water System Improvements
COR #33 LE Electric Costs

Summary Sheet

Sheet	Description	EA
1	LE Electric Additional Costs	\$ 43,851.15
2		\$ -
	Extended Supplemental Costs	\$ -
	Extended Home Office Overhead	
	Performance & Payment Bonds @ 1.5%	\$ 657.77
Total Amount of this Request**		\$ 44,508.92
Total Additional Calendar Days of this Request**		0.00

*Detailed Breakdown Attached

***This request only accounts for and includes known costs and schedule impacts at this time.
Smithco reserves all rights and claims to all future costs and impacts related to this change and time extension.*

CHANGE ORDER NO.:13

Owner:	City of Truth or Consequences	Owner's Project No.:	PO No.76940
Engineer:	Wilson & Company, Inc.	Engineer's Project No.:	19-600-205-22
Contractor:	Smithco Construction, Inc.	Contractor's Project No.:	536-22
Project:	Main Street District Waterlines Replacement		
Contract Name:	Main Street District Waterlines Replacement		
Date Issued:	01/20/2025	Effective Date of Change Order:	01/20/2025

The Contract is modified as follows upon execution of this Change Order:
Description:

This Change Order Request is being submitted by Wilson & Company, Inc. for the Main Street District Project to reinstate items previously removed in Change Orders 10, 11, and 12. The reinstatement of these items, for which the city has agreed to provide additional funding, will encompass the completion of all electrical and control systems that were initially excluded from the project scope. This change order ensures the establishment of a fully operational Supervisory Control and Data Acquisition (SCADA) control system, delivering a comprehensive and functional solution aligned with the project's objectives. Specific line items and their associated quantities as detailed below:

	ELECTRICAL DESCRIPTION	QTY	COST ASSOCIATED
10	SCADA Allowance	LS	\$150,000.00
62	<u>Well 1 Demolition and Installation, CIP</u>		
62.1	Mobilization	LS	\$1,200.00
62.2	Materials Delivered	LS	\$2,982.36
62.3	Demolition	LS	\$4,200.00
62.6	Instrumentation	LS	\$1,200.00
63	<u>Well 2 Demolition and Installation, CIP</u>		
63.1	Mobilization	LS	\$1,400.00
63.2	Materials Delivered	LS	\$2,000.00
63.3	Demolition	LS	\$7,680.00
63.6	Service Equipment Installed	LS	\$200.00
63.7	Instrumentation	LS	\$860.00
64	<u>Well 6 Demolition and Installation, CIP</u>		
64.1	Mobilization	LS	\$2,640.00
64.2	Materials Delivered	LS	\$360.00
64.3	Demolition	LS	\$7,920.00
64.4	Instrumentation	LS	\$2,550.00
65	<u>Well 7 Demolition and Installation, CIP</u>		
65.1	Mobilization	LS	\$2,850.00
65.2	Materials Delivered	LS	\$360.00
65.3	Demolition	LS	\$7,920.00
65.4	Instrumentation	LS	\$2,550.00
67	<u>Morgan St. Demolition and Installation, CIP</u>		
67.1	Mobilization	LS	\$2,040.00
67.2	Materials Delivered	LS	\$421.46
67.3	Demolition	LS	\$3,000.00
67.6	Instrumentation	LS	\$27,878.41

	<u>ELECTRICAL DESCRIPTION</u>	<u>QTY</u>	<u>COST ASSOCIATED</u>
68	<u>Cemetery St. Demolition and Installation, CIP</u>		
68.1	Mobilization	LS	\$3,060.00
68.2	Materials Delivered	LS	\$2,672.63
68.3	Demolition	LS	\$7,500.00
68.4	Underground Installed	LS	\$200.00
68.5	Racks & Equipment Installed	LS	\$220.00
68.6	Instrumentation	LS	\$27,853.70
69	<u>Cook St. Demolition and Installation, CIP</u>		
69.1	Mobilization	LS	\$1,500.00
69.2	Materials Delivered	LS	\$55,200.02
69.5	Racks & Equipment Installed	LS	\$900.00
69.7	Instrumentation	LS	\$51,000.00
	<u>TOTAL COST ASSOCIATED</u>		\$382,318.58

COR-95 Bypass Pumping

Smithco Construction, Inc. submits the following Change Order Request for the referenced project for the time and materials associated with electrical delays that have occurred during the course of the project.

Total Amount of this Request: \$44,508.92

TOTAL CHANGE ORDER AMOUNT OF \$426,827.50 EXCLUDING NMGR

This change order requires an additional 90 calendar day to be added to the contract time.

AGREEMENT BETWEEN OWNER AND CONTRACTOR FOR CONSTRUCTION CONTRACT (STIPULATED PRICE)

This Agreement is by and between [ty of Truth or Consequences] ("Owner") and [Smithco Construction, Inc.] ("Contractor").

Terms used in this Agreement have the meanings stated in the General Conditions and the Supplementary Conditions.

Owner and Contractor hereby agree as follows:

ARTICLE 1—WORK

- 1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

The project is to replace 9,415 feet of waterline in the Main Street District (MSD) of the City of Truth or Consequences with 6, 8, 12 and 18-inch PVC waterline via open trench. All service connections will be replaced with new service lines, meter cans, and meters. Upgrades to the Cook Street Booster Station site to include a gas chlorination system, VFD booster pumps with electrical, meter, and chlorination injection vaults.

ARTICLE 2—THE PROJECT

- 2.01 The Project, of which the Work under the Contract Documents is a part, is generally described as follows: **Main Street District (MSD) Water System Improvements**

ARTICLE 3—ENGINEER

- 3.01 The Owner has retained **Wilson & Company, Inc., Engineers & Architects** ("Engineer") to act as Owner's representative, assume all duties and responsibilities of Engineer, and have the rights and authority assigned to Engineer in the Contract.
- 3.02 The part of the Project that pertains to the Work has been designed by **Wilson & Company, Inc., Engineers & Architects** ("Engineering").

ARTICLE 4—CONTRACT TIMES

- 4.01 *Time is of the Essence*

A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

- 4.02 *Contract Times: Days*

A. The Work will be substantially complete within [360] days after the date when the Contract Times commence to run as provided in Paragraph 4.01 of the General Conditions, and completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions within [30] days after the date when the Contract Times commence to run.

STATE OF NEW MEXICO
CAPITAL GRANT PROJECT
INITIAL Notice of Obligation to Reimburse Grantee # 1

DATE: 2/24/2025
TO: Grantee: Truth or Consequences, City of
Grantee Official Representative: Traci Alvarez
FROM: Department Representative: Steven Deal
SUBJECT: Notice of Obligation to Reimburse Grantee
Project Number: SAP 24-I2460-GF

As the designated representative of the Department for Grant Agreement number SAP 24-I2460-GF entered into between Grantee and the Department, I certify that the Grantee has submitted to the Department the following third party obligation executed, in writing, by the third party's authorized representative:

Vendor or Contractor:	<u>Wilson & Company-Combine 3 Projects, including Waterline on Broadway</u>
Third Party Obligation Amount:	<u>\$456,137.18</u>
Termination Date:	<u>9/20/2025</u>

Vendor or Contractor:	<u>Smithco Construction Inc-Main Street District Waterline Replacement</u>
Third Party Obligation Amount:	<u>\$426,827.50</u>
Termination Date:	<u>6/2/2025</u>

I certify that the State is issuing this Notice of Obligation to Reimburse Grantee for permissible purposes within the scope of the project description, subject to all the terms and conditions of the above referenced Grant Agreement.

Appropriation Amount (adjusted for AIPP if applicable)	<u>\$4,400,000.00</u>
The Amount of this Notice of Obligation:	<u>\$882,964.68</u>

Note: Contract amounts may exceed the total grant amount, but the invoices paid by the grant will not exceed the grant amount.

Department Rep. Approver:	<u>Erika Martinez</u>	Digitally signed by Erika Martinez
Title:	<u>Capital Outlay Manager</u>	
Signature:	<u>Erika Martinez</u>	Date: 2025.02.24 11:37:07
Date:	<u>2/24/2025</u>	-07'00'

"Reimburse" as used throughout this Notice of Obligation to Reimburse includes Department payments to the Grantee for invoices received, but not yet paid, by the Grantee from a third party contractor or vendor, if the invoices comply with the provisions of the Grant Agreement and are a valid liability of the Grantee.

NOTICE OF AWARD

Date of 08/31/2022
Owner: City of Truth or Consequences Owner's Project No.: 19-600-205-00
Engineer: Wilson & Company, Engineers and Architects, Inc. Engineer's Project No.: 19-600-205-00
Project: Main Street District (MSD) Water System Improvements
Contac Name: Main Street District (MSD) Water System Improvements
Bidder: Smithco Construction, Inc.
Bidder's 6 King Canyon Loop, Caballo, New Mexico, 87931

You are notified that the Owner has accepted your Bid dated 08/31/2022 for the above Contract and that you are the Successful Bidder and are awarded a Contract for:

The Base bid \$6,851,722.59. The owner reserves the right to add a portion of the base Additive Alternate 1 and base Alternate 2 at a later date as funding allows.

The Contract Price of the awarded Contract is \$[\$6,851,722.59]. Contract Price is subject to adjustment based on the provisions of the Contract, including but not limited to those governing changes, Unit Price Work, and Work performed on a cost-plus-fee basis, as applicable.

[5] unexecuted counterparts of the Agreement accompany this Notice of Award, and one copy of the Contract Documents accompanies this Notice of Award, or has been transmitted or made available to Bidder electronically.

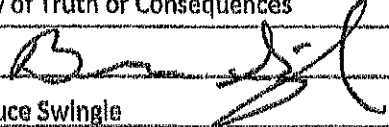
☐ Drawings will be delivered separately from the other Contract Documents.

You must comply with the following conditions precedent within 15 days of the date of receipt of this Notice of Award:

1. Deliver to Owner [5] counterparts of the Agreement, signed by Bidder (as Contractor).
2. Deliver with the signed Agreement(s) the Contract security (such as required performance and payment bonds) and Insurance documentation, as specified in the Instructions to Bidders and in the General Conditions, Articles 2 and 6.
3. Other conditions precedent (if any):

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within 10 days after you comply with the above conditions, Owner will return to you one fully signed counterpart of the Agreement, together with any additional copies of the Contract Documents as indicated in Paragraph 2.02 of the General Conditions.

Owner: City of Truth or Consequences
By (signature): 
Name (printed): Bruce Swingle
Title: City Manager
Copy: Engineer

**STATE OF NEW MEXICO
ENVIRONMENT DEPARTMENT
CAPITAL APPROPRIATION PROJECT
T OR C WATER DISTRIBUTION LINE RPLC
SAP 24-I2460-GF**

THIS AGREEMENT between the New Mexico Environment Department hereinafter called the "Department" or NMED, and City of Truth or Consequences hereinafter called the "Grantee" becomes effective on the date signed by the NMED.

RECITALS

WHEREAS, in the Laws of 2024, Chapter 66, Section 20, Subsection 106 the Legislature made an appropriation to the Department, funds from which the Department is making available to the Grantee pursuant to this Agreement; and

WHEREAS, the Department is granting to Grantee, and the Grantee is accepting the grant of, funds from this appropriation, in accordance with the terms and conditions of this Agreement; and

WHEREAS, NMED is empowered pursuant to Section 74-1-6 B, NMSA 1978 to contract in its own name.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and obligations contained herein, the parties hereby mutually agree as follows:

ARTICLE I. PROJECT DESCRIPTION, AMOUNT OF GRANT AND REVERSION DATE

A. The project that is the subject of this Agreement is described as follows:

SAP 24-I2460-GF \$4,400,000.00 APPROPRIATION REVERSION DATE: June 30, 2028

Laws of 2024, Chapter 66, Section 20, Subsection 106, Four Million Four Hundred Thousand Dollars, (\$4,400,000.00), from the General Fund to plan, design and construct water system improvements, including replacement of water distribution lines, in Truth or Consequences in Sierra county;

The Grantee's total reimbursements shall not exceed Four Million Four Hundred Thousand Dollars, \$4,400,000.00 (the "Appropriation Amount") minus the allocation for Art in Public Places ("AIPP amount")¹, if

¹ The AIPP amount is "an amount of money equal to one percent or two hundred thousand dollars (\$200,000), whichever is less, of the amount of money appropriated for new construction or any major renovation exceeding one hundred thousand dollars (\$100,000)." Section 13-4A-4 NMSA 1978.

A RESOLUTION AUTHORIZING THE ASSIGNMENT OF AUTHORIZED OFFICER(S) AND AGENT(S)
Resolution 12 24/25

Whereas, the City Commission of the City of Truth or Consequences of Sierra County of the State of New Mexico shall enter into a Grant Agreement with the State of New Mexico Environment Department, and

Whereas, the Agreement is identified as Project Number SAP 24-12460-GF

NOW THEREFORE, BE IT RESOLVED by the named applicant that:

Rolf Hechler, Mayor, or successor is authorized to sign the Grant Agreement for this project, and

Angie Gonzales – City Manager and Traci Alavarez – Assistant City Manager, or successor is the OFFICAL REPRESENTATIVE(S) who is authorized to sign all other documents necessary to fulfill the Grant Agreement and the requirements (Project Description, Disbursements and to act as the project contact), and

Traci Alavarez, Assistant City Manager, or successor is the Capital Projects Monitoring System (CPMS) contact who is designated to update the CPMS database monthly per Article VIII. A. of the Intergovernmental Grant Agreement.

Traci Alvarez - Assistant City Manager, or successors is the CONTACT who is designated to receive Notice of Obligations (NOO(S)).

PASSED, APPROVED, AND ADOPTED: August 14th, 2024

Rolf Hechler, Mayor, City of Truth or Consequences, NM

(Signature)

Date

(SEAL)

ATTEST:

(Municipal Clerk)