

**City of Tucumcari
City Commission Meeting Minutes
January 9, 2014**

The Tucumcari City Commission met in a regular meeting on Thursday, January 9, 2014, at 6:00 p.m. in the City Commission Chambers, Members present constituting a quorum were, Ernest Dominguez, Robert Lumpkin, Amiel Curnutt, and Dora Salinas-McTigue

City Staff members present were: Doug Powers, City Manager; Charlie Sandoval, Asst. City Manager; Larry Rigdon, Fire Chief; Janet Garcia, Lab Supervisor; Jason Braziel, Chief of Police; Angelica Gray, City Clerk; and Dennis Dysart, Financial Director.

Doug Powers led the group in the Pledge of Allegiance.

PUBLIC HEARING

Consideration of Love’s Travel Stop No. 262 Transfer of Ownership & Location of Liquor License – Mr. Tatum attorney for Love’s Travel Stores, is asking for approval of transfer liquor license #00088 from the local location to the Loves Store. He introduced local store manager, Wayne Juarez. He stated Loves Stores are located nationwide and well thought of. The liquor license will enhance business for Love’s. He stated they have complied with all requirements.

Mr. Lumpkin asked Ms. Gray if this application meets all requirements. Ms. Gray stated it does meet with all requirements.

Mayor Curnutt asked the public if they had any questions or comments. It was asked by a citizen if this application was simply for packaged liquor. Attorney Tatum stated it was.

There were no other comments made by citizens.

Mr. Lumpkin made the motion to approve the transfer of the liquor license and Mr. Dominguez seconded the motion. Roll Call:

Lumpkin	Dominguez	Curnutt	Salinas-McTigue
Yes	Yes	Yes	Yes

Consideration of Changes or Deletions to Agenda

Mr. Lumpkin made the motion to approve the agenda as written dated January 9, 2014 and Mr. Dominguez seconded the motion. Roll Call:

Dominguez	Lumpkin	Curnutt	Salinas-McTigue
Yes	Yes	Yes	Yes

Items from Commissioners

Mr. Dominguez thanked everyone for coming and to everyone who submitted their candidacy for the March election.

Ms. Salinas-McTigue thanked everyone for coming.

Mr. Lumpkin stated that as a liaison to the cemetery board he would like to announce they have tree trimming operation started. There have been 66 dead evergreens removed and possibly 21 elm trees. The City received a contract with a company who is helping us with this matter. He thanked Scott Simpson and Doug Powers for their help.

Mayor Curnutt thanked everyone for coming tonight.

Approval of Minutes

Mr. Lumpkin made the motion to approve the minutes for December 19, 2013 commission minutes and Mr. Dominguez seconded the motion. Roll Call:

Curnutt	Dominguez	Lumpkin	Salinas-McTigue
Yes	Yes	Yes	Yes

City Manager's Report

Mr. Powers stated that in the last couple of weeks we had the opportunity to meet with HDR Engineering who is the engineering group who did our wastewater plant. The commissioners are aware we received a \$100,000 capital outlay for improvements to our sewer system. Calvin Henson and Ed DuBois have prepared a priority list and he is hoping to have a proposal for the commissioner fairly quickly. They have been looking at the sewer line west of the 66 lift station. In addition, the lift station on Rock Island needs modifications. It turned into a three phase motor setup with different leveling mechanisms.

He visited with Mr. Henson today and they have been working on the grid auger, which is one of the things we were written up for. He has rebuilt the shaft and it looks like it needs a starter and a control panel. He is trying to get with local electricians to get that done.

Also, on the bar screen, which is another machine that was not functioning, Mr. Henson has torn it apart and ordered new bearings and brushes. He hopes it won't be too long before it's functioning.

Mr. Powers stated tomorrow he will be traveling to Albuquerque to meet with Wilson & Co. and Forsgren Engineering who are companies working on our water transmission line project, which is a \$2,000,000 water trust board grant to bring water from the 5 mile park.

Mr. Arias and his employees are doing a great job at the landfill. Mr. Arias did not know how much tonnage had been put into the landfill but Mr. Powers thought it was somewhat over 150 tons. Mr. Powers spoke to Buddy Rogers and he stated that the first layer is 5 foot. He anticipates will take one year to get this fluff layer filled.

It has been a tremendous change at the landfill with the right equipment and the compactor running and new dozer. Mr. Powers hopes we will get assistance with capital outlay to get us a new compactor for the landfill.

Bids and Contracts

Amendment No. 4 of Legal Services Agreement for Attorney, Kyle Harwood – Mr. Powers stated that the City did the RFP process with Mr. Harwood’s law firm. We have done this in steps, which were to take this to a limit of \$50,000; however this amendment is for the \$50,000. Mr. Harwood is helping the City with the Ute Lake water situation along with helping us with our irrigation water well protest.

Mr. Lumpkin stated that we are trying to not engage with our attorney any more than needed. Mr. Harwood has been invaluable trying to maintain a minimum pool level for our reservoir. In addition, we are trying to use our own intake structure instead of having to hook up to the other intake structure at an extremely high cost to the citizens of Tucumcari. Mr. Lumpkin added that it is estimated it would cost \$4.5 million to comply with the Interstate Streams Commission.

Mr. Lumpkin made the motion to approve the Amendment #4 legal services and Ms. Salinas-McTigue seconded the motion. Roll Call:

Curnutt	Dominguez	Lumpkin	Salinas-McTigue
Yes	Yes	Yes	Yes

Request and Approval of Ambulance Yearly Grant Application – Mr. Rigdon requested the commission approve the annual funding grant in the amount \$63,600.00, which is 100% grant. Mr. Rigdon stated the department applies for that amount and they disburse however much they can.

Mr. Lumpkin made the motion to approve Ambulance Yearly Grant Application and Ms. Salinas-McTigue seconded the motion. Roll Call:

Dominguez	Lumpkin	Curnutt	Salinas-McTigue
Yes	Yes	Yes	Yes

Request and Approval of Invitation to Bid for Microbiological Water Testing – Janet Garcia stated she wants to enter into a contract with the Drinking Water Bureau. The contract needs to be renewed every four (4) years. Currently she is able to receive \$13,000 a year to the State. She is currently charging \$35.00 per sample and she would like to increase it to \$40.00 per sample. By increasing it, she will receive an additional \$1,840.00 a year for routine samples.

Mr. Powers added this lab is important to the entire State. Ms. Garcia stated that we serve Vaughn, Duran, Logan, San Jon, Tucumcari, Conchas Dam, Fort Sumner, Santa Rosa, the rest areas, and House. We test 20 systems in total along with multiple samples.

Mr. Lumpkin made the motion to approve the Invitation to Bid for Microbiological Water Testing and Ms. Salinas-McTigue seconded the motion. Roll Call:

Lumpkin	Dominguez	Curnutt	Salinas-McTigue
Yes	Yes	Yes	Yes

New Business

Results of District 2 Special Election – Ms. Gray read her results from the special recall election, which were as follows:

City Commissioner One
Dora Salinas-McTigue

	VCC	Early	Absentee	Total	District One Statistics
For the Recall	20	22	0	42	District One Total Voters 91
Against the Recall	20	29	0	49	

City Commissioner Two
Jimmy Sandoval

	VCC	Early	Absentee	Total	District Two Statistics
For the Recall	33	23	4	60	District Two Total Voters 110
Against the Recall	18	31	1	50	

The commission is obligated to approve the results. Ms. Gray stated that these results will be placed in the minute's book.

Items from Citizens

Mayor Curnutt stated the commission appreciates the citizens keeping their commentary respectful. The commission does not need any abusive language or public attacks on any officials or individuals. Anyone could speak with a three minute limit.

Daniel Garcia – He commended Commissioner Lumpkin. A year ago, Mr. Lumpkin contacted Mr. Garcia and asked for a Pledge of Allegiance plaque in Spanish and English. It was placed on the wall in the commission chambers and he is glad to see that the plaque is still there.

Marcello Valverde, Jr. – He stated he is representing District 2. He presented the commission with a Petition. He stated the citizens from District 2 would like to request that the representative of our District be elected rather than being appointed by the commission. He stated they feel that due to the turmoil between the commissions that appointing would not in their best interest. The reason there is a serious division amongst the present commissioners. The residents in District 2 want to see our town grow and develop economically and they want a say on who would be best to represent us. It is their opinion that the cost of a special election is a small price to pay in order to insure that our best interest is equally represented.

Ms. Salinas-McTigue asked if Mr. Valverde for a special meeting where comments can be addressed. She stated they would need to meet with the city clerk to set up a time and place and these issues can be addressed.

Gary Montano – Under the City 2.04.020, special meetings are allowed. He read the code. This is regards to the position that was vacated at the election. He does not believe the election cost \$6,000.00. He will ask for an itemized bill for that special meeting. He would ask the commission call a special meeting in a District 2 location and let the citizens vote a representative. He has an instance; he is citing the March 27, 2012, work session notes where Ms. Dougherty explained that this is the ordinance number she has assigned to the revised 2.4 regarding city commission. Ms. Salinas-McTigue, Commissioner Lumpkin, and Commissioner Lopez stated this is not a commission decision rather the people’s decision. Mr. Lopez stated a low voter turnout indicates an overwhelming support but the choice should be put before the people in a special election.

Mr. Lopez was a good friend of his and he said he received 89% of the vote in his district because he talked to those people.

Mr. Marcello Valverde collected 31 votes in District 2 and he agrees with him. He believes District 2 should determine their next city commissioner.

He congratulated Jimmy Sandoval for his time spent. There is no time frame listed as far as an appointee or special election other than what was read in the work session.

Jean O’Dean – She commended working with Mr. Dysart with her water issues and her residence on East Aber, she appreciated their efforts because of her circumstances. She also commended the Tucumcari Police officers who have come for the legal matters.

Phyllis Garcia – She thanked Jimmy Sandoval for all his work on the commission.

Items from Commissioners

Mr. Dominguez thanked everyone for coming tonight.

Ms. Salinas-McTigue thanked everyone for coming and input. She looks forward to hearing from Mr. Valverde and Gary Montano. We do want what is best for our registered voters in our community and particularly now for District 2.

Mr. Lumpkin thanked everyone for coming. He brought attention to MCC. He has read the paper and there is always something positive in the newspaper. He thanked MCC for all the efforts.

He thanked the people who painted the older buildings and stations. They are attracting a lot of tourist. He appreciates their efforts.

Mayor Curnutt thanked everyone for coming.

Adjournment

Mayor Curnutt asked for a motion to Adjourn. Mr. Lumpkin made the motion to adjourn and Ms. Salinas-McTigue seconded the motion. Roll Call:

Dominguez	Lumpkin	Curnutt	Salinas-McTigue
Yes	Yes	Yes	Yes

Meeting over at 6:37 p.m.

Amiel Curnutt, Mayor

ATTEST:

Angelica M. Gray, City Clerk