

MINUTES OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
CITY COUNCIL CHAMBERS
REGULAR MEETING
JUNE 8, 2015
4:30 P.M.

The Council of the City of Ruidoso Downs met in regular session on June 8, 2015. Mayor Williams called the meeting to order at 4:30 p.m. and asked Councilor Perry to lead the Pledge of Allegiance. Mayor Williams asked Kathy Tetreault, Recording Secretary to take roll call. The following were present:

Councilor Miller
Councilor Morales

Councilor Perry
Councilor Ritter

Kathy Tetreault, Recording Secretary informed Mayor Williams there was a quorum.

Also present:

H. John Underwood, City Attorney
Mary Castaneda, Finance Director
Cleatus Richards, Public Works Director
Dale Graham, Project Manager
Christopher Rupp, Police Chief
Dakota Crouch, Associate Director HMAW

APPROVAL OF AGENDA

Mayor Williams stated the next item on the agenda was Approval of Agenda.

Mayor Williams entertained a motion for Approval of Agenda.

Councilor Miller moved to approve the agenda. Seconded by Councilor Perry.

Roll call votes: Councilor Miller, Aye; Councilor Perry, Aye; Councilor Morales, Aye; Councilor Ritter, Aye. Motion carried.

APPROVAL OF CONSENT AGENDA

Mayor Williams stated the next item on the agenda was Approval of the Consent Agenda.

Mayor Williams entertained a motion for Approval of the Consent Agenda.

Mayor Williams said we do have a correction for the May 26, 2015 meeting.

Kathy said there was one on May 18th on the dollar amount on page two. There were two typo errors on May 19th and I think everyone got the correction.

Mary Castaneda, Finance Director said on page two it's the dollar amount on May 18th it was on the top, second to the last sentence, right before the very end of that period where it says General Fund – the original minutes say \$6,176 and it should be \$63,176. Then on the meeting for May 19th on page four, the very bottom above the last paragraph where Councilor Miller said 'I still thing' and it should be 'I still think.' Then on page seven also of May 19th, the fourth sentence from the very bottom, Councilor Perry said 'we haven't gotten tot' and that should be 'to' instead of 'tot.'

Councilor Morales said I have one correction on the meeting of May 18th Budget Work Session. She said 'Carol Virden, City Clerk/Treasurer informed Mayor Pro Tem' and it has 'Mayor Williams' and he was absent.

Councilor Morales moved to approve the Consent Agenda and approve the minutes as corrected. Seconded by Councilor Miller

Roll call votes: Councilor Morales, Aye; Councilor Miller, Aye; Councilor Perry, Aye; Councilor Ritter, Aye. Motion carried.

APPROVAL OF MINUTES OF BUDGET WORK SESSION MEETING OF MAY 18, 2015

Councilor Morales moved to approve Minutes of Budget Work Session Meeting of May 18, 2015. Seconded by Councilor Miller.

Roll call votes: Councilor Morales, Aye; Councilor Miller, Aye; Councilor Perry, Aye; Councilor Ritter, Aye. Motion carried.

APPROVAL OF MINUTES OF BUDGET WORK SESSION MEETING OF MAY 19, 2015

Councilor Morales moved to approve Minutes of Budget Work Session Meeting of May 19, 2015. Seconded by Councilor Miller.

Roll call votes: Councilor Morales, Aye; Councilor Miller, Aye; Councilor Perry, Aye; Councilor Ritter, Aye. Motion carried.

APPROVAL OF MINUTES OF SPECIAL JOINT MEETING OF MAY 21, 2015

Councilor Morales moved to approve Minutes of Special Joint Meeting of May 21, 2015. Seconded by Councilor Miller.

Roll call votes: Councilor Morales, Aye; Councilor Miller, Aye; Councilor Perry, Aye; Councilor Ritter, Aye. Motion carried.

APPROVAL OF MINUTES OF REGULAR MEETING OF MAY 26, 2015

Councilor Morales moved to approve Minutes of Regular Meeting of May 26, 2015. Seconded by Councilor Miller.

Roll call votes: Councilor Morales, Aye; Councilor Miller, Aye; Councilor Perry, Aye; Councilor Ritter, Aye. Motion carried.

APPROVAL OF ACCOUNTS PAYABLES

Councilor Morales moved to approve Accounts Payables. Seconded by Councilor Miller.

Roll call votes: Councilor Morales, Aye; Councilor Miller, Aye; Councilor Perry, Aye; Councilor Ritter, Aye. Motion carried.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

Mayor Williams stated the next item on the agenda was – Mayor’s Comments.

Mayor Williams said I have some fabulous news that has occurred recently. One of the big things is a thanks to the gentleman sitting right up here. The City recently has been blessed by the talent we have here of funding requests throughout the state and I wanted to recognize them and let you know what the dollars were that will be coming into the City that’s going directly for infrastructure. First of all I would like to thank Tappan Mahoney of Dennis Engineering for directing us toward it and having Director Richards provide the information for presentation to the Water Trust Board in Santa Fe. This is the first time we’ve attempted this and obviously we were good at what we were doing. We were able to have a grant for \$1,661,952.00. That was awarded to the City in a grant toward the Water Project in Agua Fria. It should just about take us through the subdivision. It’s something that probably would have taken years to do and in phases but we might be able to get this done in one shot. We ended up number three and tied for third in the presentations out of forty or fifty presentations brought forth so it’s quite an accomplishment. I would like to thank Hubert Quintana of the Southeast New Mexico Economic Development District and his staff and particularly Dora Batista and the way she gets things done as we went to the Colonias funding request that we came up with. Dale Graham, Project Manager was there to receive the good news for the second time. They delayed it the first time. That was for \$1,185, 840.00 which will be for Phase II of the Agua Fria Sewer System and maybe even extend it. We were passed over last year, not by our fault, so we came back aggressive this

year. The New Mexico Department of Transportation in their Map Program and will you explain what the Map Program is Director?

Cleatus Richards, Public Works Director said this is part of their program and where a village can designate one of their streets as a major street system. Funding will help pave that street which is Griffith Drive.

Mayor Williams said that one there is \$200,000.00. That is for planning, design, construction, reconstruction, pavement, rehabilitation, drainage, and miscellaneous improvements. That is along with a local match of \$66,000.00 will be \$266,000.00 toward that street.

Cleatus said that also comes with coop match for a total of \$40,000.00 to select a street and there is no street selected at this time. What we will do is use those in-kind funds for City equipment and we will do purchasing of materials and that way we can stretch those dollars.

Mayor Williams said we also just received from the Department of Transportation for our 5311 Program for our Transit System \$138,511.00 to finance the Transit System for another year. It's federal and a local match but it's great to see that we continue to flourish in our transportation program and it will continue to improve because of this funding.

Mayor Williams said I have two people that I need to stand up right now and that's Dakota Crouch and Chief Rupp. These two gentlemen just received funding in a grant from the Hubbard Foundation.

Dakota said my grant is in the amount of \$7,500.00 and it will be used to purchase equipment to produce video content or interactive exhibits and hardware to host at least one interactive exhibit.

Chief Rupp said we received \$20,000.00 and will be used for the digital sign to post notices and events along the highway.

Mayor Williams said this shows the quality of employees that goes out to find us grants and allows us to do something new and different and we do this for our citizens to improve the quality of life for them.

Mayor Williams said the ICIP which is our Infrastructure Capital Improvement Plan will be an open session or public input for the next two meetings. I encourage citizens to come forward and let Council know what projects you think are important for our City and what would you like to see done.

Mayor Williams said we also have the Boys and Girls Lunch Program is going on in All American Park. It's free lunch for all of our kids and I encourage those families to go out there every day Monday through Friday from 12:00 to 12:30.

Mayor Williams said the Senior Lunch Program is going on over at our Senior Center. You have to be 62 or older to get a discount. It's a great opportunity to meet our seniors.

Beth Miller said it's 60 years old.

Mayor Williams stated the next item on the agenda was – Councilor's Comments.

Councilor Morales said I want to address this to Chief Rupp because he has this sign that we've put out here and he's announcing the kid's program and you told me it went from sixteen last year and this year it's thirty-six. I think when you moved the sign down here it really helped those kids.

Councilor Miller said I just want to thank all of our employees for the hard work they're doing.

Mayor Williams said also the special session at the legislature is in and they have already approved the Capital Outlay on the Senate side and it's on the House side right now. If they approve that then additional funding will be coming to the City. Maybe then we can fix our roof that has patches all over the place.

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of Agenda Briefing Memorandum – Change Order No. 3 Agua Fria Wastewater System Expansion – Renegade Construction – Public Works Department.

Cleatus Richards, Public Works Director said this Change Order will add additional hookups on Acequia and that will be twelve more. The original contract provided connections for thirty nine homes, ten vacant lots and three businesses. The original contract provided for fifty two and now we're going for sixty four connections. The work being added was originally bid but not awarded because there were insufficient funds. We're not doing chip seal on the Phase I of streets because now that we have water money within the year we'll be tearing up those streets so it's ridiculous to put down chip seal when we'll just be tearing it up. We also have the Map Funding that will help pave that street. We've adjusted our priorities. This will increase the overall contract by \$12,775.66 and will extend the contract time by 55 days. Weather has not been very cooperative this year so we've had quite a few weather delays.

Mayor Williams said I want to express again that we are spending the money wisely and actually adding to something that wasn't originally planned.

Mayor Williams entertained a motion to approve – Change Order No. 3 Agua Fria Wastewater System Expansion – Renegade Construction – Public Works Department.

Councilor Miller moved to approve – Change Order No. 3 Agua Fria Wastewater System Expansion – Renegade Construction – Public Works Department. Seconded by Councilor Ritter.

Roll call votes: Councilor Miller, Aye; Councilor Ritter, Aye; Councilor Perry, Aye; Councilor Morales, Aye. Motion carried.

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Beth Miller Request Use of All American Park – Farmers Market – Saturday, 9 am to 1 pm – July 18, 2015 through October 17, 2015.

Beth Miller said we basically want to continue what we did last year. The only change is that last year it was 7:00 to 11:00 and this year we would like to have it from 9:00 to 1:00.

Mayor Williams asked Beth to give them some numbers.

Beth said we began with two vendors and we ended up with fifteen. They weren't there all the time but we ended up with fifteen. There are more people coming with the hand-crafted items. Our rule is pretty much fruits, vegetables, and hand-crafted items. No commercial and things like Scentsy Candles. We have growers from Carrizozo and in the Valley and a lady that came up sometimes from Tularosa. We have several gardeners that are having big gardens this year and want to come up. Pass it on and we'll keep growing it.

H. John Underwood asked Beth if she would have any problem executing a Hold Harmless Agreement?

Beth said we have one and give it to the vendors.

Mayor Williams entertained a motion to approve – Beth Miller Request Use of All American Park – Farmers Market – Saturday, 9 am to 1 pm – July 18, 2015 through October 17, 2015.

Councilor Morales moved to approve – Beth Miller Request Use of All American Park – Farmers Market – Saturday, 9 am to 1 pm – July 18, 2015 through October 17, 2015. Seconded by Councilor Miller.

Beth Miller said thank you on my behalf and on behalf of all of the vendors.

Roll call votes: Councilor Morales, Aye; Councilor Miller, Aye; Councilor Perry, Aye; Councilor Ritter, Aye. Motion carried.

Mayor Williams stated the next item on the agenda was - Discussion and Possible Action - Lincoln County Transit - Title VI Program.

Mayor Williams said the Title VI Program is under the Civil Rights Act from back in the 60's to ensure that programs and services provided especially from the transit are not based on race, color, or national origin. It is to prevent discrimination in any way for those who want to use the Public Transit System and for us to receive funding from the Federal Transit Administration through their 5311 Program and that we just talked about earlier which was \$138,000.00. The process ensures that everyone is treated fairly and given an opportunity to ride our transit without any obstructions. Part of that is a limited English interpretation which means that a person who may not be fluent in English to be able to have an opportunity to convey their feelings to someone within the transit system. That is LEP and means Limited English Proficiency. The program is important to us so that everyone is treated fairly.

Mayor Williams entertained a motion to approve - Lincoln County Transit - Title VI Program.

Councilor Perry moved to approve - Lincoln County Transit - Title VI Program. Seconded by Councilor Miller.

Roll call votes: Councilor Perry, Aye; Councilor Miller, Aye; Councilor Morales, Aye; Councilor Ritter, Aye. Motion carried.

Mayor Williams stated the next item on the agenda was - Discussion and Possible Action - Approval of Litter Control & Beautification Grant Agreement.

Councilor Miller asked if this needs to be approved by Council?

Kathy Tetreault, Recording Secretary said yes because it's a contract.

H. John Underwood, City Attorney agreed.

Councilor Miller said this is our Grant Agreement and it's with the State of New Mexico Tourism Department and our committee Keep Ruidoso Downs Beautiful of which I am the coordinator. It's a great program and we do a lot of things for the public. We've received a grant now every year for the last five?

Kathy said it's been since 2007.

Councilor Miller said it helps our community and we do things to get our community involved like the Christmas program and Easter program. We beautify the parks and have the Youth Program. We have this Outdoor Learning Center where the school kids come and plant the gardens and take care of it. We have the Boy Scouts come and pick up trash

and the church groups that come to some of our events and help. It's a great program. We teach about graffiti, beautification, litter, and recycling. Our main goals this year will be the Outdoor Learning Center and the Neighborhood Litter Campaign. That went on for two months and I have to thank Kathy and give her credit for that. They came in to City Hall and got bags, gloves, and t-shirts and cleaned up their own areas. We had over one hundred sixty four people come and get involved in that. That went over great and we want to keep that up. We also have a great interest in the Youth Employment and we give them \$100.00 and they do a cleanup and then come to our big cleanups or participate in an event. We will receive a grant this year that is a little less because everyone is getting less and we will get \$6,500.00 this year. I do want to thank Kathy because she does all of this paperwork and grant writing and Mary of course too because we go to her with the financial part. She has helped us so much. We also have sponsors in town that help us with cash donations for things we can't buy with grant money like food. Several of our great sponsors are Walmart, Zia Gas, and Jorge's Café. They keep us going and we thank them. Kathy and Mary keep it going for us. They're the smart ones.

Kathy said I just want to mention because it doesn't say here that this will be for the fiscal year 2015-2016. Everybody did get cut and that was the first line in the letter from New Mexico Clean & Beautiful.

Mary said I think it's a great program and the ladies do a great job.

Mayor Williams said nobody does it better than Councilor Miller and her dedication to what is good for our citizens and youth.

Mayor Williams entertained a motion to approve - Litter Control & Beautification Grant Agreement for FY 2015-2016.

Councilor Morales moved to approve Litter Control & Beautification Grant Agreement for FY 2015-2016. Seconded by Councilor Perry.

Roll call votes: Councilor Morales, Aye; Councilor Perry, Aye; Councilor Miller, Aye; Councilor Ritter, Aye. Motion carried.

Mayor Williams stated the next item on the agenda was - Discussion and Possible Action - Requesting to Renew Loan Number 2009-05 Wheels Museum.

Dakota Crouch, Associate Director HMAW said this and Item H are the same just different locations. This is asking for approval in accordance with the museum's loan policy that we be able to renew a loan agreement with two different museums for two different items. The loan to the Wheels Museum is not a collection object. It is more of an exhibition item. It is a mule mannequin and they have had that since 2009. We reached out to them that the loan had expired and they expressed that they would like to renew that loan.

H. John Underwood, City Attorney said on Item G but it will also apply to the next item, the loan agreement on both of these is that they should be executed annually and renewed annually. When you brought this forward in the staff meeting you said you wanted to do this for a period of five years and I said we have a policy of not doing it for more than a year at a time and then renewable annually. What I would ask you to do is redo the loan agreement with the effective date of this Council meeting if Council approves this and then bring them back to Council in eleven months to get it renewed so that you keep up with your inventory.

Mayor Williams asked because of the way the loan is worded tonight do we want to postpone?

H. John Underwood, City Attorney said I would just say we need to amend that to say annual loan agreement and renewable annually.

Councilor Morales asked would it be an annual lease with four renewals?

H. John Underwood, City Attorney said subject to four renewals.

Mayor Williams entertained a motion to approve – Requesting to Renew Loan Number 2009-05 Wheels Museum with the change of language.

Councilor Morales moved to approve – Request to Renew Loan Number 2009-05 Wheels Museum for the gray mule mannequin with approval of one year subject to four annual renewals. Seconded by Councilor Miller.

Roll call votes: Councilor Morales, Aye; Councilor Miller, Aye; Councilor Perry, Aye; Councilor Ritter, Aye. Motion carried.

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Requesting to Renew Loan Number 2013-01 Ft. Stanton.

Dakota said this is the same as the last item for a different item that is owned by the museum. It is a human mannequin being used by Ft. Stanton to show how military uniform would be dressed.

Mayor Williams entertained a motion for approval – Requesting to Renew Loan Number 2013-01 Ft. Stanton for one year subject to four annual renewals.

Councilor Ritter moved to approve – Request to Renew Loan Number 2013-01 Ft. Stanton for the male mannequin for one year subject to four annual renewals. Seconded by Councilor Perry.

Roll call votes: Councilor Ritter, Aye; Councilor Perry, Aye; Councilor Miller, Aye; Councilor Morales, Aye. Motion carried.

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of Agenda Briefing Memorandum – Purchase of Sleuth Software Upgrades – Sole Source – Finance and Chief Rupp.

Chief Rupp said I'm going to go ahead and ask the Finance Director give you a little history on how we approached this.

Mary Castaneda, Finance Director said Chief Rupp is needing to upgrade his software for the police daily activities. According to New Mexico State Statutes this is a sole source software provider. If you look at your paperwork it is. Because it is a sole source we have to do several things instead of going out for Request For Proposals and the bid process. Since they are the only provider of this software we have to post it on the New Mexico State website Purchasing Division for thirty days giving anyone the opportunity to protest or say that they offer this software then you would go out for proposals. We bring it before Council for approval to purchase software from Sleuth in the amount of \$23,227.11. His software is pretty old and they are several versions behind and hopefully this will bring them current.

Chief Rupp said this is our recordkeeping that covers everything we do in the Police Department. We have been on this Sleuth 9 since I've been here which has been at least six years. With the grants we are applying for we have to do more data research. Sometimes we have to go back five years to get the information and with the new Sleuth software it will make that a lot easier to get that data.

Councilor Ritter asked if they will need any hardware upgrades?

Chief Rupp said that will come with the package.

Mary said I forgot to mention that this will be purchased through their LEPP Grant and this year they received \$23,600.00 from the State of New Mexico. Their quote shows all of the upgrades needed.

Chief Rupp said the Law Enforcement Protection Fund is a program provided through the state for small communities based on the number of officers that we have actively working for the City of Ruidoso Downs. It is set there for training and equipment. It is earmarked for those kind of items.

Mayor Williams entertained a motion to approve – Purchase of Sleuth Software Upgrades – Sole Source – Finance and Chief Rupp.

Councilor Miller moved to approve – Purchase of Sleuth Software Upgrades – Sole Source – Finance and Chief Rupp. Seconded by Councilor Perry.

Roll call votes: Councilor Miller, Aye; Councilor Perry, Aye; Councilor Morales, Aye; Councilor Ritter, Aye. Motion carried.

OTHER BUSINESS

Mayor Williams stated the next item on the agenda was – Updated Financial Status Reports – Hubbard Museum of the American West and Lincoln County Transit.

Mary Castaneda, Finance Director said these figures are tentative for May 2015. Transit had a beginning cash balance of \$37,928.16. Revenues were \$5,959.97. Expenditures were \$7,439.91 leaving them an ending cash balance of \$36,448.22. The museum had a beginning cash balance of \$3,724.40. Revenues were \$36,678.83 and included in that was the \$25,000.00 from last quarter from the Hubbard Foundation. Expenditures were \$32,044.45 leaving an ending cash balance of \$8,358.78.

Mayor Williams said with both of those operating in the black shows that they are self-sufficient and no additional funding is coming out of the General Fund to finance those departments so thanks to them and Mary who keeps control of those budgets. Also, thanks to Mary for the budget she took up to Santa Fe and they took it from her hands and said thank you with a smile on their face.

PUBLIC INPUT

Mayor Williams stated the next item on the agenda was – Public Input.

Beth Miller said you asked for funding and if there were any concerns. It would be nice if we could do street trees like for the long term to line our streets maybe on both sides of the road. I don't know if it being Highway 70 if we can do anything but I thought it would be a nice entryway. Also, Economic Development. We haven't had a meeting in fourteen months so if you know anyone mention it to them. We need this. We need people to work on getting businesses going. You were talking about the purchase of software just a moment ago and some of you were saying that you weren't getting the amounts of grant money. Is there a way that software can be purchased by a County entity and be shared among the villages or can villages cooperatively purchase software and share it? It's just a thought.

Mayor Williams said we have special guests here and asked them to stand up and introduce themselves.

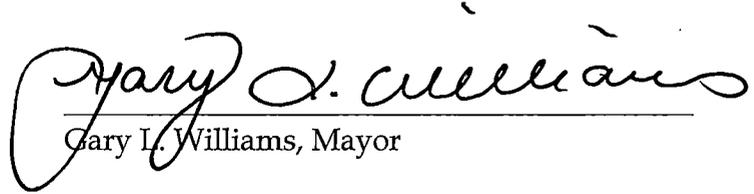
Clayton Alred, Provost at ENMU Ruidoso said I always find it interesting to see what boards and Councils are looking at. I am impressed with the lineup of grants you have received and I too am sitting here watching my phone to see when the legislature completes their deliberations today on the Capital projects.

Lisa Maue introduced herself and said I'm from the Ruidoso News.

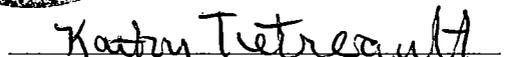
ADJOURNMENT

There being no further business to attend to Councilor Morales moved to adjourn at 5:36 p.m. Seconded by Councilor Perry.





Gary L. Williams, Mayor



Kathy Tetreault, Recording Secretary