

**AGENDA FOR THE REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
NOVEMBER 28, 2005
5:30 P.M.**

- 1 CALL TO ORDER
- 2 PLEDGE OF ALLEGIANCE
- 3 ROLL CALL

ACCEPTANCE OF AGENDA: THOSE ITEMS ON THE AGENDA INDICATED BY AN ASTERICK (*) ARE ON THE CONSENT AGENDA AND WILL BE VOTED ON BY ONE MOTION.

- 4 APPROVAL OF AGENDA
- 5 APPROVAL OF CONSENT AGENDA

6. *APPROVAL OF MINUTES REGULAR MEETING
NOVEMBER 14, 2005

7 *APPROVAL OF ACCOUNTS PAYABLES

8. *APPROVAL OF MONTHLY REPORTS

Fire Report Court Report
DPS Report Animal Control Report Code Enforcement Report
Permits/Licensing Report
Public Works Report Museum Report

9. UNFINISHED BUSINESS

10. PUBLIC HEARING: ORDINANCE NO. 2005-07

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BY AND BETWEEN THE LINCOLN COUNTY SOLID WASTE AUTHORITY (THE "AUTHORITY"), OF WHICH THE CITY OF RUIDOSO DOWNS, NEW MEXICO (THE "CITY") IS A PARTICIPANT, AND THE NEW MEXICO FINANCE AUTHORITY EVIDENCING A SPECIAL LIMITED OBLIGATION OF THE AUTHORITY AND ITS PARTICIPATING MEMBERS (THE "PARTICIPANTS"), TO PAY A PRINCIPAL AMOUNT OF \$2,701,492 TOGETHER WITH

INTEREST THEREON AND APPLICABLE ADMINISTRATIVE FEES, FOR THE PURPOSE TO CONSTRUCT A SOLID WASTE FACILITY/TRANSFER STATION FOR THE AUTHORITY AND PARTICIPANTS AND THE FUNDING OF A LOAN AGREEMENT RESERVE ACCOUNT; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF, ADMINISTRATIVE FEES AND INTEREST ON THE LOAN AGREEMENT SOLELY FROM THE NET REVENUES OF THE AUTHORITY SOLID WASTE SYSTEM AND FROM THE DISTRIBUTIONS OF MUNICIPAL

ENVIRONMENTAL SERVICES GROSS RECEIPTS TAX REVENUES RECEIVED BY THE CITY FROM THE NEW MEXICO DEPARTMENT OF TAXATION AND REVENUE PURSUANT TO SECTION 7-19D-10, NMSA 1978, AND CITY ORDINANCE NO. 90-07 ADOPTED ON SEPTEMBER 28, 1990; APPROVING THE FORM OF THE LOAN AGREEMENT AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS ORDINANCE; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT.

Section 1. Definitions.

Section 2. Ratification.

Section 3. Authorization of the Project and the Loan Agreement.

Section 4. Findings.

Section 5. Loan Agreement – Authorization and Detail.

Section 6. Approval of Loan Agreement and Pledge of Municipal Environmental Services Gross Receipts Tax Revenues.

Section 7. Special Limited Obligation.

Section 8. Disposition of Proceeds: Completion of Acquisition of the Project.

Section 9. Deposit of Pledged Revenues, Distributions of the Pledged Revenues and Flow of Funds.

Section 10. Lien on Participant Pledged Revenues.

Section 11. Withdrawal from Joint Powers Agreement.

Section 12. Authorized Officers.

Section 13. Amendment to Ordinance.

Section 14. Ordinance Irrepealable.

Section 15. Severability Clause.

Section 16. Repealer Clause.

Section 17. Effective Date.

Section 18. General Summary of Publication.

10B. Consider Adopting, Approving and Passing Ordinance 2005-07

11. OTHER BUSINESS

(Items are for discussion only – no action will be taken)

12. NEW BUSINESS

A. Consider Approving Resolution No. 2005-21 Regular Municipal Election

*B. Consider Approving Declaration of Support for the Lincoln National Forest Partnership Agreement.

C. Consider and approval to rescind Resolution 2005-07 Sharla Ryen Property located at 403 Nevada.

D. Consider and approval of Resolution No. 2005-22 Condemnation of 403 Nevada – Steve Eisler

E. Consider and Approval of Personnel Recommendation – Position- DPS- Police Officer- Manual Maldonado

F. Committee Reports:

1. Planning & Zoning – Paul van Gulick- Consider Approving Planning & Zoning recommendation to approve Bio-Grind, Inc. to operate a grinding and composting business on Lot 6 of the Santa Claus Ranch, subject to the above conditions.

13. PUBLIC INPUT (THREE MINUTES)

14. ADJOURNMENT

I certify that notice to the Public Meeting has been given in compliance with Section 10-15-1 through 10-15-4 NMSA 1978 and Resolution 2004-28. 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 at (505) 378-4422 at least one week prior to the meeting or as soon as possible.

Carol Virden, MMC City Clerk

Posted City Bulletin Board: November 23, 2005

City of Ruidoso Downs Website: www.ruidosodowns.us/

Time: 10:00 a.m.