



# TOWN OF SILVER CITY COUNCIL

## REGULAR MEETING AGENDA

SEPTEMBER 14, 2021, 6:00 PM

GRANT COUNTY ADMINISTRATION CENTER, 1400 HWY. 180 E., SILVER CITY, NM

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**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

**2. CHANGES TO AGENDA**

**3. CEREMONIES –**

**4. PROCLAMATIONS- Marianne Bray/Sisterhood of the Americas-declaring September 17-23, 2021 as Constitution Week**

**5. COUNCIL COMMENTS**

**6. APPROVAL OF MINUTES**

- A. Regular Meeting on August 24, 2021.

**7. PUBLIC INPUT**

**8. REPORTS**

- A. Staff Reports.

**9. PUBLIC HEARINGS-**

**10. UNFINISHED BUSINESS**

**A. Approval/Disapproval of Ordinance 1306:** An Ordinance authorizing the issuance and sale of the Town of Silver City, New Mexico gross receipts tax improvement and refunding revenue bonds, Series 2021 in an aggregate principal amount not to exceed \$8,500,000 for the purpose to (1) finance acquisition, construction and improvement of certain capital improvements for the benefit of the Town and its residents, (2) to refinance, pay and discharge the Town's outstanding Series 2011 bonds maturing on and after June 1, 2022, and (3) pay costs of issuance of the Series 2021 bonds; providing that the Series 2021 bonds will be payable and collectible from and secured by a pledge of (1) the gross receipts tax distributed to the Town pursuant to section 7-1-6.4 NMSA 1978, as amended (the "state-shared gross receipts tax"), and (2) the 1/8<sup>th</sup> percent municipal gross receipts tax distributed to the town pursuant to section 7-19d-9 NMSA 1978, as amended, and Town Ordinance No. 722, as amended by Town Ordinance No. 1181; providing for the disposition of the receipts derived from said tax proceeds; approving the delegation of authority to make certain determinations regarding the sale of the Series 2021 bonds pursuant to the supplemental public securities act; providing for the terms and other details concerning the Series 2021 bonds; providing for certain documents pertaining to the Series 2021 bonds; ratifying action previously taken; repealing all actions inconsistent with this ordinance; authorizing the taking of other actions in connection with the issue and sale of the Series 2021 bonds.

**B. Approval/Disapproval of Ordinance 1307:** An Ordinance amending Appendix C, Land Use and Zoning Code of 2010, Article III, District Regulations, Section 3.2, Use Table,

and Section 3.3, Use Regulations, Subsection 3.3.1, Use-Specific Standards, by adding a new paragraph 3.3.1 H), entitled “Cannabis Establishments,” of the Municipal Code of the Town of Silver City, Grant County, New Mexico, to provide zoning and regulation of Cannabis Establishments pursuant to the Cannabis Regulation Act of 2021.

## **11. NEW BUSINESS**

**A. Approval/Disapproval of Resolution No. 2021-20:** A Resolution approving the mediation settlement agreement in Docket No. D-202-CV-2018-08036, City of Albuquerque, et al v. Stephanie Schardin Clarke and New Mexico Taxation and Revenue Department, in the Second Judicial District Court of New Mexico (the “lawsuit”), and authorizing the Town Manager to execute all documents on behalf of the town to implement and conclude the settlement agreement, including: 1) approval of the mediation settlement agreement, settlement amount and contingency fee, and 2) the release.

**B. Approval/Disapproval of Resolution No. 2021-22:** A Resolution adopting the 2023-2027 Infrastructure Capital Improvement Plan (ICIP)

**C. Re-appointment to Cemetery Board**

## **12. ADJOURNMENT**

## Town of Silver City Council Members

<u>Name</u>	<u>Elected Position</u>	<u>Telephone</u>	<u>Term of Office</u>
Ken Ladner	Mayor	534-6346	03/2018 - 03/2022
Cynthia Ann Bettison	Councilor, District 1	597-7031	03/2020 - 03/2024
Lynda D. Aiman-Smith	Councilor, District 2	597-7032	03/2018 - 03/2022
Jose A. Ray, Jr.	Councilor, District 3	313-4944	03/2020 - 03/2024
Guadalupe Cano	Councilor, District 4	597-7034	03/2018 - 03/2022

### *MISSION STATEMENT OF THE TOWN OF SILVER CITY*

*Silver City is the hub of an inclusive community settled within a small town that through guided growth, honors and preserves its historical, cultural, and natural heritage while facilitating jobs, health, and education resources such that the residents and visitors may enjoy and protect the recreational opportunities of the area and high quality of life.*

*Approved by the Town Council on May 25, 2010.*

**The Council may call an EXECUTIVE SESSION pursuant to NMSA 1978 Section 10-15-1(H) for the following reasons:**

1. meetings pertaining to **issuance, suspension, renewal or revocation of a license**, except that a hearing at which evidence is offered or rebutted shall be open;
2. **limited personnel matters** which means 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;
3. deliberations by a public body in connection with an **administrative adjudicatory proceeding**;
4. meetings for the **discussion of bargaining strategy preliminary to collective bargaining negotiations** between the policymaking body and a bargaining unit representing the employees of that policymaking body and collective bargaining sessions at which the policymaking body and the representatives of the collective bargaining unit are present;
5. that portion of meetings at which a decision concerning **purchases in an amount exceeding \$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 (13-1-28 NMSA 1978) 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;
6. meetings subject to the **attorney-client privilege pertaining to threatened or pending litigation** in which the public body is or may become a participant;
7. meetings for the **discussion of the purchase, acquisition or disposal of real property or water rights** by the public body.

Note: NMSA 1978 Section 10-15-1(H) Exceptions (4) relating to students, (9) relating to public hospitals, and (10) relating to the gaming control board were not listed above since they do not apply to the Town of Silver City.

**For information on what's happening in local government, please visit the Town's website at [www.townofsilvercity.org](http://www.townofsilvercity.org).**