

**CITY COMMISSION SPECIAL WORKSHOP MINUTES
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO
CITY COMMISSION CHAMBERS, 405 W. 3RD St.
WEDNESDAY, SEPTEMBER 24, 2025**

A. CALL TO ORDER:

The meeting was called to order by Mayor Rolf Hechler at 5:30 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 was absent
Hon. Destiny Mitchell, Commissioner
Hon. Merry Jo Fahl, Commissioner
Hon. Ingo Hoepfner, Commissioner

Also Present: Gary Whitehead, City Manager
Traci Alvarez, Assistant City Manager
Jocelyn Holguin, Finance Director
Angela A. Torres, City Clerk-Treasurer
Tyler Knull, Code Enforcement Officer
Luis Tavizon, Chief of Police
Tara Manning, Animal Shelter Supervisor

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

2. 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.

C. WORKSHOP:

- 1. Workshop regarding Ordinance No. 771 amending Chapter 3 of the Municipal Code of Ordinances pertaining to animals.**

a. Staff Overview & Commission Comments.

City Manager Whitehead: Under normal circumstances, an ordinance would be published for fifteen days before consideration and voting, but in this case, we have published it for sixty days. Our intent was to receive as much public feedback as we could to give the process as much light as we possibly can. We want to really give Tyler a lot of credit; this is a program he's worked on. We felt that we wanted to let that come before you and then take comments, changes, and those from the public. What we will say is that after tonight, we will go back, take feedback and begin to draft and create what we think is the final draft. If the final draft is still within the 60-day window and we are able to take action, that could happen as early as November. If we feel like we just want to finish the draft and then republish for a new 15-day window, then potentially we would do that in November, republish it, and then take action in December. So we are certainly not looking for a quick action on this, again, we are looking for as much feedback as possible. I'm going to allow Tyler to talk about the ordinance, he's made some changes and recommendations as he's received feedback, and then we will begin to take comments.

Tyler Knull, Code Enforcement Officer: I just want to reiterate, the reason that we have even looked at revising our chapter three is due to legal loopholes, legal gray areas that we were running into, definitions weren't quite up to par with what the courts needed to prosecute cases, there were just a lot of issues we were running into with something being too vague or something being too ambiguous. Other changes that have been made are changes to the penalties; we've adjusted penalties to be a little bit more considerate of situations. At the end of the day, we don't want to criminalize people for dogs getting out, things happen. We have kept some of the same penalties for animal cruelty, we want to make sure that those are a little bit more stiff. Animal cruelty, personally, for me, I've enforced a lot of really bad animal cruelty cases, and I don't really have a lot of room for animal cruelty. Other things like nuisances and things that people can work on and come together on. I've adjusted the penalty to be between \$24 and \$200 maximum, at the court's discretion, with certain things. Ms. Vankavage from Best Friends Animal Society has also brought to my attention that there were a few situations in there that were interfering with judicial independence, where it said that a fine couldn't be taken under advisement by the court, and it has to be issued by the court. There were no suspensions, deferrals, anything like that, and that interfered with judicial independence. So those sections have been removed to allow the judge to have that discretion. Other things that have been brought to my attention that aren't in the packet are community cat programs, I believe Ms. Vankavage is going to be presenting some things on that, but I'd like to also bring that to the table, that I'd like to foster a discussion on that, as well as a few other things, like the microchipping becoming the permanent animal licensing, the intent for that is to help save people money by having a one-time fee for a microchip rather than a \$5 annual fee, it would just be a one-time payment of whatever microchip company you choose is. I would also like to point out that there are some markups on the side that reference specific county ordinances from Santa Fe, things

like that, that's not saying that we took from those specific entities, that's just saying that's where the idea for that specific section came from, or any adjustments that were made, that would be where we got the idea from, it wasn't just a "Oh, I think this is a good idea." We looked at other surrounding areas and saw what they were doing, and said, "Let's see what we can do to adjust that and tailor it to our community." Again, this is supposed to be community-oriented, it is supposed to be oriented for the people that have dealt with it the most, the Clerk's office, the animal shelter, and the ones enforcing it at the Police Department. This has been very collaborative so far with those three entities, and we would like to continue to keep it collaborative with the community and the commission, and foster discussions about it. I've had a few questions that have been brought to me, and I'm hoping that the people who have brought those questions to me are present. I'd also like to thank anyone present that has any questions, comments, or concerns, for coming to voice them, because ultimately, that's what will help us adjust this ordinance to what this community wants, and that's the ultimate goal. Again, our goal is always compliance, and I think that if we have community input on an ordinance, that is how we are going to get that compliance.

Mayor Hechler: This is being recorded today, and we will provide minutes of all the conversation and your comments, I also want to open it up, where should the public send comments to? If somebody wants to write out a comment or suggestion, where should they send that to?

Tyler Knull, Code Enforcement Officer: I'm the one working on it, along with the Animal Shelter and the Clerk's office. I would direct those questions to one of those three entities because we are the main three entities working on it, but I am hoping that they feel free enough to open up the discussion with the commission, that way you can forward any questions, comments, or concerns to us as well.

Mayor Hechler: Obviously, we can take questions, but if somebody wants to send it to the city, for instance, "Attn: Tyler Knull" would that work?

Tyler Knull, Code Enforcement Officer: That would work.

City Manager Whitehead: It's always proper to address to the Clerk. The Clerk is always the keeper of the public record, so any comments that need to come, could safely be sent to the Clerk in Tyler's name or in your name, but could be addressed there.

Mayor Hechler: Perfect, and the comment period is open for a total of sixty days?

City Manager Whitehead: Correct.

Mayor Hechler: And when did that start?

City Manager Whitehead: We started in August.

Commissioner Fahl: We're about thirty days in.

City Manager Whitehead: We're about halfway through.

Mayor Hecher: So, we still have plenty of time.

City Manager Whitehead: Plenty of time.

Mayor Hechler: I like your idea of having the sixty days to add the comments, make the changes, and then go back out there for fifteen days, because I think the public has a right to see the changes we made before we go to the final publication, I think that was a good idea.

City Manager Whitehead: Thank you, I think the public would enjoy seeing it without the lines. Tyler did a good job of breaking it apart, telling you where he moved what, and then I think having that final draft in its final form would allow one more good set of eyes on it.

b. Public Input. (5-minute rule applies):

Mayor Hechler: We have a special guest here today. She's a senior legislative attorney from Best Friends Animal Society, Ledy Vankavage. It's always nice to have a person that cares about animals here talking to us and helping to educate us, I think it's really important. I wanted her to speak first because I believe whatever you say to us might change some of our minds and may prompt some additional discussion. I am glad that she is here, generally we only allow five minutes for presentation but we're going to extend that just a little bit for you because I know you spent a lot of time putting this together, but for the rest of the folks, if we can try to keep it under five minutes – we won't actually time it – I think most folks will get through it a lot quicker than that, but if it starts getting excessively long, we'll let you know.

Ledy Vankavage, Best Friends Animal Society reviewed her presentation with the governing body. (Complete copy attached hereto and made a part hereof).

Mayor Hechler: Thank you, Ledy. As we continue with our public discussion, Ledy, if you find that there is an opportunity for you to answer a question, would you please raise your hand so you can chime in? Thank you so much. Alright, let's start out with our commissioners, do we have any comments?

Commissioner Fahl: I actually came up with four pages of comments, as those of you who know me know that I like to critique things. I would say, most of the items I put in there are probably already in the animal ordinance, but I think some of them are very restrictive and overburdensome to our residence, as in the licensing. I bet 70% of our residents don't do that. Part of it is because there's a fee, I think a lot of things we have in here, we are charging them for. If we're charging them for that, I, as a resident, say, "Oh okay well that just goes in your general fund, what good is that? That's just another way for the city to make money." If we are saying that's to help with animal control or

the shelter, then perhaps the city should create an income line item for all of those fees, because then we can directly show the public, like when they get their kennel fee or their multi-use fee or whatever fee, that it's actually going to benefit the animals, then they won't be so reluctant to pay that, or they'll see a direct benefit of "I'm paying for that, but it helps for that purpose." Can we do something like that?

City Clerk Torres: On the finance side, and maybe Gary could clarify on that, but I do know that when they have the animal licenses or the kennel permits or things like that, it does go into a specific line item, I'm not sure if that goes into the general fund or how it works on the other side of the budget, but it does have a specific line item, it's not just a miscellaneous fund that it goes into.

Commissioner Fahl: I think if we can show the public that it really is going to benefit that, rather than "Oh well that's just the kitty fund that we put it in." we need to justify those expenses and what we're doing with them. Some of the requirements in there I think are burdensome for shelters. The wording is so specific that probably 80% of the community don't do that. Like how the shelter needs to be, I have two dogs, they're mostly inside dogs, they go outside, I don't have a little specific structure, because when it rains, I bring them in the house, and I would think that probably most of our citizens are like that. But we're going to fine them, so if they don't have that outside in their yard, then they're already out of compliance, so most of our residents are out of compliance and they could be fined, and I think that we don't educate them enough, but also some of those things, I know the purpose, but they can create financial hardships or maybe they can't build that, so then they're just going to turn their animals in. I think some of it is, as I said, very burdensome and expensive, and as we all know, we're in a primarily low-income community, so how can they afford to pay for those things?

Mayor Hechler: The shelter can be your house.

Commissioner Fahl: But it doesn't say that.

Tyler Knull, Code Enforcement Officer: So it does say that.

Commissioner Fahl: It says the shelter has to be non-toxic and all kinds of stuff, it doesn't say *it can be your house*, that word.

Tyler Knull, Code Enforcement Officer: I can definitely add that provision in there.

Commissioner Fahl: These are just little things that are missing.

Tyler Knull, Code Enforcement Officer: Yeah, I can definitely add that in there. The way it stands now, our code doesn't specifically state that, but we allow that and we tell people that some dogs just like to be out in the sun, I know my dog, personally, likes to hang out in the sun, we don't have a specific dog house for her, she's an inside/outside dog. We do try to tell people that as long as your dog is going in and out, it doesn't

necessarily have to have a doghouse, but if it is consistently outside, you need to have some protection from the elements for it.

Commissioner Fahl: So, we need to define that.

Tyler Knull, Code Enforcement Officer: Yes, I can definitely add that.

Mayor Hechler: For an example, I have a pet door in my house. My dog can go in and out whenever she wants, so the shelter is the house.

Commissioner Fahl: But since it doesn't allude to that, the way I was reading that, I didn't get that from the language. I thought you had to go build a specific structure for my dogs, and I don't have that, so as a commissioner, I'd already be out of compliance, and that doesn't look good, so I just think things like that.

Tyler Knull, Code Enforcement Officer: And I think I would defer that to Attorney Rubin, do you believe that the way the code is written should include that? I'll still add it if that's what everybody thinks, but do you think it's too specific where it doesn't allow that specifically?

City Attorney Rubin: Your questions, do I think it's too specific in our code, or –

Tyler Knull, Code Enforcement Officer: At least pertaining to shelter for animals, do you think it's too specific where it doesn't say we can have animals go inside someone's house?

City Attorney Rubin: You know, it might not hurt to maybe put a provision in there to be on the safe side.

Tyler Knull, Code Enforcement Officer: I can see that. As far as other things, just to help settle concerns with things, and the chief knows this as well, we almost never cite on a first offense unless it's pretty egregious, and at that point, it's still up to the court to determine what the proper route to take from there is. 90% of the time we come up with a resolution outside of trial, and it just goes in front of the court to tell the judge, "Your honor, this is what we've decided to do to fix the situation for the future, and that way it's on the record." We almost never cite for a first offense, there's usually a fourth or fifth time when we finally decide to cite, just because we do want to give people the benefit of the doubt. At the end of the day, things do happen, maybe there are some financial hardships, but we do try to work with people, and we do try to let people know that there are resources out there to get some stuff done. We tell people, it doesn't need to be the most fancy thing, but you do need to make sure that the animal is taken care of, and that's our biggest goal. Even if we can see that someone is trying, and it doesn't specifically state, we'll give some time to work on it, just with anything that we do.

Commissioner Fahl: However, you could, because it said they will. So again, we're putting financial burdens on people, having them chipped, I think that's great, I think my

dogs are chipped, but I'm not sure. But then, we're making them all do that, well, if we have a grant to do that, but what happens when we don't? Again, they're all out of compliance, so some of those maybe should say, "Should" or "We prefer" or whatever, but saying "You will" then could create hardships down the road. So, I'm not going to read all four of my pages, but I did want to reiterate what we had said when it was brought back to us earlier, about livestock running at large. As this community was founded based on agriculture and mining, and we don't want to forget that, yes we have permittees that are right across a river, we're punishing them for their livestock crossing the river when the river is down. As you said, it's already in the ordinance, which I didn't know. I, adamantly, will say that we should not force that on the permittees, or as you said, they can come from Dona Ana County and come up here. Those are livestock, and therefore have a particular purpose, that's not the same thing as somebody having a pet. People have goats, they have those little miniature pigs, even in some residences, they could have horses. To me, having a pet livestock running at large is different than somebody raising livestock for a living. I think that if we could just add, in that section where it says "It is unlawful of owners of livestock to allow animals running at large." Etc. If we inserted, "It is unlawful for the owners of livestock who reside within city limits" because when you really look at livestock and pets, that is their pet, they're not raising it for beef cattle, they're not raising it to sell, they're raising it because it's their little pet horse, it's their pet dog, or sheep, or whatever it is. That shouldn't be in the same category as the Hopkins running their cows across the river, we should look at those separately. So if we say that it's the resident, if you're a resident in town, then yeah, you're going to be in trouble. I will say the agriculture community will have an uproar, and I'm going to adamantly vote against this as loud as I can if we leave it the way it's worded.

Mayor Hechler: Let's keep moving, we can't stay on one point for too long.

Commissioner Fahl: Okay, that's all I'll talk about then. Anyways, I provided those in written form, and I sent them to Gary, so you'll be able to look at that later.

Mayor Hechler: What is the cost of a microchip?

Tyler Knull, Code Enforcement Officer: It really depends on the company.

Ledy Vankavage, Best Friends Animal Society: If you buy them in bulk, you can get them for around \$5 or \$6.

Mayor Hechler: And would, for example, the City Clerk administer the microchip or does it have to go to the shelter?

Tyler Knull, Code Enforcement Officer: Currently the animal shelter and the veterinarian's office need to take your animal to Las Cruces. In this provision, it would allow you to take your animal anywhere, get any microchip company that you prefer, at least for the microchipping requirements, from anyone qualified to give the microchip. That way, people can maybe wait for a free microchip day somewhere and go get one.

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The only reason that there's even a microchip requirement there is because, like Commissioner Fahl brought up, licensing dog tags sometimes can slip off and things like that. Our ultimate goal is to return an animal home, so if we can scan a permanent identification and get that animal home, then that's fulfilling our goal and that saves room at the animal shelter, saves us money, and saves us resources.

Mayor Hechler: Would you consider microchipping an animal versus getting a license, would that be the same thing?

Tyler Knull, Code Enforcement Officer: What I am going for is to replace our current animal licensing process with a microchip permanent license, that way someone can go and get a permanent license anywhere they want, rather than just being able to register with the clerk's office.

Mayor Hechler: Okay, that answers my question.

Ledy Vankavage, Best Friends Animal Society: Can I just say, a lot of cities do have low-cost microchip days, where they have a vet come and offer services to anyone who comes, and they'll charge like \$15 for it.

Mayor Hechler: Right. Instead of having to license a dog once a year, which is \$5, right? But you have to do it every year?

City Clerk Torres: \$5 or \$50 depending on if they are spayed or neutered. If they are spayed or neutered, it's \$5. If they are not, it's \$50.

Mayor Hechler: Should there be a differentiation between if they are spayed or neutered if they're microchipped?

City Clerk: I don't think so.

Mayor Hechler: Okay, being that there are no other comments from the commissioners, I will open it up to the public. I only have one person who signed up to speak, but I'm not going to worry about signups. If you want to come up and speak, raise your hand and I will call you up. Ms. Sloan, you had your hand up first.

Kathleen Sloan: I just want to say that I spoke to some people who were very involved with the Sierra County Fair, and they couldn't be here because this is delivery day for animals. So, I think you're missing out on a lot of people that care about animals because they're involved with the fair. If you had a second town hall, I think it might be better attended, and it takes a while for it to percolate down into the community what's going on. The major thing I had was on page 48, it said, "Visit a premises by animal control and designated zoning official or administrator." I don't know what that means. Is the designated zoning official Traci Alvarez currently?

Traci Alvarez, Assistant City Manager: That's correct.

Kathleen Sloan: And administrator, so you've got to have an animal control officer, or you've got to have Traci Alvarez and an administrator, or an administrator. I think that's so vague that the public should be able to know who's responsible, and who is accountable for enforcing that part of the law. I think it should just be the animal control officer because they're the ones with the training to assess the situation, and that phrase was also on page 51 twice. My notes are bad on page 51 so I don't know what the first reference was for, but it was the same thing, animal control officer and designated zoning official or administrator. The second reference on page 51 is for inspecting kennels during normal business hours, and it was the same thing. So, I would like that phrase cleaned up and made more specific.

City Manager Whitehead: Mayor, if I could comment just to make sure we're all on the same page, it would appear that all of those are also requirements that have to come before Planning & Zoning as well, so I think that would be the connection, because they are for kennel permits. To get a kennel permit, you have to come to Planning & Zoning, they have an action to take as well, and we've asked that potentially as we think about new kennel permits, that we designate or identify clearly the number of square footage that would be available per animal, so it doesn't become a guess, but that would require a team effort. We can look at the language, but all those would be revolving around the Planning & Zoning Commission having a responsibility. If we're going to take that off of Planning & Zoning, which may or may not be necessary, then it could be just the animal control officer, but if it still requires the Planning & Zoning Commission to take action, then an official would have to go to be able to present to them as well.

Kathleen Sloan: But this part of the code is for the in-field work, this is for who goes out into the field to inspect a kennel.

City Manager Whitehead: Correct. I'm looking at page 48, item B is for kennel permits, and then it talks about on-site visits being from the animal control officer and designating zoning official or an administrator. Because that requires both to take action.

Kathleen Sloan: In the field.

City Manager Whitehead: In the field, right.

Kathleen Sloan: Oh okay.

Tyler Knull, Code Enforcement Officer: If I could also add to that, currently we have to have code enforcement, which is myself, and a person designated as animal control, which is another code enforcement officer, going to perform the inspection. That way, we have one person looking for specific animal violations, and another person looking for code enforcement violations like weeds, trash, etc. We believe that our cattle permits, multi-use permits, and special use permits are held to a higher standard, so we make sure that the premises is clean and sanitary, not only in an animal control sense, but in a property sense as well.

Kathleen Sloan: So in any case you need two people in the field?

Tyler Knull, Code Enforcement Officer: Correct.

Kathleen Sloan: Alright, maybe clarifying that so the public isn't wondering who is responsible at the city. The other thing I've already discussed with Mr. Knull, and it's already been discussed by Ledy, but maybe softening the ordinance so that people who are feeding strays and also fixing them, you know, I have a deal with my next door neighbor, and you know you've got to feed them to make friends with them, to trap them and take them in or to touch them. So we're doing that, but we're out of compliance. To encourage that versus to discourage that because the way the ordinance is written, you're discouraging people from doing that, I'd like that to get changed. Thank you.

Buddy Montoya: I am a life resident of T or C, actually I lived in the County for many, many years. When I returned to Truth or Consequences thirty years ago, I made my residence here in town, so I'm one of the ones that's a pain in your butt to law enforcement, animal control. I've made many, many complaints, I do want to speak about the microchip. I have had some issues with that, I've never had microchips before, but not quite two years ago, I got a little chihuahua and I decided since she was so small, I wanted to make sure she was microchipped. I did take her out to the animal clinic in Williamsburg and had her fixed and at the same time had her chipped. About three or four months ago, when I took her in for her nails to be clipped here at the city, I asked them to check her chip to make sure it was working. I found out it's not working, so I went back, and I talked to Maggie out in Williamsburg. That was about three months ago, she told me she would get on this and find out. I have yet to hear from anybody about this. The microchip she had put in at the time is not working. I was told that maybe it didn't get registered, so I contacted the company. Here's where my problem is, and I'm concerned about, is they get microchipped, and we have to pay for a microchip and it doesn't work, what I was told by, I think the name was Home Again, they said that it was probably a bad chip, so you're getting bad chips, and now I'm going to have to pay to have her re-chipped, which I don't want to put her through. I'm kind of against chipping because you're going to have problems with the chips. Home Again did tell me that there are a lot of times they get complaints that the chips go bad, they're not supposed to, but some do. So that's going to be a cost back on me, and it's also going to have to be where I need to take my dog back to have this done again to her, and I don't want to put her through that. Another thing I have is some of us have what I call yard dogs, you guys know what I mean, when you're out in the county, you have dogs out there, you have them in their pens and everything, they're kind of wild, they take care of your yard. Well, the one dog that I have, he's a German Shepard, of course he's in at night. I do take him in to get his rabies shots, but the problem is that I don't know how we're going to get him in to get a chip done. It's hard enough for them to go out and do a shot, they do help me out on that, going out in the truck and giving him his shots, because I can't really get him to go inside a building like that, other than going into the house. So that's going to be a problem, some of the dogs in town, if they're yard dogs where they're not used to going into buildings and being on leashes and everything, it's kind of hard to get them into stuff like that, so I may be

wrong about that, I'm not real sure. That's my concern, is the microchip not working and having to get it redone. That's one thing that I'm kind of against. Now, I want to echo Commissioner Fahl on livestock. I have listened to that quite a bit, I guess I'm one of the nosy neighbors, I've heard them contact about livestock before, and I'm kind of against the way that they're doing it. I've known the Hopkins for many, many years, they've had their cattle roaming for many years, way back whenever I was a kid, and that was many years ago, there is a free roam for cattle. Another thing is, why is animal control dealing with these cattle? That is livestock. Whenever cattle are out, livestock should be called. I understand if livestock is out, he lives out in the Hatch or Arrey area, but to say that you're going to cite somebody for livestock here, and I'm not complaining to law enforcement, I appreciate what you guys are doing, but that is a livestock issue, not animal control. We do appreciate you moving them out of the yards and stuff, I do appreciate that, and I think that was mainly what I wanted to talk about. I do want to say thank you, the other day when I contacted you about the animal on my street, he did take care of that. I wish there were more people like the person he went and spoke with about the dog that's been roaming up and down. I wish there were more people in this town that when code enforcement talks to them and asks them to take care of their animals, this town would be perfect. I want to thank officer Knull personally for taking care of that for me, because I have not seen that dog since you went and talked to them. I appreciate that. Thank you very much.

Ledy Vankavage, Best Friends Animal Society: Can I clarify about the microchip? You can do it in a car, I have two pit bulls, and they were microchipped in our car at the time they got their rabies shots. A lot of times, they'll combine the rabies vaccine clinics with a microchip clinic. It's a little bit bigger than a shot but not that much, it's about the size of pencil lead, so they could do it in the car. Again, I've had my dogs chipped and a lot of cats chipped, and I haven't had a bad one yet. It's very sad that you had that experience.

Buddy Montoya: Well, my main thing was if it happens, it's your expense again, that you have to pay for it and put your dog through it again, and I understand it's shots. Do you have one of the scanners?

Tyler Knull, Code Enforcement Officer: I do.

Buddy Montoya: Would it be possible for me to meet up with you some time that you could go by and check the little dog to see if you can get it? Because they couldn't find it.

Tyler Knull, Code Enforcement Officer: Yeah, of course. And I'd like to add, some companies do want you to register annually. As long as the number is showing up, that number is always going to be different, so that's why we're saying to register with the clerk's office as a form of licensing, that way if that number is saved with the clerk's office, even if it's not registered with the company, we still have that number saved and we can still trace it back to the owner.

Buddy Montoya: And hopefully it stays one time.

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Mayor Hechler: I suspect that you're called out for livestock calls because you're animal control, but you'll then call the livestock inspector out, right? So, a lot of times your calls, I know it's not your jurisdiction, per say, but you'll call somebody else out?

Tyler Knull, Code Enforcement Officer: We do contact livestock. Livestock will not respond. They say that New Mexico is a fence-out state, and if the municipal body has authority, or we're setting the rules, then that's our responsibility to enforce it. I'd like to point out that if we don't have any rules regarding it, we could allow livestock to roam wherever, and that's a liability. I believe that's why we probably have that.

City Clerk Torres: I think where he's coming from is, we do have people where livestock will go into their yard, eat their gardens, eat their trees, and somebody needs to be held liable for it because that's destroying somebody's property.

Commissioner Fahl: This is a fenced-out state, so again, there's a difference between the Hopkins and the Smiths running cattle, and the river's down so they cross, that's the only time they cross, but if you have your pet livestock, that's a different situation.

City Clerk Torres: Yeah, but you shouldn't allow it in somebody's property, I think is where they're coming from.

Commissioner Fahl: Then put up a fence. I think Amanda and I would both say the same thing.

Mayor Hechler: We can discuss that further later on.

Commissioner Fahl: Right, you're not going to solve that today.

Tara Manning, Animal Shelter Supervisor: I was just going to touch on the same thing, as far as microchipping, we have drive-through clinics that we did back in May where we partnered with RezDawg Rescue, and from the sounds of it, they're going to try and make it an annual thing where you can drive in, the animal is in their car, they're microchipping, giving their shots, and they're taking off. When RezDawg does it, they register it on the owner's behalf. The shelter has microchip readers as well, if Buddy wants to bring his chihuahua by the shelter, we can scan it that way too, see if it's working. When we put a chip in at the shelter itself, sometimes depending on the dog's fur, let's say you have a chihuahua versus a husky who's fluffier, you don't know. So, we give the shot, we check it to make sure it's there, and we jiggle the fur a lot to see if it's going to fall out, because some dogs have thick skin and some dogs don't. We jiggle everything around and we scan that chip at least five or six times to make sure that it's working. We have several microchip readers at our shelter, and I make sure that animal control has them as well. When their batteries are low, they come to the shelter, they get one of our spares, and trade it out. We make sure that they always have microchip readers on their vehicles that are working.

Esther Luchini, Planning & Zoning Commission: I'm here on behalf of the Planning & Zoning Commission. These issues come up often, and personally, they're hard to make a recommendation for either way, but I did have some questions. So the number of animals per kennel is going to depend on square footage of the property?

City Manager Whitehead: Our discussion since the last issue has come up would be to take a look at the accessory limits of a property, potentially. We're trying to work through zoning as well and thinking about how we connect them. Whatever the accessory size is would come up and say, if you had a small dog you would need 5x5, if you had a medium dog 7.5x7.5, something like that, that's just been our general conversation so that when somebody submits a kennel application, they have to say, "This is how much square footage I have available to build a kennel, and we're going to put this many dogs in it." and that would tell us how many animals they would be allowed to then permit. That's what we're thinking the process is. Right now, the ordinance just says it's based on an assessment. Tyler basically has to say, "I think you can have six or seven." So we think it needs to be clearer so it's black and white. So, I think yes, but with some work to be done in Planning & Zoning, not through the animal control ordinance.

Mayor Hechler: And you're going to provide those numbers to the Planning & Zoning Commission, right? So, if you get a permit, you're going to go out and inspect and say, "This property is fit for this many animals and they can do this with these kennels." Or whatever, but you'll make that report to the Planning & Zoning Commission so they can make an informed decision, is that right?

Tyler Knull, Code Enforcement Officer: That's correct, and that's why we do have a code enforcement official inspecting as well, with animal control.

Esther Luchini, Planning & Zoning Commission: Right now it's just, "You can have this many animals." Correct?

Tyler Knull, Code Enforcement Officer: Right. It's kind of a blanket statement, "You know what? Those dogs seem like they have enough room to move around comfortably."

Esther Luchini, Planning & Zoning Commission: Okay, so to Gary's point, size-wise, I don't think we were considering size before. One of the members was concerned about the number of animals, but I don't know if we considered the size of the animals. So that would be a good thing.

City Manager Whitehead: That's what our general concept and conversation would be, that we would look at some factors, some formula that would say if it was a 5x5, this is how much square footage, and that equals the number of dogs.

Mayor Hechler: There's also a size regulation regarding the size of the animal. So if it's a large dog, obviously it's going to need more space, and that seems like it's spelled out in the ordinance as well.

CITY COMMISSION SEPTEMBER 24, 2025 WORKSHOP MINUTES

Tyler Knull, Code Enforcement Officer: Yes if you look at page 32 of this proposed revision, it does have that spelled out based on the weight of the animal.

Esther Luchini, Planning & Zoning Commission: Okay, so I apologize, I haven't read the revision so I don't know, thank you for clarifying. On that topic, the number of animals would be determined by the size of the area as well?

City Manager Whitehead: That's correct.

Esther Luchini, Planning & Zoning Commission: How about the length of time of the permit? It was a year before wasn't it?

City Clerk Torres: It's going to stay the same.

Mayor Hechler: What I'd like to propose is that we keep it to a year, but that it could be reinspected every year, but it doesn't have to come before the Commission every year, for up to three years. That's something we'd like to see in here.

Tyler Knull, Code Enforcement Officer: We'll have to mess with the wording to make sure that we can inspect if changes are made, or as needed, but it doesn't have to go to Planning & Zoning every single time. The initial will still have to go to Planning & Zoning.

Esther Luchini, Planning & Zoning Commission: Okay, how about number of kennels permitted in the city? Because I live here and every house around me wants to get a permit for a kennel. Could we limit the number of kennels in the city?

Tyler Knull, Code Enforcement Officer: We currently don't have that provision, I think that would be more of a Planning & Zoning comprehensive planning ordinance section.

Mayor Hechler: Could you limit the number of cannabis shops in the city? It may not be a direct correlation, but –

City Attorney Rubin: That'd be hard to do, legally.

Esther Luchini, Planning & Zoning Commission: Okay, that's an idea. As far as personally, as far as the fence-out state, personally, that's the stupidest thing the state does. When you take in an animal, whether it's your livestock for business, or your poodle for a pet, you're responsible for that: food, vaccines, shelter, permits, chipping, that's your responsibility no matter how much money you make or don't make. What baffles me is some people with cattle, because I've had these issues out there, their biggest thing is it's a fence-out state, but if your cattle are in somebody's yard in town, don't you feel responsible for them? Don't you want to know that they're within eyesight of where they should be? Who knows what's going to happen to that cow in somebody's yard, and you're liable for it. That's my opinion on the fence-out state.

Mayor Hechler: That's certainly going to be an interesting issue once we get through this, I appreciate that.

Esther Luchini, Planning & Zoning Commission: And you know, when the river is up, you don't have cattle in town probably, but when the river goes down, I mean those people are responsible for their cows and when they come into my yard, it really upsets me.

Mayor Hechler: I'd like to make a general comment, and Ledy, you tell me if I'm thinking right or not here. First of all, I want to commend Tyler for putting this together, it's very comprehensive, it's got a lot of stuff in it. Some people are scared it's got too much in it, it's got too much power, that we can do too many things to the public. I kind of have a different view of that. Here's my view, and we'll see if I'm going the right way or not. I like the idea that all this stuff is covered, because a lot of time when we're looking for things to deal with, "What ordinance does that fall under?" or "How do I deal with this particular animal?" there should be an ordinance to cover that. What it comes down to for me is the attitude of the officer and the way it's enforced. We don't have to enforce every infraction that's written in our codes. We go out and we talk to people, and a direct example is speeding, for instance. We know that you can cite a person for going one mile an hour over the speed limit. Do we do that? No. We usually wait until it's five, six, maybe ten miles an hour over the speed limit, and then we make a stop, and then we have a conversation. Then we decide whether we are going to write a ticket or not, sometimes we don't and sometimes we do. I kind of look at the enforcement of an animal control ordinance like this kind of the same way. You have an infraction, you have a conversation. Figure out what the issues are, talk about the situation, and then you decide, based upon the circumstances, whether you will write a citation or not. Certainly, if you've given this person two or three breaks, and it's time to write a citation, you're going to do that. So, I would much rather have the ordinance written out and be available, but it comes down to how the chief interprets it and how he wants his officers to administer the citations or the ordinances and how to take care of it. I think we have a very good track record in this community that it's community policing, we talk to folks, we take care of the worst-case scenarios of things the way we have to take care of things, but we work with the public. I would look at that the same way in an ordinance like this, I'd rather have the bases covered and then have that conversation and be able to deal with the public in a good way, and in a positive way hopefully. Is that okay?

Ledy Vankavage, Best Friends Animal Society: I agree, mayor. It's all about community policing. Again, giving them the authority to waive things, or help fix a fence, you know, to keep a dog in. People love that; instead of taking their dog away. It's just good for the community, so I think you're definitely on the right track.

Mayor Hechler: Thank you.

City Manager Whitehead: I would just conclude and support you in that. I think the goal here is not to create a situation where we're driving around knocking on everybody's door to check on their animals, we want everybody to have peaceful enjoyment of their animals. All of us would love that more people are taking care of their animals, but we do

need to give the police department and animal control the tools when those animals are being abused, that's the bottom line. If they find themselves in a situation where it's bad, they need the right tools to be able to deal with it. I think having Tyler look at this has given it that fresh look. I had comments and questions about the fees and those kinds of things, I want to make sure that they're consistent with statutes, and that they're not overburdensome. If you can't pay to take care of the animal, you really can't afford to pay the fine, so we know that potentially could get deferred. We do still need to look for what our best mechanism is going forward for some type of enforcement. I think that has to be talked about. I have to say, I was not thinking about an innovative program like the cat concept, I think that's really innovative to think of another way other than just to catch and bring them into the animal shelter and try to find a home. I would certainly welcome some more ongoing conversations on how we could potentially change the ordinance to include something like that. The last piece would be, we still need some overview on the other items within the ordinance revision to make sure we're not too restrictive, I don't think we are, and I look forward to some more comments. I have said it before, but as it relates to the cattle, one of the first problems I had when I came here was the cattle that seem to roam Veater street in the mud. I think we do have a good permittee there, that is proper, but I do think we need to make sure our eyes are open to answer the question: How do we legally help that permittee get those cattle out of peoples' yards? It is a problem, it may be a fence-out state, but I do want you to be open to thinking about how we deal with it as a city. What can we do? We don't want to fine him, but we certainly need the right mechanism to help have that happen. Does it need to be timely? Those kinds of things. We just can't have somebody that says, "Well it's a fence-out state and I can't get there for a month." it is an issue. I don't want to get into the weeds, I know it can be contentious, but it is a real issue at that time for those residents in that area, so we need to find the best reasonable solution. We're lucky, we do have a great permittee there that takes care of it, but it could be the other way at times too. Thank you for letting me make some comments.

Mayor Hechler: Yes, thank you.

Commissioner Fahl: I was going to suggest, Tyler, when Kathleen was talking about the Southern New Mexico Fair, do you think it might be possible to have a booth at our County Fair so you could take comments? You wouldn't have to do it on the weekends, I think it'll be open Thursday and Friday, so maybe you could have some copies there and you could get some feedback from people at the County Fair. That might be a good opportunity to interact with people.

Tyler Knull, Code Enforcement Officer: Yes, I definitely think that's a great idea. I honestly forgot it was County Fair season.

Commissioner Fahl: I think it's the first, second, and third, so it's next week.

Tyler Knull, Code Enforcement Officer: That is something that I wanted to get out to the events, if you noticed, at the last Dancing in the Streetlights event, I was actually set up, ready for public comment, questions, things like that, and for this next one, I'm hoping to

CITY COMMISSION SEPTEMBER 24, 2025 WORKSHOP MINUTES

be there as well. Hopefully I can get set up for the County Fair, that's definitely something I'll be looking into.

Commissioner Fahl: Cool.

City Manager Whitehead: What a great idea.

Commissioner Mitchell: I did have one comment, and it was on the cows getting lost, if there was a way that we could have Tara put it up on the Facebook, you know, "Found cow, claim within three days or we're going to have a city barbecue." I think they would get there pretty fast.

Mayor Hechler: Then we could microchip cows.

City Manager Whitehead: We can.

Mayor Hechler: Well, having no further public comments nor any further commission comments, this meeting is now adjourned. Thank you.

D. ADJOURNMENT:

Mayor Hechler adjourned the meeting at 6:39 p.m.

Passed and Approved this 8th day of October, 2025.



ATTEST:

Rolf Hechler, Mayor

Angela A. Torres, CMC, City Clerk

City of Truth or Consequences, NM

September 24, 2025

General Obligation Bond Program

Mark Valenzuela

Managing Principal

505-910-1081

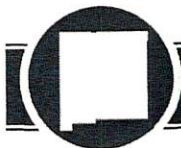
mark@bosqueadvisorsllc.com

Nathaniel Gomez-Valenzuela

Analyst

505-910-1125

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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 public hearing on Bond Ordinance with Delegated Authority to City Manager	Bond Counsel, Bond Advisor
Thursday, September 25, 2025	Submit Bond Ordinance to Newspaper	Bond Counsel
Friday, September 26, 2025	Publish Bond Ordinance Adoption in Newspaper	<i>Sentinal</i>
Tuesday, October 7, 2025	Submit signed application to NMFA and other information	Bond Advisor
Thursday, October 23, 2025	NMFA distributes loan summary, preliminary debt schedule (DSS), credit assessment	
Friday, November 14, 2025	Submit credit package to NMFA Staff	Bond Advisor
Friday, November 14, 2025	Request Bond Capacity Certificate	Bond Advisor
Monday, November 17, 2025	Distribute DRAFT Closing Documents	Bond Counsel
Monday, November 17, 2025	Distribute DRAFT Closing Instructions	Bond Advisor
Monday, November 17, 2025	Review DRAFT Bond Purchase Agreement	ALL
Tuesday, November 25, 2025	30-day Limitation of Action Period Expires	
Monday, December 1, 2025	Finalize structure and terms with NMFA Staff	City, Bond Advisor, NMFA
Thursday, December 11, 2025	NMFA Board Meeting to Approve Loan Application	City, Bond Advisor
Friday, December 12, 2025	Sets Final Interest Rates, Finalize DSS, Bond Purchase Agreement	City, Bond Advisor, NMFA
Monday, December 15, 2025	Final Sales Certificate and Bond Ordinance	Bond Advisor, Bond Counsel
Monday, December 15, 2025	Comments on closing documents and closing instructions due	All
Wednesday, December 17, 2025	Pre-closing, document signing	
Thursday, December 18, 2025	Documents delivered to NMFA Attorneys, NM Department of Justice	
Monday, January 5, 2026	Distribute Final Closing Instructions and Requisitions	Bond Counsel
Thursday, January 8, 2026	DFA Local Government Division submits approval	Bond Advisor
Friday, January 9, 2026	Close Transaction	Group

Bosque Advisors, LLC
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Albuquerque
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