

MINUTES OF THE CITY COUNCIL
OF THE CITY OF RUIDOSO DOWNS
CITY COUNCIL CHAMBERS
REGULAR MEETING
NOVEMBER 23, 2015
4:30 P.M.

The Council of the City of Ruidoso Downs met in regular session on November 23, 2015. Mayor Williams called the meeting to order at 4:30 p.m. and asked Brittany Porter to lead the Pledge of Allegiance. Mayor Williams asked Carol Virden, City Clerk/Treasurer to take roll call. The following were present:

Councilor Miller
Councilor Morales

Councilor Perry - absent
Councilor Ritter

Carol Virden, City Clerk/Treasurer informed Mayor Williams there was a quorum.

Also present:

H. John Underwood, City Attorney
Alexandra Bobbit, City Attorney
Mary Castaneda, Finance Director
Christopher Rupp, Police Chief
Dale Graham, Interim Public Works Director
Dakota Crouch, HMAW Associate Director

APPROVAL OF AGENDA

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

Mayor Williams entertained a motion to approve the agenda.

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

Roll call votes: Councilor Morales, Aye; Councilor Miller, 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.

Councilor Morales said we need to make a change to the agenda. Under "Also Present" Carol, it had John as City Attorney but it was Alex on the minutes.

Councilor Morales moved to approve the Consent Agenda with the change on the minutes. Seconded by Councilor Miller.

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

APPROVAL OF MINUTES OF REGULAR MEETING OF NOVEMBER 9, 2015.

Councilor Morales moved to approve minutes of Regular Meeting of November 9, 2015. Seconded by Councilor Miller.

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

APPROVAL OF ACCOUNTS PAYABLES

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

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

APPROVAL OF MONTHLY REPORTS

Councilor Morales moved to approve Monthly Reports. Seconded by Councilor Miller.

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

APPROVAL OF COMMITTEE REPORTS

Councilor Morales moved to approve Committee Reports. Seconded by Councilor Miller.

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

UNFINISHED BUSINESS

Mayor Williams stated the next item on the agenda was Unfinished Business.

There was no Unfinished Business.

NEW BUSINESS

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

There were no Councilor’s Comments.

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – approval of Resolution No. 2015-20 A Resolution to Apply for Funding from the New Mexico Water Trust Board for a Water Conveyance Project.

Dale Graham, Interim Public Works Director said we would like to apply to the Water Trust Board and what we are looking to do is to upgrade the water distribution system within three months for the scope of work. It consists of engineering design summary, planning and design and construction of the water distribution system with the project on Utah Lane, Valley View, Palo Verde, North Lane, Highlands, Wood Lane, US 70 from Short Drive to South Parnell to the south side of the highway to provide water lines, fire hydrants, and the existing service lines to the system. Upon completion the project will improve the water quality allowing the City to better operating control of the water system, increased fire suppression capabilities, and provide the residents with a more reliable water system. It is \$1,075,000.00 project.

Mayor Williams said we were able to apply with the Water Trust Board last year and were able to get \$1,600,000.00 to do the water system in the Agua Fria Subdivision. It’s good to see that we’re moving into different areas of the City.

Dale said some of these are over 50 or 60 years old and some of the system is undersized and we need to update it.

Councilor Perry came in at 4:36 p.m.

Dale reviewed what he just said for Councilor Perry. He said we submitted our application this afternoon. All we have to do is get this resolution to them before December 7th.

Mayor Williams entertained a motion to approve – Resolution No. 2015-20 A Resolution to Apply for Funding from the New Mexico Water Trust Board for a Water Conveyance Project.

Councilor Ritter moved to approve – Resolution No. 2015-20 A Resolution to Apply for Funding from the New Mexico Water Trust Board for a Water Conveyance Project. Seconded by Councilor Miller.

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

Mayor Williams stated the next item on the agenda was -- Discussion and Possible Action -- Approval of Resolution No. 2015-21 Calling for Municipal Election (English and Spanish) for the City of Ruidoso Downs.

Carol Virden, City Clerk/Treasurer said this resolution is calling for a Regular Municipal Election for the election of municipal officers. It shall be held on March 1, 2016. Polls will be open from 7:00 a.m. and close at 7:00 p.m. At the Regular Municipal Election persons shall be elected to fill the following elective offices: 1 Mayor for a four year term, 2 Councilors for a four year term, 1 Councilor for a two year term, and 1 Municipal Judge for a four year term. Precincts 10.4, 11.3 and precincts parts of 22.1 are consolidated for the Regular Municipal Election. The following location is designated as the polling place for the conduct of the Regular Municipal Elections, voters in the consolidated precincts 10.4, 11.3 and precinct parts of 22.1 shall vote at City Hall Council Chambers, 123 Downs Drive, City Hall Hubbard Room, Ruidoso Downs, New Mexico. Absentee voting: application for Absentee voting may be obtained through the office of the Municipal Clerk. All applications for an Absentee ballot must be completed and accepted by the Municipal Clerk prior to 5:00 p.m., February 26, 2016 and after 5:00 p.m. and not later than 8:00 p.m. all unused Absentee ballots will be publicly destroyed by the Municipal Clerk. The Municipal Clerk will accept completed Absentee ballots delivered by mail or in person by the voter casting the Absentee ballot, by a member of the voters' immediate family, or by the caregiver to the voter until 7:00 p.m. on March 1, 2016. Absentee ballots may be marked in person in the office of the Municipal Clerk during the regular hours and days of business beginning on Tuesday, January 26, 2016 and closing at 5:00 p.m. on Friday, February 28, 2016. Early voting: Early voting on paper ballots counted on electronic vote tabulator will be conducted in the office of the Municipal Clerk during the regular hours and days of business beginning on Wednesday, February 10, 2016 and closing at 5:00 p.m. on Friday, February 26, 2016. Persons desiring to register to vote at the Regular Municipal Election must register with the County Clerk of Lincoln County not later than Tuesday, February 2, 2016 at 5:00 p.m., the date on which the County Clerk will close the registration books. All Declarations of Candidacy shall be filed with the Municipal Clerk on Tuesday, January 5, 2016 between the hours of 8:00 a.m. and 5:00 p.m. The casting of votes by qualified Municipal Electors shall be recorded on paper ballots to be counted by electronic vote tabulators. It's also in Spanish and I will read it if you want me to.

Mayor Williams entertained a motion to approve -- Resolution No. 2015-21 Calling for Municipal Election (English and Spanish) for the City of Ruidoso Downs.

Councilor Miller moved to approve -- Resolution No. 2015-21 Calling for Municipal Election (English and Spanish) for the City of Ruidoso Downs. Seconded by Councilor Ritter.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of Resolution No. 2015-22 Authorizing and Approving Submission of a completed Application for Financial Assistance and Project Approval to the New Mexico Finance Authority for the Colonias Infrastructure Fund.

Dale Graham, Interim Public Works Director said we are here to get your concurrence to apply to the Colonias Infrastructure Board for the Agua Fria Sewer System Phase III. We are working with Dennis Engineering to ask for the amount we are asking for and it is due December 18th.

Mayor Williams said in the last two phases we got around \$1,900,000.00. That money is being applied to the ongoing sewer project and this will be to apply to finish it up.

Councilor Perry asked if this will finish it up?

Dale said we hope so. We had the project set out in four phases but we got enough for Phase II that it's going to go over into Phase III and we are hoping what we get this time we will be able to finish Phase III and Phase IV.

Mayor Williams said the Colonias Board wants you to have one project and work through that whole project. They have been very generous to allow us to go on.

Mayor Williams entertained a motion to approve – Resolution No. 2015-22 Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval to the New Mexico Finance Authority for the Colonias Infrastructure Fund.

Councilor Perry moved to approve - Resolution No. 2015-22 Authorizing and Approving Submission of a Completed Application for Financial Assistance and Project Approval to the New Mexico Finance Authority for the Colonias Infrastructure Fund. 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 – Approval of Agenda Briefing Memorandum – To Hold Annual Christmas

Event at Hubbard Museum of the American West – Saturday, December 12, 2015 from 10:00 a.m. to 2:00 p.m.

Councilor Miller said our Beautification Committee along with the Hubbard Museum staff would like to put on a Christmas Event. We've done this in the past and we want it to be on Saturday, December 12th from 10:00 to 2:00. Mr. and Mrs. Claus have agreed to be there that day and we would like permission from the Governing Body to hold this event. We will have bags for the children and this year we will have singing again from our kindergarteners. I think eight classes will come this year and sing the same songs from their Christmas program and it is so cute. You don't want to miss it and we're hoping you will come to kick off the Christmas season at the museum.

Mayor Williams entertained a motion to approve – Agenda Briefing Memorandum – To Hold Annual Christmas Event at Hubbard Museum of the American West – Saturday, December 12, 2015 from 10:00 a.m. to 2:00 p.m.

Councilor Morales moved to approve – Agenda Briefing Memorandum – To Hold Annual Christmas Event at Hubbard Museum of the American West – Saturday, December 12, 2015 from 10:00 a.m. to 2:00 p.m. Seconded by Councilor Perry.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of Agenda Briefing Memorandum Ruidoso Downs Beautification Committee – Eight Youth Employment Contracts.

Councilor Miller said we've invited eight kindergartener classes to participate in singing and performing skits and I believe they are all going to bring a recycled item also for our collection by bringing some aluminum cans with them. It's teaching them how to save and we also turn in our cans to Greentree and they give us money back according to how much we collect. The children will be there singing and each class will receive \$100 but they will also be at some of our cleanups. They have to agree to come to some of our cleanups. Each teacher signed these and it's a good way to get these kids started on community service and it all comes from our grant money.

Mayor Williams entertained a motion to approve – Agenda Briefing Memorandum Ruidoso Downs Beautification Committee – Eight Youth Employment Contracts.

Councilor Ritter moved to approve – Agenda Briefing Memorandum Ruidoso Downs Beautification Committee – Eight Youth Employment Contracts. Seconded by Councilor Morales.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Personnel Recommendation – HMAW Position – Visitor Services Representative.

Dakota Crouch, Associate Director HMAW said I am bringing forth a recommendation to fill our vacant position for a part-time Visitor Services Representative. We had several candidates and chose to interview three of them. Myself and our Gift Shop supervisor and Ms. Miller from Personnel took part in the interviews and we chose Sandra Harris to offer the position to. She holds a Bachelor's Degree in Elementary Education and has previous experience with this position.

Councilor Morales said do you really need her?

Dakota said yes.

Mayor Williams entertained a motion to approve – Personnel Recommendation – HMAW Position – Visitor Services Representative.

Councilor Morales moved to approve – Personnel Recommendation – HMAW Position – Visitor Services Representative – Sandra Harris. Seconded by Councilor Miller.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Personnel Recommendation – Public Works Department – Position – Equipment Operator/Truck Driver.

Dale Graham, Interim Public Works Director said I would like approval for the recommendation to hire Esteo Chavez as our Equipment Operator/Truck Driver to fill the position that was created by the passing of Benny Sanchez.

Mayor Williams entertained a motion to approve – Personnel Recommendation – Public Works Department – Position – Equipment Operator/Truck Driver.

Councilor Miller moved to approve – Personnel Recommendation – Public Works Department – Position – Equipment Operator/Truck Driver. Seconded by Councilor Perry.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of Agenda Briefing Memorandum – Destruction of Public Records.

Carol Virden, City Clerk/Treasurer said a complete inventory has recently been completed of all documents and meeting cassette tapes that are now ready for destruction. There is a total of 106 standard storage boxes, 86 meeting cassette tapes, and 19 hard bound binders of the New Mexico State Statutes that have not ever been updated because we no longer receive the supplements to those state statutes.

Mayor Williams entertained a motion to approve – Agenda Briefing Memorandum – Destruction of Public Records.

Councilor Morales moved to approve – Agenda Briefing Memorandum – Destruction of Public Records. 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 – Approval of Agenda Briefing Memorandum – Memorandum of Understanding (MOU) Between the New Mexico Department of Transportation and the City of Ruidoso Downs – Selective Traffic Enforcement Program – “STEP” Project No. 16-ST-05d-085 \$6,000.00.

Chief Rupp said this in reference to the Selective Traffic Enforcement Program. This is the first year that we have received the STEP money since I’ve been here. It’s with the same agency that has given us the DWI funding. After speaking with our representative we have found that working into the new program and the scope of work would give us a high ability for traffic enforcement. It’s going to make our roadways safer for our community. Because of the numbers that we have been able to present to them with their DWI enforcement they have agreed to give us \$1,000 more than the previous \$5,000.

Mayor Williams entertained a motion to approve - Agenda Briefing Memorandum – Memorandum of Understanding (MOU) Between the New Mexico Department of Transportation and the City of Ruidoso Downs – Selective Traffic Enforcement Program – “STEP” Project No. 16-ST-05d-085 \$6,000.00.

Councilor Morales moved to approve - Agenda Briefing Memorandum – Memorandum of Understanding (MOU) Between the New Mexico Department of Transportation and the City of Ruidoso Downs – Selective Traffic Enforcement Program – “STEP” Project No. 16-ST-05d-085 \$6,000.00. Seconded by Councilor Miller.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval for Addition to Infrastructure Capital Improvement Plan (ICIP) – Ruidoso Downs Police Department – Dispatch Equipment of Approximate Cost of Replacing Equipment in the Amount of \$500,000.00.

Chief Rupp said tonight we bring forth a PowerPoint presentation in reference to our dispatch situation. We have recently applied for a Department of Homeland Security grant for EMS regarding our dispatch with the assistance of Ruidoso. Every year in the past Ruidoso had always received some kind type of funding for this grant process. This year it has become a competitive grant and neither Ruidoso nor Ruidoso Downs has gotten a single penny out of that grant. Right now there is a little upset going on about that but in the meantime we have a deteriorating dispatch situation going on in our Police Department. It had been overlooked in the past but I would like to do a quick PowerPoint. The total cost of the project is \$465,164.20 which includes hardware and software, installation and whatever else is needed. We tried to break it down in phases so that would be \$200,000.00 for Phase I and that would basically be to get our radio back up and our dispatch console into this century. Funding for the other amount will continue to go on.

Councilor Morales said this is frustration that there hasn't been any equipment upgrades in the last fifteen years and now there is a huge amount of money that we need. I don't know what happened prior.

Councilor Perry said last week with my wife and I the Chief took us through. I'm not as up on computers as my wife but the wires and stuff were running here and there and everywhere and this is terribly and badly needed or we're seriously in trouble.

Councilor Morales said with the liability we could have we need to do what we can.

Councilor Miller said Chief, did you say it would be compatible with what Ruidoso is trying to do with the same thing?

Chief Rupp said yes and we are trying to look at a more centralized dispatch. Ms. Bobbit has been helping us out with that and could fill you in more on that. This equipment we looked at now with Southwest Wireless, let's say we went with a more

centralized dispatch then it will all be in our office and it will all work together and we're talking all of Lincoln County.

Councilor Miller asked if the dispatch would alert all of Ruidoso Downs on our cell phones like with the fire? She said the school has that and they will notify everyone. You said something about the grant from Homeland Security?

Chief Rupp said we've been talking to other agencies and there is so much more technology. We've talked to the Homeland Security Emergency Services. This year was the first time it's gone competitive. Rio Rancho was one of the big winners and they got over a half million dollars for squad gear which we couldn't understand. We talked to Ruidoso and about the next time they go to Santa Fe to target us and Ruidoso Downs. The only ones that got anything in Lincoln County was Lincoln County and it wasn't much.

Councilor Ritter said you talked earlier about a centralized system. With the amount of money the County is spending and the amount of money you are talking about spending are we spending any redundant dollars? Does it put more importance into putting that together so that we're not doubling up dollars on any of those things?

Chief Rupp said right now we're still in the phase of getting everyone on board. Right now when it comes to saying yes since the Sheriff's Office is filling theirs we're having thoughts that we're still years away from having a possible a dispatch. If we say yes today it would be awhile before we could have this. There are a lot of regulations for having a joint dispatch. You're looking at five years. Right now we don't have all parties on board for doing this and in five years technology will have changed and we might have to look at upgrading the system again.

Alexandra Bobbit, City attorney said when it comes to the consolidated aspect of it, our largest concern is that we're not going to be able to do anything. What first prompted the consolidated dispatch was the City of Ruidoso Downs was paying out around \$24,000.00 to the Village of Ruidoso per year. When we started probing it a little bit more we weren't sure what we were paying for with that. Every year we were blindly handing over this money which essentially paid for a dispatcher at the Village of Ruidoso and they were the ones that had the PSAP. The problem is if we don't have any equipment that is usable or can be upgraded then we're coming to the table again with nothing of value and having to do another payment of \$24,000.00. Something is going to have to happen with Ruidoso and Ruidoso Downs whether the County is on board or not. If we don't have anything to provide you are probably looking at far more than that to Ruidoso every year. At this point this is kind of a step for us to be at those meetings and be able to show the Village of Ruidoso and the County that we are on board and in the same playing field.

Chief Rupp said Ruidoso is assisting us in trying to get these funds.

H. John Underwood, City Attorney said this will be addressed in the legislature. It will be helpful to have a synopsis of what equipment it would get for those dollars. Break it down some.

Chief Rupp said we have already approached Southwestern Wireless and have been working with Carl out of Roswell who is the District Manager. We are waiting to get that back with information for a Phase I and Phase II and so forth.

Mayor Williams entertained a motion to approve - Addition to Infrastructure Capital Improvement Plan (ICIP) - Ruidoso Downs Police Department - Dispatch Equipment of Approximate Cost of Replacing Equipment in the Amount of \$500,000.00.

Councilor Miller asked if that would be for the \$500,000.00 or the \$200,000.00?

Mayor Williams said that's the complete amount that we would ask the legislators for.

H. John Underwood, City Attorney said that way we would show them the complete amount.

Councilor Miller moved to approve - Addition to Infrastructure Capital Improvement Plan (ICIP) - Ruidoso Downs Police Department - Dispatch Equipment of Approximate Cost of Replacing Equipment in the Amount of \$500,000.00 but the first phase at \$200,000.00. Seconded by Councilor Perry.

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

Mayor Williams asked Mayor Pro Tem Morales to read the next item on the agenda.

Mayor Pro Tem Morales stated the next item on the agenda was - Discussion and Possible Action - Approval of Agenda Briefing Memorandum - Jordan Rue - Restitution for Light Pole Damage - Repayment Plan.

Alexandra Bobbit, City Attorney said I believe it was several months ago that we had the discussion regarding Mr. Rue and the accident that occurred with the light pole. At the time that's when we had the letter from the District Attorney's office stating that there had been a judgement against him. They did not act in time to be able to collect that judgement so it was left to us to do that. It's my understanding that the total cost for that was \$2,004.44. There was an agreement that it would be for \$1,500.00 prior to

court. I have spoken to Cedric Rue on behalf of Mr. Rue and he has started working at the ski area so he will now have funds. We had agreed to \$100.00 a month and they are asking for those payments to be made on the 15th and the first payment will be December 15th for \$100.00 and will continue to make those payments until it's paid off. If Council approves that we will send a letter to Mr. Rue.

Councilor Morales said I think he started paying and then he stopped paying we need to set a date for him to keep paying.

Councilor Ritter said I think we need to have an end date on it too. It's totally due and payable at the end of fifteen months. Whatever date that is so if he misses then we have an end date that says now we can't just drag this out. That would be March 15, 2017.

Alexandra Bobbit, City Attorney said in the letter I will include that it's due in its entirety on March 15, 2017.

Mayor Williams entertained a motion to approve - Agenda Briefing Memorandum - Jordan Rue - Restitution for Light Pole Damage - Repayment Plan.

Councilor Ritter moved to approve - Agenda Briefing Memorandum - Jordan Rue - Repayment Plan - of \$1,500.00 at the rate of \$100.00 per month beginning December 15, 2015 with the total balance being paid on or before March 15, 2017. Seconded by Councilor Morales.

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

Mayor Williams stated the next item on the agenda was - Discussion and Possible Action - Approval of Agenda Briefing Memorandum - Current Asset Listing as of June 30, 2015.

Mary Castaneda, Finance Director said it is recommended that the Governing Body approve the Current Asset Listing as of June 30, 2015 that was inventoried by staff. On the second page it shows the new acquisitions that were obtained during the year.

Mayor Williams entertained a motion to approve - Agenda Briefing Memorandum - Current Asset Listing as of June 30, 2015.

Councilor Morales moved to approve - Agenda Briefing Memorandum - Current Asset Listing as of June 30, 2015. Seconded by Councilor Miller.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of Agenda Briefing Memorandum – Current Listing and Removal of Unusable or Obsolete Assets for June 30, 2015.

Mary Castaneda, Finance Director said this is the Current Asset Listing as inventoried by staff of unusable or obsolete items that they no longer can be used, have been destroyed, or are non-functioning.

Councilor Ritter asked if there was any chance of selling these on that GovDeals.com?

Mary said I talked to Mr. Graham in regards to that. The lawn tractor has already been moved to do in the current year. The software is obsolete.

Mayor Williams entertained a motion to approve – Agenda Briefing Memorandum – Current Listing and Removal of Unusable or Obsolete Assets for June 30, 2015.

Councilor Ritter moved to approve – Agenda Briefing Memorandum – Current Listing and Removal of Unusable or Obsolete Assets for June 30, 2015. Seconded by Councilor Perry.

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

Mayor Williams stated the next item on the agenda was – Discussion and Possible Action – Approval of Agenda Briefing Memorandum – Approval of brochures and business cards; Approval to extend bus passes to 60 days; Approval to extend route to Inn of the Mountain Gods and Travel Center.

Bonnie Ambrose, Transit Manager said I've been in contact in conjunction with the Ruidoso Transit Task Force and we've got ENMU, Rio Ruidoso, and some business people that have come in and voiced some concerns. Most of them have said that some of the brochures listed incorrect times. I'm working with an outdated system and it didn't allow to me edit the one that was previously done so I just recreated to look pretty much the same except I put color. There's nothing different about it really except the new hours are correct and it lists our current holidays that we are off so they can know ahead of time. It lists our correct phone number and the prices for the rides and punch passes. Part of that is being able to distribute these around the City of Ruidoso Downs, the Village of Ruidoso, and Lincoln County. The hotels specifically said rather than a brochure they would rather have business cards on top of the brochures or have

a card they can take with them like if they go shopping somewhere they can take that card and be able to call us. It's the cheapest form of advertising I can think of. On the back I also have our hours of operation. We had a huge decrease in the amount of passes in use and that's only been over the last four or five months from the monthly reports I'm reading. We did a straw pull from some of our very regular passengers that we take to work or to certain doctor appointments or shopping. Timewise they come all the way down here to buy their pass and I would like to offer it through our drivers. It would be a small amount of money that our drivers would carry. It would be a convenience and it would increase the people that use it every day and people that use it once a week. We have a few handicapped people as well as some elderly that go shopping once a week or once a month and the other consensus is they don't buy a pass because it expires for them to use their money's worth. So, I would like to extend the bus passes to sixty days. There is no loss of income in that sense. The approval to extend the route to Inn of the Mountain Gods, we actually have quite a few that go to daycare at the Mescalero Inn and they go there whether they are dropping their kids off and going to Inn of the Mountain Gods on Zia Trans or Las Cruces for classes and so those people, depending on the time frame, have to walk a mile to pick up Zia Trans. I have spoken to Jonathan who is the Chief Operations at Inn of the Mountain Gods and says he is in favor of that and it will save them money. I've talked to Zia Trans and the other entities so we're not stepping on each others toes. We go to the Travel Center periodically.

Councilor Ritter said two questions. Why do we have an expiration date on passes?

Bonnie said I don't know.

Councilor Ritter said why do they need to expire?

Carol Virden, City Clerk/Treasurer said it's been awhile since we initiated the new passes. The reason is that previously under a different administration they were handing out what is called coupons. The coupons didn't work very well. When Mary and I did this we thought it was most feasible to have so many days for this cost either ten or fifteen. I thought it worked really well because some of these people they don't really use the passes and they can buy a ride for two dollars. Those coupons didn't have an expiration date and I don't know how much they paid for them so when we took it up and did that Council voted on it.

Mary Castaneda, Finance Director said the reason we put an expiration date is we would be getting daily sheets and these people would be coming in with passes and we when we started adding up the passes and try to tie those to the actual monies coming in we had so many more passes than we could account for being sold. We both agreed we needed some way to keep track of the passes out there and who had them. We

devised a system where the numbers were issued, they were logged into a book, the date they were sold was put in the book. It's not so much that we wanted them to expire in thirty days but it was an accountability issue so we didn't have passes coming in from five years ago.

Councilor Ritter said from the accounting side of it what is a good number of days?

Mary said me and Bonnie talked and I almost felt like six months but she opted for the sixty days.

Carol said the passes are designed for those who use it daily and not for those who use it once a week or once a month.

Bonnie said we do have some who want a paper receipt if they do buy the \$2.00 and they have a program with Medicaid where they can turn in that receipt.

Councilor Ritter said maybe ninety days is a good number.

Bonnie said anything but thirty and I think it would increase the sale of those passes.

Councilor Ritter said did we previously go to the Inn and the Travel Center and why did we stop?

Bonnie said I think it was funding and going into Otero County.

Councilor Perry said I think people were taking advantage of wanting a ride to the Inn and at the time gas was like \$3.90. They would stay there a couple of hours and then want a ride back.

Carol said that was one of the reasons and I think the reason for not picking up County residents to the Travel Center or the Inn was because we didn't get funding from the Mescalero Tribe. We were denied just as we were by the County. They were also going to Alto and that's in the County. The County has decided not to fund the transit for the last three years now. If they want a ride from Alto they will pick them up at the Ski Run Road Shell station.

Councilor Ritter asked if we should charge an additional fee or dollar to go to the Inn or Travel Center? I think from a safety standpoint we need to think about going to the Travel Center and making a U-turn on the highway with 55 mph. traffic. If we charge the extra dollar we would cover ourselves financially.

Councilor Miller said I know several people that go out to the Inn to catch Zia Trans for appointments to Alamogordo and Las Cruces. There are quite a few people and aren't there a lot of handicapped people?

Bonnie said there is a Veteran service and they will pay for it.

Mayor Williams entertained a motion to approve – Agenda Briefing Memorandum - Approval of brochures and business cards; Approval to extend bus passes to 60 days; Approval to extend route to Inn of the Mountain Gods and Travel Center.

Councilor Ritter moved to approve - Agenda Briefing Memorandum - Approval of brochures and business cards; Approval to extend bus passes to 90 days; Approval to extend route to Inn of the Mountain Gods and Travel Center and there will be a \$1.00 additional charge for the trip to the Inn of the Mountain Gods and/or the Travel Center. Seconded by Councilor Morales.

Councilor Miller said I hate to take money away but does there have to be an additional charge if we're going out there anyway? It doesn't make sense to me.

Councilor Ritter said I think because we're going out of town. The reason I proposed the \$1.00 was that fiscally Otero County is not contributing to us therefore we have to justify the added time and money expense to go there. I don't think the other dollar is too much to ask.

Councilor Miller said did the Inn totally refuse any money to bring people out there?

Bonnie said yes.

Councilor Ritter said if and when they do come back to Council then we'll take it off.

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

H. John Underwood, City Attorney said as far as our communication with the Village of Ruidoso as to these changes and what's going on do we have a built in form on how to do that?

Bonnie said yes. We directly through transit passport.

H. John Underwood, City Attorney asked when you will meet with them on this issue?

Bonnie said on December 8th.

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 Lincoln County Transit has a beginning cash balance of \$24,843.13. Revenues of \$1,649.00. Expenditures of \$12,272.66 leaving them an ending cash balance of \$14,219.47. The museum had a beginning cash balance of \$19,633.33. Revenues of \$8,235.54. Transfers from Lodgers' Tax of \$18,200.00. Expenditures of \$26,781.16 leaving them an ending cash balance of \$19,287.71. These figures are for the month of October.

Mayor Williams stated the next item on the agenda was – Employee of the 3rd Quarter for 2015. He told Brittany Porter that he had something to show her and give her to recognize employees for the work they do for the City and the community. We would like to recognize you as Employee of the 3rd Quarter. I would like to thank the Director for presenting this to the committee. This is a certificate for you and thank you for your contributions to the changes at the museum.

There was a round of applause.

PUBLIC INPUT

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

There was no Public Input.

CLOSED SESSION

Closed Session Limited Personnel Matters Pursuant to section 10-15-1. H-2, NMSA 1978 for the discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee.

Pursuant to Section 101-15-1. H-6, NMSA 1978 Certain Purchases, That portion of meetings at which a decision concerning purchases in an amount exceeding two thousand five hundred dollars (\$2,500) that can be made only from one source and that portion of meetings at which the contents of competitive sealed proposals solicited pursuant to the Procurement Code are discussed during the contract negotiation process. The actual approval of purchase of the item or final action regarding the selection of a contractor shall be made in an open meeting.

Discussion subject to the attorney-client privileged pertaining to threatening and/or pending litigation in which the City of Ruidoso Downs is or may become a participant, pursuant to Section 10-15-1.H-7, NMSA 1978.

Any action taken as a result of the Closed Session will be brought back into Open Session.

Mayor Williams entertained a motion to go into Closed Session for Limited Personnel Matters Pursuant to Section 10-15-1.H-2, NMSA 1978 for the discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee.

Pursuant to Section 101-15-1. H-6, NMSA 1978 Certain Purchases, That portion of meetings at which a decision concerning purchases in an amount exceeding two thousand five hundred dollars (\$2,500) that can be made only from one source and that portion of meetings at which the contents of competitive sealed proposals solicited pursuant to the Procurement Code are discussed during the contract negotiation process. The actual approval of purchase of the item or final action regarding the selection of a contractor shall be made in an open meeting.

Discussion subject to the attorney-client privileged pertaining to threatening and/or pending litigation in which the City of Ruidoso Downs is or may become a participant, pursuant to Section 10-15-1.H-7, NMSA 1978.

Councilor Miller moved to go into Closed Session for Limited Personnel Matters Pursuant to Section 10-15-1. H-2, NMSA 1978 for the discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee.

Pursuant to Section 101-15-1. H-6, NMSA 1978 Certain Purchases, That portion of meetings at which a decision concerning purchases in an amount exceeding two thousand five hundred dollars (\$2,500) that can be made only from one source and that portion of meetings at which the contents of competitive sealed proposals solicited pursuant to the Procurement Code are discussed during the contract negotiation process. The actual approval of purchase of the item or final action regarding the selection of a contractor shall be made in an open meeting.

Discussion subject to the attorney-client privileged pertaining to threatening and/or pending litigation in which the City of Ruidoso Downs is or may become a participant, pursuant to Section 10-15-1. H-7 NMSA 1978. Seconded by Councilor Perry.

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

Mayor Williams closed the regular meeting at 6:00 p.m. and invited H. John Underwood, City Attorney, Carol Virden, City Clerk/Treasurer, Alexandra Bobbit, City Attorney, Mary Castaneda, Finance Director, and Chief Rupp, Police Chief and called for a five-minute recess.

Mayor Williams entertained a motion to go back into Open Session.

Councilor Morales moved to go back into Open Session. Seconded by Councilor Ritter.

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

Mayor Williams called the regular meeting back to order at 7:07 p.m. and asked that a member of the City Council attest to the fact that the only items discussed in Closed Session were Limited Personnel Matters Pursuant to Section 10-15-1. H-2, NMSA 1978 for the discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee.

Pursuant to Section 10-15-1. H-6, NMSA 1978 Certain Purchases, That portion of meetings at which a decision concerning purchases in an amount exceeding two thousand five hundred dollars (\$2,500) that can be made only from one source and that portion of meetings at which the contents of competitive sealed proposals solicited pursuant to the Procurement Code are discussed during the contract negotiation process. The actual approval of purchase of the item or final action regarding the selection of a contractor shall be made in an open meeting.

Discussion subject to the attorney-client privileged pertaining to threatening and/or pending litigation in which the City of Ruidoso Downs is or may become a participant, pursuant to Section 10-15-1. H-7, NMSA 1978.

Councilor Miller attested to the fact that the only items discussed in Closed Session was Limited Personnel Matters Pursuant to Section 10-15-1. H-2, NMSA 1978 for the discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee.

Pursuant to Section 10-15-1. H-6, NMSA 1978 Certain Purchases, That portion of meetings at which a decision concerning purchases in an amount exceeding two thousand five hundred dollars (\$2,500) that can be made only from one source and that portion of meetings at which the contents of competitive sealed proposals solicited pursuant to the Procurement Code are discussed during the contract negotiation

process. The actual approval of purchase of the item or final action regarding the selection of a contractor shall be made in an open meeting.

Discussion subject to the attorney-client privileged pertaining to threatening and/or pending litigation in which the City of Ruidoso Downs is or may become a participant, pursuant to Section 10-15-1. H-7, NMSA 1978 and no action was taken.

H. John Underwood, City Attorney said in the reading of sections by Councilor Miller regarding the contract for professional services I would ask that you go ahead and have a motion to approve that contract.

Mayor Williams entertained a motion to approve - contract for professional services sole source services as discussed in executive session.

Councilor Ritter moved to approve - contract for professional services sole source services as discussed in executive session. Seconded by Councilor Morales.

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

ADJOURNMENT

There being no further business to attend to Councilor Morales moved to adjourn. Seconded by Councilor Ritter. All were in favor and the meeting adjourned at 7:11 p.m.



Gary L. Williams

Gary L. Williams, Mayor

Carol Virden

Carol Virden, City Clerk/Treasurer