

**CITY OF TUCUMCARI
CITY COMMISSION
Work Session Notes
October 8, 2015**

The Tucumcari City Commission met in a work session on Thursday, October 8, 2015 at 5:00 p.m. in the City Commission Chambers. Members present were John Mihm, Ruth Ann Litchfield, Rick Haymaker, and Robert Lumpkin. Amy Gutierrez appeared via telephone.

City staff members present were: Jared Langenegger, City Manager; Doug Powers, Assistant City Manager; Sharayah Sisneros, Executive Assistant; and Angelica Gray, City Clerk.

Guest: Patrick Vanderpool, Director of Economic Development.

Discussion regarding reduction or waiving convention center fee to Rockabilly on the Route

Mayor Lumpkin stated that Rockabilly on the Route last year paid in the area of \$500, plus security. This year everything added together with our pricing came out to \$3,135.00. This is a City of Tucumcari activity, and we contract their services to put on the event for us, but it's still our activity it also brings a lot of people into town. He has spoken to this Commission and prior Commissions, sometimes if we can afford it and we can waive the cost to the Convention Center, it helps those that put it on but it would also help Pink Flamingo Productions, it would give them a little more money to put towards production. He suggested that we charge them \$500 plus security that is needed at the event. Mr. Langenegger stated that last year Pink Flamingo Productions paid \$500 and the City took care of the security. He believes it would be appropriate for them to pay for security. He is not opposed to waiving the fees because it doesn't cost anything in dollars, but when we have to hire the security that is money out of the budget line items that we're paying for, so it wouldn't be appropriate to waive that.

Mayor Lumpkin asked if anyone wanted to suggest another price. Mayor Pro Tem Litchfield stated that she thinks that's a good idea because of all the stuff they bring and people they bring in. She spoke to them and they said they would like to try to do some of it out at the fair barn. Mayor Lumpkin stated that would cost them \$350 for the fair barn, they also talked about getting a liquor license, but no longer plan on selling liquor. When there has been liquor at the fair barn a vendor from town has been used. The Commission was in agreement to charge \$500 and letting them be in charge of security. Commissioner Mihm asked if there was a figure for security that he could present to them; Mr. Langenegger stated that is something that could get together before making contact with them.

Discussion of Ute Lake Water

Mayor Lumpkin stated that one thing that has been done, with combination of Tucumcari Quay County Regional Water Authority we spent \$50,000 for a firm yield study. This will lend more accuracy to presentations so they can go back to HDR Firm and they will show what the reservoir did during the drought, which will provide official engineering to show the reservoir was affected during the years of the drought. That will cost \$9,500 the money will come out of the Ute Lake Water Fund that we have with the City of Tucumcari and in the fund, there is a gross receipt tax that is a quarter cent and generates about \$250,000 a year currently in that fund there is between \$1.5 to \$2 million, about \$1.8 million, looking at spending about \$10,000 of that. That money can't be spent on anything other than

Ute Lake Water issues; legal, engineering, bricks and mortar and things such as that. If we did need money from Ute Lake we would probably have to talk about building a pipeline over twenty miles long which can easily cost in the area of twenty million dollars we don't really have that kind of money. We'd have to go to New Mexico Finance Authority and borrow the necessary money and then use the gross receipt tax to pay it back. This is what is usually done when there is a large bill, very rarely is there enough money in the tax fund to pay the costs.

Mr. Langenegger clarified that the money is for further study, the firm yield that we currently have is based off of just pumping out water at a constant rate. The number that was given for the Firm Yield Reservoir was 18,800 acre feet. From years back to current they collected all information, inflow/outflow and everything else and figured that you could pump out 18,000 acre feet, every year, constantly and never go below the minimum pool. The \$9,500 is to add in the drought management plan that the Eastern New Mexico Water Authority has as well. The drought management plan says that once the water reaches 3,766 they'll reduce pumping by 30%. Instead of pumping 24,000 acre feet a year they reduce that by 30% and pump out 16,800 acre feet a year. They'll change their model to take into account the reduction once it hits a certain level and then do the reduction. With the current model you'd put in the number you're going to use, such as 18,000 and it'll give you a chart that shows what the lake level did. According to the chart in about 2012 it bottomed out and went back up. When we get the study and change the model to reduce the pumping the reduction brings it down to 16,800 if pumping the whole 24,000 acre feet. This new model will show with the reduction and drought management plan that the lake level will stay up higher and will not drop down to the minimum pool.

Mayor Lumpkin stated that one of the points is to change the drought management plan to make it more feasible this will support that if we all make adjustments in our allocation and with the minimum pool then the drought management plan will need to be adjusted to where it is more feasible.

Commissioner Haymaker asked if this was just the drought management fee. Mayor Lumpkin stated that it is in addition to the firm yield study fee. Mr. Langenegger stated that the city will pay \$9,500 to adjust this model.

Mayor Lumpkin stated that this did not need a vote that Mr. Langenegger wanted to bring it in front of the Commission to make sure they were all informed.

Discussion of EDC reporting format

Mr. Langenegger sent out an amended quarterly report format to the Commissioners. He stated that at the last work session we received a quarterly report from the Economic Development Corporation, Mr. Vanderpool came in a gave a very nice report, but there were some questions about the information that was provided, some of the things that we asked for were not provided in the report. Mr. Langenegger and Mr. Vanderpool had a discussion about adding in certain information. Since that time there has been an EDC meeting, at the meeting the quarterly report was discussed and Mr. Vanderpool has brought it to his attention that there is certain information in the quarterly report that we're requesting that Mr. Vanderpool feels they cannot provide. In their discussion Mr. Langenegger and Mr. Vanderpool agreed that items 2A2-cash accounts, EDC could not provide this information because it contradicts with IPRA because EDC is a private non-profit and they do not have to provide that information as a public record.

The next item to be deleted is item 3-EDC operation budget, asked to provide an accounting of the current EDC operating budget to include all revenue sources, current expenditures, projected expenditures, any short falls or surpluses, Mr. Vanderpool stated that since it is a non-profit, private corporation that they do not have to report all their funding, but he would report on how the \$58,000 that the City provides is expended, that funding will be expended for salaries, LEDA projects, things of that nature.

Item 2C report on any other investments accounts, the EDC doesn't have any other accounts.

Mayor Lumpkin asked that all sale missions and travel undertaking by the EDC during the quarter and how the travel benefited the mission, include full expenditure reports for the trip. Mr. Vanderpool said he would provide reports of trips that related to City projects but would not provide expenditure reports as those are EDC documents and are subject to disclosure. Mr. Vanderpool stated that any of the Commission is welcome to attend EDC meetings and review reports there, or set up an appointment and ask for the reports that they would like to see but presenting the reports in a quarterly format to the Commission makes them a public document and the EDC shouldn't be providing that information publicly.

Mr. Vanderpool stated that the important distinction is that this will be a public document presented in a public forum all of this information is available at the EDC Board Meetings and wants the Commission to have access to the information; the only concern is putting it in a public document. The same thing applies to projects; he spoke to Mr. Langenegger about the importance of full accounting of City funds, whether it is in the EDC budget or a LEDA project, once those become a public fund there should be a full accounting of that and there will be in the reports. In fact they have set the City's contract funds into a separate account, so they will be accounted for separately and there will be a full accounting of the expenditures of the City's funds provided. He stated we can do a better job than we did on the first report, in terms of reporting on the LEDA projects, he will provide more information as they move forward in terms of anything regarding public funds because that is important and appropriate. The distinction is made in terms of what information is in the public domain and what is not, when we speak about what is the EDC budget internally or any of the expenditures in the EDC budget internally those will be handled in an EDC meeting where it comes to public funds those will certainly be included in the next quarterly report. A quarterly report is not prepared yet because Mr. Langenegger wanted to make sure these changes were approved by the Commission.

Mayor Lumpkin stated that this looks like a step in trying to find exactly what type of report the Commission wants and also the EDC and asked if this needs to be approved at a meeting or if they can just agree to move forward with it. Mr. Langenegger stated that the contract is written that the EDC will report in the format the City Manager provides them, so if there are no objections he will provide the new format to the EDC in order for the EDC to provide the next report.

Mayor Lumpkin stated that one thing he discussed with Mr. Vanderpool that the Commission was asking for a little more detail for example on trips and how the money was spent and what we got out of it, Mr. Vanderpool told him that if it happens to be non public information the Commission still has access to that, and he believes that the objective is being able to say they know exactly what is

going on. Mr. Langenegger stated that he believes that there will be some information that will be requested in the board meetings, so they can get the information they would like to see and if the new format works well they will continue to utilize it. Mr. Vanderpool then stated that it may take a couple more tries to get the format just the way they want it, but he is glad they had the conversation and will move forward.

Sculpture from Bob Peterson

Mr. Langenegger stated that Bob Peterson, a local artist, presented a sculpture that he would like the City to consider purchasing and placing at Sands Dorsey. Mr. Peterson asked if they would like to look at it, when he had it placed there were several people driving by that slowed down, stopped and turned around to look at it. Commissioner Haymaker said while it was still up a tour bus stopped to look at it. Mr. Langenegger also said that Commissioner Haymaker had a great idea about placing the sculpture at Sands Dorsey and placing a sign next to it saying it is the future site of Sands Dorsey Pavilion, it'll show that we are moving forward, we are serious about the intent of making it into a pavilion and it might even draw some people down to look and take pictures. Mr. Langenegger stated that he thinks it will be a good thing, Mr. Peterson asked for \$3,000 for the sculpture but said he will go down to \$2,500, for that amount of money it is a good investment for something that will draw attention to that area. He then asked if the Commission had any objections.

Mayor Pro Tem Litchfield stated that she liked the fact that Mr. Peterson was local.

Mayor Lumpkin stated that he thinks it is a good idea and likes Commissioner Haymaker's idea. He thought that Mr. Langenegger suggested using the pavilion for rotating art; people could display their art there and Mr. Peterson's piece could stay at the Sands Dorsey lot or rotate to other areas of Tucumcari. He likes the idea of concentrating on art in that part of town.

Mr. Langenegger wanted to bring to the Commission's attention that a citizen of Tucumcari, Gary Southern, spoke to Ms. Gray about getting rid of the "rock" in front of the building, referring to the Ten Commandments. Ms. Gray said that he could present his issue to the Commission. Mr. Langenegger stated that he is not in favor of getting rid of anything, but he just wanted the Commission to be aware in case it comes up again.

Commissioner Haymaker said he would like to see the invocations continue. Mayor Lumpkin stated that the Commission has no intention of getting rid of the invocations.

Commission adjourned at 5:32 p.m.

Submitted by:

Angelica M. Gray
City Clerk