



**CITY OF ELEPHANT BUTTE
SPECIAL CITY COUNCIL MEETING**

Wednesday, May 6, 2020

Municipal Building, 103 Water St. Elephant Butte, NM 87935

Due to the current health risks associated with COVID-19 and orders from the New Mexico Governor's Office and the New Mexico Public Health Department, public attendance at this and future meetings of the City Council are temporarily suspended. Until the orders are lifted and in accordance with the guidance from the New Mexico Attorney General, the City will make its meetings open to the public through dialing into GoToMeeting number: (571) 317-3112, Access Code: 916-258-741 or going to www.cityofelephantbutte.com for information about accessing the meeting through your computer.

MINUTES

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Edna Trager called the meeting to order. The following participated remotely: Mayor Pro Tem Kim Skinner, Council Travis Atwell, and City Attorney Ben Young. Kathy Vickers led the Pledge of Allegiance.

2. ROLL CALL

Clerk-Treasurer Rani Bush called roll.

Mayor Edna Trager - Present

Mayor Pro Tem Kim Skinner – Present remotely

Councilor Travis Atwell – Present remotely

Councilor Gerald LaFont – Present

Councilor Michael Williams – Present

Clerk-Treasurer Bush declared there was a quorum present.

**3. STATEMENT OF OPEN MEETINGS RESOLUTION & 3 MINUTE LIMIT PER
SPEAKER ON ALL ISSUES**

4. PUBLIC COMMENT

None

During the COVID-19 State of Emergency, the City of Elephant Butte only took written public comment submitted prior to the start of the meeting by email to cityclerk@cityofeb.com or submission at the following location: Utility Payment Boxes, City Hall, 103 Water Ave, Elephant Butte, NM 87935. Using CDC recommended guidelines for proper sanitation prior to delivering the comments was suggested.

Any written comment must be no longer than 3 minutes when read out loud. The comments will be read in the order received. The Public Comment period will be limited to a total of thirty minutes or until all comments have been read, whichever occurs first.

5. APPROVAL OF AGENDA - Council Declaration of Conflict of Interest

Councilor Williams made a motion to approve the agenda. Councilor Atwell seconded. Motion Passed.

6. MAYOR'S REPORT

Mayor Trager commented that this is the City's first GoToMeeting. Nothing is normal. She'll be talking about the new normal which constantly changes. She is keeping up with news from Santa Fe. During this state of emergency, she made as decision as mayor not to disconnect anyone's utilities. There were 41 people having difficulties paying their utilities, so she also waived late fees. These decisions will stay in place to match the Governor's stay-at-home orders.

7. REGULAR ITEMS

a. Discussion: Reopening Businesses in the City of Elephant Butte

Mayor Trager sent the councilors information about reopening from the NM Municipal League (NMML). There are mayors meetings every Thursday. The Governor has put together an Economic Council with representatives from different sectors throughout the State. She is also working with a Mayors Council with rotating membership. There is a lot of input being shared with the Governor's office.

The plan right now is that Phase 1 will start mid-May. It calls for all retailers to operate according to COVID safe practices at 20%, non-essential businesses can operate at 50%, dine-in restaurants and bars up to 50%. No bar stools or standing service and no live music. Gyms and salons can operate at COVID Standard Practices (CSP). Hotels can operate according to CSP up to full capacity. Houses of worship can operate according to CSP at a capacity to be determined. All of this is subject to change as the number of cases goes up or down.

The plan for mid-May right now for continuing closures are theaters and casinos. Visits to long-term care facilities will remain restricted. Mass gatherings are still restricted. The 14 day quarantine order will remain in place for out-of-state airplane arrivals. Vacation rentals will still be prohibited to out-of-state residents.

Mayor Trager shared this information with the owner of one of the local hair salons. There was a lot of concern in regards to the Truth or Consequences resolution which allows the opening of hair salons. This would hurt Elephant Butte salons quite a bit. Mayor Trager told her that she was free to start scheduling appointments in the same manner as TorC.

A lot of businesses are trying to gear up for mid-May. Residents should know that this is in line with the preparation phase. The Mayor also provided information with the councilors from various business owners in the community. Most businesses in Elephant Butte are deemed essential. A big factor with our community is the close relationship with the lake. We need Elephant Butte Lake to open. She wants to petition the Governor's office to provide a date for its opening. She has been in contact with the city attorney regarding a resolution. City Attorney Young reviewed the TorC resolution and came to the conclusion that a similar resolution is not needed for Elephant Butte. The most prudent course of action is to stay the course already laid out and follow the process.

He did work with the Mayor on a letter to the Governor's office asking for the lake to be reopened. The mayor has been keeping up with local business owners. Opening Caballo Lake this past weekend helped. A lot of the 25% limits don't pay off for business owners; it has to be at least 50%. Overnight stays aren't being addressed at this point.

Mayor Pro Tem Skinner commented that she like the plan from the NMML. The NM Tourism Department also sent the information out yesterday. The Middle Rio Grande Economic Development has passed it around as well. She feels everyone in the state is gearing up for reopening. Mid-May is next week. Santa Fe hotels are closed. She agreed with the Mayor that no one can operate at 25% and that the lake needs to be opened. She feels that the plan that is being shared is a good plan.

Councilor Atwell is in agreement with the plan fully. He feels the Governor needs to get the economy opened up or it will crash.

Councilor LaFont said the sooner the better.

Councilor Williams is in agreement with Mayor Pro Tem Skinner and Councilor Atwell. A date needs to be set and just do it. He asked Mayor Trager about the boundary of the state park. She confirmed that the boundary between the Bureau of Reclamation (BOR) jurisdiction and the state park goes right through Elephant Island. South of the island belongs to BOR so you launch, boat and fish in that area. Once you go passed Elephant Island, you are in the state park. The State Park has ticketed some boaters who went past the island. They first give you a warning and if they catch you a second time, then give you a ticket. So you go north past the Butte at your own risk.

The Mayor asked for Council input on the letter she is drafting about the lake being re-opened. Mayor Pro Tem Skinner shared about Lillis Urban who was the State Park Superintendent and on the Tourism Committee. She now works for the National Parks Service. In February, she was very excited because for the first time in years, money was allotted to hire all the staff that they had cut over the years plus adding seasonal staff. Then when the oil & gas prices went down, the Governor enacted hiring freezes at the park. Mayor Pro Tem Skinner visited with Christy Tafoya, Director of NM State Parks, who told her that the state park would be re-opened, but there was much preparation that needed to be done first to make it safe for COVID-19. In Mayor Pro Tem Skinner's opinion, this preparation should have started weeks before. She emphasized how the business owners need to have the lake opened by summer because Elephant Butte is very much a summer seasonal community.

Councilor Atwell added to push the fact that if she doesn't open the lake, it is devastating to our entire community and county. Councilor Williams said, in case the mayor gets any rebuttal, that she suggests a soft opening for Sierra County residents. All the staff would have to ask for is a valid I.D. at the gate. The Mayor hopes to have a dialogue with the Governor so they can have a discussion and not just have the information coming down to the City which has been the case so far. The biggest frustration is not being able to have a dialogue. There are concerns in regards to typical planned events. The Friends of the Lake are getting ready to vote on the Fourth of July Fireworks. They are at the decision point right now. Elephant Days is also becoming a concern. The Mayor will move forward with the letter to the Governor's office. She is also going to plan on the community opening up based on the shared phases from the Governor's office and the NMML mid-May. The hair salons will be able to re-open. The Mayor complimented City Manager Ballinger on her handling of the staff at the golf course which had seen many changes in hiring as the situation has progressed.

b. Discussion/Possible Action: Review of Draft FY20-21 Interim Budget

Mayor Trager began the discussion by talking about the gap every entity from the Fed on down is feeling between revenue and expenses. Michael Steininger helped Elephant Butte get the process started. He said to go worst case scenario by going low on revenue and high on expenses. We're already lean on expenses but did take out things like roof repairs, etc., sticking to the most urgent needs and ongoing day-to-day expenses. Elephant Butte does have a big gap. This discussion is to give the Councilor a chance to give input line by line.

City Manager Ballinger explained that the Council is looking at a draft of the interim budget for review and comment. The good news is the Small Cities assistance revenue received in March was way up this year. The bad news is that the GRT has been cut 25% in this draft. There is a vacant Water II position to fill in the Water Department. Line items have been added to help track spending in departments better. The final interim budget will be presented to Council at the regular meeting on May 20. The interim budget must be submitted to Department of Finance and Administration (DFA) by June 1. The final budget and the 4th quarter financial statements will be submitted to DFA by July 31. The reality is that there are many challenges this year. She has a goal to refine the budget and make things more clear so we can see what our actual business is.

Next Clerk-Treasurer Bush explained how the draft budget was set up to decide new baseline amounts for each line item using the Mr. Steininger's recommendations. He annualized the current budget, and then with revenues used the lowest amount (annualized vs. budget) and the opposite with expenses to be as conservative as possible. She then explain the logic with the City's 10 funds and how new departments were added to General Fund to better reflect current operations. Mayor Trager added how the baseline for key GRT revenue was reduced by 25% to better reflect the impact of COVID-19 will

probably have. The Councilors gave their input to key items. Clerk-Treasurer made notes to the spreadsheet accordingly.

When the Golf Course Enterprise Fund was being reviewed, City Attorney Young gave an update about the Spirit Golf Management (SGM) contract. The holdup is the liquor license lease agreements. They are still being processed at the State level. There are also certain SGM deliverables (i.e. insurance policies, updated budget and operating plan, etc.) that have yet to be received by the City. He and City Manager Ballinger drafted a letter to have the deliverables by the next Council meeting. In light of current circumstances, he also suggested to have a conversation with SMG regarding the finances of the deal, especially in the new fiscal year, due the current constraints and the start date being pushed back so far.

Mayor Trager ended the discussion by asking the Councilors to individually email any additional thoughts, feedback or questions to City Manager Ballinger or Clerk-Treasurer Bush.

8. ADJOURNMENT

Councilor LaFont made a motion to adjourn. Councilor Williams seconded. 4-0. Motion Passed.

Minutes approved and adopted at the City Council Meeting on May 20, 2020.


Edna Trager
Mayor

ATTEST:


Rani Bush
Clerk-Treasurer