

MINUTES OF THE SPECIAL MEETING
OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
WEDNESDAY, JANUARY 19, 2005
5:30 P.M.

The Council of the City of Ruidoso Downs met in Special Session on January 19, 2005. Mayor Miller called the meeting to order at 5:30 p.m. and asked Councilor Morales to lead the pledge of allegiance. Upon roll call, the following were present:

Councilor Miller	Councilor Morales
Councilor Olivo	Councilor Garrett

Administrator Waters informed Mayor Miller there was a quorum.

Also present:

Dan Bryant, City Attorney
John P. Waters, City Administrator
Carol Virden, City Clerk/Treasurer

EXECUTIVE SESSION PURSUANT TO SECTION 10-15-1(H) 7 THREATENING
AND OR PENDING LITIGATION

Mayor Miller entertained a motion to go into executive session pursuant to Section 10-15-1(H) 7, Threatening and or Pending Litigation and invited City Attorney Dan Bryant, City Administrator John Waters and City Clerk Carol Virden to attend.

Councilor Garrett moved to go into executive session pursuant to section 10-15-1(H)7, Threatening and or Pending Litigation. Seconded by Councilor Morales.

Roll Call Votes:

Councilor Olivo	aye	Councilor Miller	aye
Councilor Morales	aye	Councilor Garrett	aye

Motion carried.

Mayor Miller closed the Special Meeting at 5:33 p.m.

Mayor Miller called the Special Meeting back to order at 6:49 p.m.

Councilor Morales moved to go back into special session and attested to the fact that the only item discussed in closed session was that pursuant to section 10-15-1(H) 7 Threatening and or Pending Litigation and no action was taken. Seconded by Councilor Miller.

Roll Call Votes:

Councilor Olivo aye
Councilor Morales aye

Councilor Miller aye
Councilor Garrett aye

Motion carried.

Mayor Miller stated next item on the agenda, consider taking action pursuant to Section 10-15-1(H) 7, Threatening and or Pending Litigation.

Councilor Morales moved to instruct staff to retain a financial consultant to investigate the following options:

- 1) Re-negotiate the JUAB with Ruidoso to accurately reflect plant capital and operation cost in rate structures.
- 2) Investigate 0 discharge option with Mescalero Cattle jointly or separately on our behalf.
- 3) Investigate the costs and benefits of creating a separate plant with zero discharge and sell water to Mescalero Cattle.
- 4) Negotiate with Ruidoso to terminate the JUAB and be a customer under the same terms as offered to Mescalero. Seconded by Councilor Garrett.

Roll Call Votes:

Councilor Olivo aye
Councilor Morales aye

Councilor Miller aye
Councilor Garrett aye

Motion carried.

Mayor Miller entertained a motion to adjourn. Councilor Miller moved to adjourn at 6:52 p.m. Seconded by Councilor Garrett.

/s/ Bob A. Miller, Mayor

ATTEST:

/s/ Carol Virden, City Clerk