

**City of Socorro Regular Scheduled City Council Meeting**  
**City Hall, 111 School of Mines Road, Socorro, NM 87801**  
**May 20, 2019**

Mayor Ravi Bhasker called the meeting to order at 6:00 p.m. Stephanie Saavedra, City Clerk, took roll call. Members present at roll call were: Mayor Ravi Bhasker, Councilor Nick Fleming, Councilor Mary Ann Chavez-Lopez, Councilor Deborah Dean, Councilor Anton Salome and Councilor Michael Olguin. Councilor Gordy Hicks, Councilor Peter Romero and Councilor Toby Jaramillo were absent.

**PLEDGE OF ALLEGIANCE**

Mayor Bhasker led all present in the Pledge of Allegiance.

**APPROVAL OF MAY 20, 2019 CITY COUNCIL MEETING AGENDA**

Councilor Fleming made a motion to approve the agenda as presented. Seconded by Councilor Dean, motion passed unanimously.

**CONSIDERATION OF MINUTES**

**a. May 6, 2019**

Councilor Fleming made a motion to approve the minutes as presented. Seconded by Councilor Chavez-Lopez, motion passed unanimously.

**PUBLIC FORUM**

**a. First Lego League “Hot Squad”**

Ethan, Ariana and Ishell Valentino stated that by winning the First Lego League Championship in New Mexico, they earned a spot at the World Championships. The students stated that they met people from all over the world at the World Championships. The students thanked the City of Socorro for supporting the team. The students stated that this is the last year the team will be First Lego League and next year they will become part of First Tech Challenge. The students introduced their parents, Gwen and Greg Valentino. The Mayor and Council congratulated the students on their accomplishment.

Samantha Winter introduced herself as the new SCOPE Coordinator. Ms. Winter stated that SCOPE is partnering with the Valencia County Health Council for work on the Suicide Prevention Grant.

Bill Stone, the NM Tech liaison, stated that NM Tech recently held graduation which included the issuance of 300 Bachelor’s degrees, over 100 Master’s degrees and 15 PhD’s. Mr. Stone stated that 8 of the graduates graduated from Socorro High School. Mr. Stone stated that there are several groups utilizing NM Tech’s dorms and facilities with the most recent being Search & Rescue. Mr. Stone thanked Donald Monette for his years of service as a NM Tech Regent.

**SECOND READING OF ORDINANCES – PUBLIC HEARING & CONSIDERATION OF APPROVAL**

**a. Ordinance No. 19-04-15 – Combining of Lodger’s Tax & Convention Center Fee**

Mayor Bhasker presented Ordinance No. 19-04-15. Donald Monette, City Administrator, stated that the purpose of the ordinance is to combine the lodger’s tax and convention center fee ordinances. Mr. Monette stated that the bond counsel for the Convention Center Project felt the two ordinances would better suit the \$1.1 million bond if combined.

Councilor Salome made a motion to go into public hearing. Seconded by Councilor Chavez-Lopez, motion passed unanimously.

There were no comments from the public.

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Councilor Salome made a motion to go back into regular session. Seconded by Councilor Chavez-Lopez, motion passed unanimously.

Councilor Salome made a motion to approve Ordinance No. 19-04-15. The motion was seconded by Councilor Fleming. A roll call vote was taken, motion passed unanimously.

**DISCUSSION AND DELIBERATION**

**a. Socorro Senior Center Update – Linda Murillo**

Mayor Bhasker stated that Linda Murillo, from the Socorro Senior Center, is looking into funding sources to build a new senior center (on the same site) and will report to the City Council once she has gathered more information.

**b. Public Hearing – USDA-RD Grant for Police Vehicles – Gwen Valentino**

Councilor Fleming made a motion to go into public hearing. Seconded by Councilor Salome, motion passed unanimously.

Gwen Valentino stated that the last step in the grant for two new police vehicles is having a public hearing. Ms. Valentino stated that the grant is for two police cars and is a 35% grant (65% City share). Ruby Lopez, the City's Finance Director, stated that the 65% City share is accounted for in the budget. Ms. Valentino stated that once the first grant is complete, it will be easy for the City to utilize the grant each year by simply updating the information from the previous year. There were no comments from the public. Mayor Bhasker and the City Council thanked Ms. Valentino for assisting with the grant.

**c. RFP Award – Long-Term Wholesale Power Supply, Scheduling Services & Project Capital Financing**

Mr. Reyes began the discussion. He started by explaining:

Macquarie and Guzman submitted offers with 3 different financing options. The submissions were very similar. The proposals offer flat energy rates for seven (7) years. The energy costs on one (Guzman) was significantly lower, while the financing on the other (Macquarie) was significantly lower. The RFP included a 7.5 million dollar request from the City. \$500,000.00 would be for planning and design and \$7,000,000.00 for construction. Targeted customers for the initial project would be NM Tech, the City Industrial Park and other selected facilities that are large enough consumers. The financing that is considered will be three (3) to seven (7) year bridge financing until the City can refinance the project.

Macquarie's offering price is 4.375 per kilowatt hour (KWH) but other costs (transmission/delivery) would need to be added. Mr. Reyes stated the transmission/delivery cost would add a few cents per kilowatt hour. After adding the financing charge, the rate would be just over ten cents (.10) per kilowatt hour. Lending would include a 2% origination fee and 8% interest rate. No payments would be made until after the 5th year. At that time, the City would make quarterly payments of \$625,000.00 for twelve (12) quarters.

Guzman's offering price is 3.8 cents per KWH for seven years and a transmission/delivery cost of 2 cents. Financing was much more complex. The interest rate would be 8% on phase one (\$500,000.00 for planning and design) and 14% on phase 2 (\$7,000,000.00 for construction). After year 3, the rates would change to 15% and 20%, respectively. It was originally thought Macquarie

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would be less expensive if it took the full 7 years to refinance. However, as it seems the City will be able to refinance after 1 year, the overall effective rate of the finance charge will be much less and makes the Guzman rate 9.8 cents per KWH. 11.6 cents if the financing were to go to the seven year term.

Councilor Hicks arrived.

The Mayor stated he had talked to the NM Finance Authority (NMFA) and their president stated they are willing to look at refinancing the debt after one year of operations and the rate would be approximately 3.2%. Mr. Reyes mentioned the current NMFA rate was currently below 3 percent. Councilor Chavez-Lopez wondered what would happen if the NMFA did not refinance the debt. Mayor Bhasker pointed out that we would sell the electricity for 11.8 cents. He reminded the Council that the current SEC rate is 17 cents and they are proposing to raise rate to 18 or 19 cents. The 11.8 rate would still be competitive. He also added the SEC cost for electricity is 8.3 cents and the City's would be 3.8 cents plus 2 cents for a total of 5.8 cents. Councilor Olguin questioned if this is the residential rate. Mayor Bhasker stated it would be the rate for any user as it would be a flat rate. Mr. Monette questioned if we needed to ass 1 cent for Operation and Maintenance. Mr. Reyes stated the transmission rate being used is as high as it possibly can be and if it comes in lower, probably half of 1 cent, that would absorb some of the O&M costs. The Mayor reminded the council the rate would be fixed for 7 years.

Councilor Olguin requested assurances that the proposals were reviewed by the selection committee. He also inquired as to how the proposals compared to the feasibility study performed. Mr. Reyes stated the proposal were right in line with the feasibility study and actually about half a center cheaper than expected. Mr. Reyes added with the passage of the Energy Transition Act (Renewable Energy Act) there will be a big push for renewables and solar. He then stated this act may cause projects to be built that could lead to rates below three cents and some close to two cents per KWH on a long-term basis.

Councilor Olguin then questioned how long it would take to pay off the financing of the loans and what the income/financing projections were based on. Mr. Reyes replied the first phase is based on a 10 megawatt (MW) load substation at the maximum. Mr. Reyes referred to the financing structure that was requested in the RFPs, which the previously mentioned rates were to pay off the financing over 7-year term. He then went on to state that when this term was over, the City would look to refinance for the expected lifetime of the facilities (15-35 years). This would allow the cost of the debt service to go down as the term would extend and the interest rate would go down. Councilor Olguin stated he did not have enough time to go through the RFP in detail as he had only received the information in the Request for Proposals (RFP) three days prior and if all this information was included, to which Mr. Reyes replied yes. Mr. Reyes also added he had clarifying questions of the respondents to ensure we had and understood what they were proposing and for Councilor Olguin to feel free to reach out to him with any questions.

Councilor Olguin then wondered if reaching out would be after the fact, as the RFP was on the agenda for approval, to which Mayor Bhasker stated no and that the Administration fully expected this issue to be tabled. The Mayor added that this is an educational process for everyone involved, to which Councilor Olguin stated he wanted to be able to answer questions from and for the public. Mayor Bhasker reminded the Council that the two respondents to the RFP are two very significant and credible organizations and this is merely the first step and we would still need to perform a

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preliminary engineering report (PER). He likened stage we are at in the process to building a home. Once you have the blueprints, you then find out how much it will take to build it.

Councilor Olguin verified if these are the companies that are willing to take this on, to which Mayor Bhasker said yes, the City does not have the money to move the process further. The Mayor then stated the City now has two credible sources that are willing to take on this project based on their belief the project will be successful and they have a track record for taking on such projects. The Mayor gave an example of Guzman converting Kit Carson/Taos. Mr. Reyes added the example of the Jicarilla Apache Nation and the City of Aztec.

The conversation switched to a focus on the City of Montrose, Colorado which is another electric utility that is upset with Tri-State. The Mayor again emphasized the fact that new technologies are making electricity cheaper but Tri-State's rate is locked in at 8.3 cents per kwh until 2050 and not aggressive in pursuing the new technologies. Councilor Olguin then questioned if the SEC was in any position to renegotiate these issues. Mr. Reyes replied the City met with the SEC about six months prior and were told the SEC has done all of the research looking into a new wholesale provider the SEC is willing to do and the topic is no longer up for discussion.

Councilor Olguin then asked if that was the method Kit Carson used, to which Mr. Reyes replied correct. Mayor Bhasker reminded Councilor Olguin that Kit Carson took that path but incurred a penalty and the City would not be in that position. The penalty Kit Carson incurred was added to the current rates, but yet they were still happy with the new rates and able to pay off the penalty. Councilor Olguin then noted that Kit Carson could then lower their rates.

The Mayor then noted that Mr. Reyes' company has a lot of experience in these matters and that is why they were chosen. He also, again, stated Guzman and Macquarie are credible companies.

The Mayor then noted nobody on the RFP selection committee was an employee or elected official with the City. He mentioned the committee had returned a selection they felt was best for the City and it was in agreement with what Mr. Reyes had determined.

Mr. Reyes then mentioned the NMFA has just approved a loan for the Pueblo of Acoma to obtain their distribution system and it is something (funding electric utilities/infrastructure) the NMFA is familiar with and likes to do.

Councilor Olguin then stated he is looking to get more educated to be able to run through different scenarios and be able to answer questions about different events and outcomes.

Mr. Reyes then stated that the stage the City is at now, awarding the RFP, is to acquire the funding to be able to move to the next stage. The next phase would be the preliminary engineering report. Councilor Olguin questioned if the recipient of the RFP would perform the RFP, to which the Mayor answered no. He stated the City would execute an RFB for these services. Mr. Reyes mentioned the report would also include a detailed business case. The business case would include all expected costs (capital cost, organizational costs, billing, meter reading, etc.). Councilor Olguin verified that in order to get this information the Council would need to approve the RFP. Councilor Olguin then questioned what would happen if the RFP were approved and the business case did not support moving forward. Mr. Reyes replied the City and awardee would form an agreement that allows for those possibilities. Mr. Reyes also added that both companies are aware of the possibility of the

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project not moving to the construction phase. The companies are aware of the risk and possible loss of the initial funding. Mr. Reyes mentioned the City Attorney is very experienced in preparing these contracts with great protections for the City.

Councilor Olguin questioned that the companies might sugar coat the numbers to ensure the project moves forward. Mr. Reyes replied that the companies would not want to sugar coat the numbers because the companies, or the NMFA, want to ensure the City can repay the construction loan.

Councilor Olguin then questioned how much electricity coverage this would project would provide. Mr. Reyes responded the first phase is only for the industrial park, select large users and NM Tech. Councilor Olguin added that he would like to see some numbers for the industrial park in order to start recruiting businesses to the area. Mayor Bhasker reminded the Council that the proposed project is to lower electricity costs for current user. Mayor Bhasker cited NM Tech as an example and the savings they would see would be between \$500,000.00-\$1,000,000.00.

Councilor Chavez-Lopez wanted to know when the utility would expand to the general residents of Socorro. Mayor Bhasker responded with the fact that it has taken 10 years to get to this point. He also brought up the point that the SEC would collapse from losing the targeted customers (25% of current demand). He also stated this process would avoid litigation as we are creating a new City utility. The Mayor believes the SEC is dragging their feet because they do not believe the City is going to do anything. Councilor Olguin then questioned how much longer the remaining SEC customers would have to suffer from any corresponding actions, such as raising rates, by the SEC. Mayor Bhasker stated the SEC would have to obtain approval from the PRC for any rate increases. He then reminded the audience of a Town Hall hearing on June 3<sup>rd</sup> at 6:00 p.m. at City Hall. The Mayor also expressed an alternative action would be for the SEC to come to the table to discuss lowering rates. Mayor Bhasker stated it is not the job of the City Council to protect the SEC, to which Councilor Olguin replied he is not trying to protect the SEC and that if the project turns out to be feasible and beneficial for all, he is all for it. Councilor Chavez-Lopez stated it is the interim they are worried about. Mayor Bhasker stated the Council could just drop the project. Both Councilors Olguin and Chavez-Lopez stated that was not what they were intending. Mayor Bhasker stated future rate increases by the SEC would be up to them. The only thing the City is providing is information about the industrial park and other users in the current project.

Mayor Bhasker stated that the City would rapidly deploy to other areas of the City once the first project is complete. He then recalled a meeting with the SEC where the City presented options and tried to have a discussion about rate. He had spoken for 30 minutes and not one SEC board member asked a question after. The Mayor brought up how the SEC and other cooperatives in the Southwest are strangling the economies of New Mexico and the Southwest. He stated that if we are going to make a difference, we have to take chances.

Mayor Bhasker then reviewed some of the SEC financial performance and activities over the last year.

Councilor Salome then asked how the process played out in Aztec and Taos. If the City could get electricity here for 5 cents per kwh while the SEC is paying 8 cents per kwh, we should probably get that utility here. It would allow the City to do the things the City needs to do to function and stay below the SEC price. He then reviewed the SEC financial statement showing a net worth of \$23,000,000.00. Councilor Salome stated it is the duty of the SEC Board to protect its owner/users,

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the majority of which reside in the City of Socorro, by controlling the manager. He then added that if the SEC Board is not going to protect them, it is the duty of the City Council to take action. Councilor Chavez-Lopez stated she is not saying she does not want to do it, she just wants to make sure she understands. The Mayor stated that she is right. The SEC might raise rates, but, just like Taos, we have to put up with some of the consequences. He also stated that if the first project is successful and the City continues to expand the service, the City might even be able to offer discounts on City utilities to those affected by and further SEC rate increases. The Mayor then reiterated that the project could still stall, and if the organization that fronts the funding are willing to take this risk on the project succeeding, and the language will be in the agreement, that if the project halts, the City is not at risk. The Mayor explained that the first step is awarding the RFP.

The Mayor then shared details of customer service at the SEC, trying to get in contact with the manager, and the status and comments of the PRC on the current rate increase case. He reminded the Council that the current offers include fixed rates for 7 years, whereas nobody knows what the SEC will do over that timeframe. Tri-State coal generation plants and the associated debt were then briefly discussed. The Mayor then reminded the Council again that this decision is to pick the organization to begin the process, not to commit to the entire \$10,000,000.00 project. Councilor Olguin stated that he wants to make sure details removing the risk from the City will be in the contract. Mayor Bhasker assured him the Council would see the contract prior to signing. Polo Pineda then discussed the RFP process and the associated committee. He stated the committee rated Guzman higher based mostly on the rate structure, rather than the financing. Polo said he did not take notes at the committee meeting when asked by Councilor Olguin.

Again, the Mayor and Council discussed what would happen to existing customers should the City take the 25% load from the SEC grid. They also asked if there were any examples from other electric utilities rates when this has happened in other places. Some examples were PNM and Northern Rio Arriba (NORA). Mr. Reyes provided a history on the NORA situation and stated the Jicarilla Apache Tribe won that suit in court and was allowed to leave NORA and purchase the transmission system on the reservation. Mayor Bhasker questioned if we could research the rates before and after this change. Mr. Reyes continued that the NORA website is not up to date and that the Jicarillas do not share that information but that he could get the NORA rates before and after 2014. Councilor Salome asked if this information is available regarding Aztec. Mr. Reyes explained the Aztec change came when their contract expired with PNM in 2016 and his company was chosen to take them through the competitive procurement process. He informed the Council that Guzman was selected for that project, which contained a one MW solar farm and their current price is about 4.5 cents per kwh plus transmission. He said Aztec is in a better geographical area as they are hooked up to Western Area Power Administration (WAPA) and WAPA's rates are significantly lower than Tri-State's and a little lower than PNM's.

Gallup was then discussed and Mr. Reyes stated that his company did work with Gallup during 2013-2014 and Tri-State actually won that contract. The initial price in that contract was 3.85 cents, which proves Tri-State has the ability to offer lower rates, but the SEC is not willing to fight for the lower rates. He added they received eight to nine proposals during the RFP process. In the contract, Gallup was allowed to include an 8 MW solar facility with an opportunity to purchase in seven years. He added that Tri-State canceled their economic development rate in 2017.

Councilor Olguin went on to say that he is interested to see what actions the two newly elected SEC Board members (Michael Hawks and Paul Bustamante) will take.

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Councilor Hicks stated that he likes the fact there will not be a lawsuit associated with this project and that the Council owes this to local businesses, NM Tech and the City. He then asked if anyone has determined what monetary affect this will have on the City. He believes this is a win-win situation.

Polo Pineda, IT Director, stated that RFP's were received on October 26, 2018 for Long-Term Wholesale Power Supply, Scheduling Services & Project Capital Financing. Mr. Pineda stated that after the RFP's were reviewed by the committee, a recommendation was made by the committee to award the RFP to Guzman Energy.

Councilor Olguin stated that he would like more time to review the information and made a motion to postpone the item to the July 1, 2019 City Council meeting. Seconded by Councilor Hicks, motion passed unanimously.

Mr. Monette stated that the information provided is confidential and should not be shared with the public until the RFP has been awarded.

**d. Resolution No. 001A – FY 2019-2020 Preliminary Budget Approval**

Ruby Lopez, Finance Officer, presented Resolution No. 001A which, if approved, adopts the City's preliminary budget for FY 19-20. Councilor Fleming thanked everyone who helped in the preparation of the budget. Ms. Lopez stated that some of the items included in the budget are the change to minimum wage, an increase in PERA employer contributions (.25%) and an increase in medical premiums (7.9%).

Councilor Hicks made a motion to approve Resolution No. 001A. Seconded by Councilor Chavez-Lopez, motion passed unanimously.

**e. Resolution No. 19-05-20 – Loan Resolution – Road Improvements**

Ruby Lopez, Finance Director, presented Resolution No. 19-05-20 which, if approved, authorizes a loan between the City of Socorro and the NM Finance Authority in the amount of \$339,146 for the purpose of road improvements.

Councilor Hicks made a motion to approve Resolution No. 19-05-20. Seconded by Councilor Chavez-Lopez, motion passed unanimously.

**COMMITTEE REPORTS**

None.

**DEPARTMENT DIRECTOR REPORTS**

Mayor Bhasker stated that Demecio Silva, Street Department Director, and his crew continue to work on road projects throughout the City.

Joe Gonzales, Fire Chief, stated that there was a structure fire earlier in the day and that there is a fire currently burning in the bosque.

Michael Lucero, Sanitation, Landfill and Recycling Superintendent, stated that the new commercial dumpsters should be in at the end of June.

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Cindy Rivera, Recreation Director, stated that the youth center celebrated International Heritage Day with traditional food and clothing from various countries. Ms. Rivera stated that there will be a summer bash June 1<sup>st</sup> at Sedillo Park and the summer program will officially start June 3<sup>rd</sup>.

Jim Dewey Brown, Tourism Director & Events Manager, stated that there is an event at the rodeo arena every weekend from June through August.

Ms. Saavedra stated that the City is accepting applications for the Summer Youth Employment Program. Ms. Saavedra stated that the orientation will be May 30<sup>th</sup> and the first day of work will be June 3<sup>rd</sup>.

Lloyd Martinez, Utilities Division Director, stated that the swimming pool passed inspection and sewer line replacement will begin on Fairgrounds Road on June 3<sup>rd</sup>.

Isacc Angel, Gas Superintendent, stated that the Gas Department will be assisting with the sewer line replacement on Fairgrounds Road.

Mr. Monette stated that during a recent meeting with the EPA and Senator Ramos concerning Eagle Picher, the City was informed that Eagle Picher is so far down on the cleanup list that it may never be cleaned in our lifetime. Mr. Monette stated that the City should be eligible for state funds to clean up the site itself. Mr. Monette stated that the building will not have to be knocked down but there will have to be a lead and asbestos abatement.

Mike Winders, Police Chief, stated that Joe Rodriguez recently graduated from the police academy. Chief Winders stated that the City has not lost any additional police officer and that the raise approved recently by the City Council has helped with that issue.

Lupe Tarango, Dispatch & Animal Control Director, stated that the animal shelter has been trapping a large amount of cats. Mr. Tarango stated that the new dispatcher is training and will attend the academy in February.

**NEW BUSINESS**

None.

**OLD BUSINESS**

None.

**EXECUTIVE SESSION**

None.

**MAYOR'S REPORT**

**a. Personnel Changes**

Councilor Hicks motioned to approve the personnel changes as read by Mayor Bhasker:

Alfredo Garza - 5-20-19 – Police - New Hire\*(Police Officer) - A-42

Joe Rodriguez - 5-15-19 – Police – Certification - B-39 to B-44

Michael Perrault - 5-5-19 – Police - Completed Probation - A-37 to A-39

Zach Ortega - 6-1-19 – Fire - New Hire\*(FF/EMT) - A-28

Daniel Pacheco - 6-1-19 – Fire - Promotion to Lieutenant - L-38 to L-42



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Gabe Sosa - 6-1-19 – Fire - Promotion to Lieutenant - F-40 to F-44  
Jedi Angel - 6-1-19 – Fire - Certification (Fire Inspector I) - C-38 to C-40

Temporary New Hires: Briana Lara, Cheyenne Cortez  
Temporary Renewals: Elias Jacquez, Paul Foulenfont, Jerry Griego, David Chavez, Deekota Chavez, Eva Chavez, Alexis Montoya, Taylor Saavedra, Zach Anaya, Enrique Robles, Rena Benavidez, Veronica Boyd, Joe Lopez, John Armijo, Joseph McGaha, Elizabeth Dunning  
Student Workers: Lucas Madril, Darrian Greenwood, Matthew Guzman  
Lifeguards (14), Referees (3)

Seconded by Councilor Salome, motion passed unanimously.

**b. Business Registrations**

Councilor Hicks motioned to approve the business registrations as read by Mayor Bhasker:

Angel Sky Window Cleaning - Out of Town - Veguita, NM - Juan Lopez - Window Cleaning  
Wendy Rip Roaring Lions - C-2 - 705 A California Street - Wendy Winningham - Beauty Training Center

Seconded by Councilor Dean, motion passed unanimously.

**c. Voucher Run**

Councilor Fleming made a motion to approve vouchers 147679 to 147976 in the amount of \$802,637.77 plus Payroll Transfers (\$296,078.61), for a total of \$1,098,716.38. Seconded by Councilor Hicks, motion passed unanimously.

**d. Announcement – Next City Council Meeting Dates and Times**

Mayor Bhasker stated that the next regular City Council meeting will be held on Monday, June 3, 2019 at 12:00 Noon in the City Hall Council Chambers (111 School of Mines Road).

**ADJOURNMENT**

At 7:35 p.m., Councilor Hicks motioned to adjourn. Seconded by Councilor Fleming, motion passed unanimously.

**THE CITY OF SOCORRO – a municipal corporation**

\_\_\_\_\_  
/s/  
**Ravi Bhasker, Mayor**

**ATTEST:**

\_\_\_\_\_  
/s/  
**Stephanie Saavedra, City Clerk**