

**City of Tucumcari
City Commission Meeting Minutes
October 23, 2014**

The Tucumcari City Commission met in a regular meeting on Thursday, October 23, 2014 at 6:00 p.m. in the City Commission Chambers. Members present constituting a quorum were: John Mihm, Ruth Ann Litchfield, Robert Lumpkin, Amy Gutierrez and Rick Haymaker. Mayor Robert Lumpkin appeared by Skype.

City Staff members present were: Doug Powers, Assistant City Manager; Dennis Dysart, Finance Director; Ralph Lopez, Project Manager; Mark Martinez, Project Manager; Jason Braziel, Chief of Police; Mercedes Rudisill, HR Specialist; and Sgt. Paul Bell.

Invocation presented by John Barrett Center Street United Methodist Church and Mayor Pro Tem Litchfield led us in the Pledge of Allegiance.

Consideration of Changes for Deletions to the Agenda

Commissioner Mihm made the motion approve the agenda as written and Mayor Pro Tem Litchfield seconded the motion. Roll Call:

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

Items from Commissioners

Commissioner Gutierrez welcomed everyone who is in attendance at this meeting. In addition, she stated the upcoming events scheduled are the Halloween Party at Presbyterian Church on October 23, 2014 along with the Red Ribbon Carnival. She stated the Knights of Columbus has a dance on October 25, 2014. She stated there are numerous things to do around town and suggested we get on the Chamber of Commerce website for more information.

Commissioner Haymaker also welcomed everyone. He thanked Mr. Barrett for the invocation tonight. He welcomed the listening audience at home and KTNM for airing. He stated he attended the Economic Development workshop for job creation assessment this week. He thanked Pat Vanderpool and EDC for inviting him. He also thanked Watson's BBQ for putting out good meals and Everyone's Federal Credit Union for sponsoring the meals. He also stated that Rte. 66 Museum needs volunteers. Anyone who is interested in volunteering should contact Bob Beaulieu at 626-818-4336.

Commissioner Mihm also thanked everyone for coming tonight. He welcomed and introduced our new city manager, Jared Langenegger.

Mayor Pro Tem Litchfield mentioned two events. First is the Senior Citizens is having their Halloween dance and costume party on October 25th. Also, on that same day the Methodist Church is having their annual enchilada dinner. She stated the Railroad Museum is also looking for volunteers.

She added there was a great turnout at the Tucumcari Mountain Cheese Factory with Governor Martinez and her staff. She stated Charles Krause is doing such a great job at the Cheese Factory. She commented on how good things are looking in Tucumcari.

Mayor Lumpkin thanked everyone for coming tonight and he thanked Tucumcari for their patience. He also thanked the commissioners for reporting the events taking place in Tucumcari. He also thanked KTNM for coming to our meeting and broadcasting them. He also thanked Quay County Sun for publishing meetings and events going on with our new city manager. He is proud of Tucumcari.

Approval of Minutes

Mayor Pro Tem Litchfield stated she has one change on the October 9, 2014 work session notes. She stated the change is after the reconvening of the executive session reads “Mayor Litchfield” and it should read Mayor Pro Tem Litchfield.

Commissioner Mihm made the motion to accept the change to the October 9, 2014, work session notes and Commissioner Haymaker seconded the motion. Roll Call:

Litchfield	Haymaker	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	Yes

Commissioner Gutierrez made the motion to approve the October 9, 2014, work session notes as amended and Commissioner Mihm seconded the motion. Roll Call:

Lumpkin	Gutierrez	Litchfield	Haymaker	Mihm
Yes	Yes	Yes	Yes	Yes

Commissioner Haymaker made the motion to approve the October 9, 2014, Commission Meeting Minutes and Mayor Pro Tem Litchfield seconded the motion. Roll Call:

Haymaker	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

Mayor Pro Tem Litchfield made the motion to approve the October 14, 2014, work session notes and Commissioner Mihm seconded the motion. Roll Call:

Mihm	Litchfield	Lumpkin	Gutierrez	Haymaker
Yes	Yes	Yes	Yes	Yes

Proclamations, Memorials, or Petitions

Proclamation declaring the Month of November 2014 as Helping Hands Hospice Month – The Proclamation was accepted by Mary Jimenez.

Proclamation declaring October 23 -31 as Red Ribbon Campaign Week – The Proclamation was accepted by Susan Lease.

Ordinances and Resolutions

Resolution 2014-35, BAR 1st Quarter Budget Adjustment for FY 2015 – Dennis Dysart, Finance Director, approached the commission and stated the budget resolution for the first quarter is generally fairly small. He stated the departments have funds and they shift their lines as needed. He stated although he may make a lot of changes within the budget, it does not affect the overall fund too much. He stated the budget started at approximately \$494,000 deficit which included the \$200,000 cash we would need to receive yet. He stated that with the \$494,500 plus \$200,000 it would have been a \$700,000 deficit. He stated the deficit is made up of \$400,000.000, which is an emergency fund that the commission approves to set aside in case it is needed throughout the year. In addition, we have a fire engine fee purchase which will be approximately \$350,000, which makes up the deficit portion of that. He added that the City has received the \$200,000 from the State.

He stated he included in the packet, the initial budget and the adjustment of \$12,500, which is the adjusted amount, primarily because we received more money for the Fire Fund grant, which the City received from the State.

He included the quarterly report which includes the activities and different sections. He also included a summary, categories, and finance, grants, and taxes received and transfers. He also stated the City has an oversight from the Department of Finance Administration, Local Government Division and they require reports every quarter. He stated he has attached the report, which includes a summary page and detail information for each of the general fund sections.

He stated the other oversight group we have is the State Auditor. He stated we are finishing and completing our second week of field work with the auditor. He has asked for an exit conference, which is set for 12:15 p.m. on October 30th, which will be a closed session pursuant to the Audit Act. He stated the reason for the closed session is the audit results cannot be handed out preliminary before they have been submitted, reviewed and approved by the State Auditors. The State Auditor has the final say as to when the results will be released.

Commissioner Gutierrez stated the agenda form they received has an adjustment total of \$12,461.00, however; the revised scheduled of budget adjustments shows \$12,464.00. Mr. Dysart responded that it is primarily rounding out.

Commissioner Haymaker made the motion to approve Resolution 2014-35 and Mayor Pro Tem Litchfield seconded the motion. Roll Call:

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

Resolution 2014-36, Designating Signatories to sign NMED Grant/Landfill Trash Compactor – Ralph Lopez, Project Manager, stated the City of Tucumcari, during the last legislative session, applied for and received a grant to go toward purchasing a trash compactor for the landfill. He stated as part of that process they need us to designate the signatories for the grant.

Commissioner Gutierrez asked if this resolution could be approved prior to Mr. Langenegger's contract and hiring date being approved. Mr. Powers suggested a motion be made adding the approval of this resolution would be contingent to Mr. Langenegger's contract being approved.

Mayor Pro Tem Litchfield asked if Mayor Pro Tem should be after her name. Mayor Lumpkin stated it should have her title after her name.

Commissioner Gutierrez made the motion to approve Resolution 2014-36 contingent to city commission accepting and approving the new city manager's contract along with the corrected signature by the Mayor Pro Tem and Commissioner Mihm seconded the motion. Roll Call:

Litchfield	Haymaker	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	Yes

City Manager's Report

Mr. Powers thanked Ashley and Richard Martinez for donating the new sign at the outdoor classroom.

He also stated the City of Tucumcari has been contacted by Wells Fargo Bank about the possible donation of a house located at 901 East Turner. He asked Mr. Lopez to get packets together of photos of the property for the commission to review. He stated if the commissioners want to inspect the property, we can set up a date.

He stated the City had their bid opening for the water well project. He stated he asked the engineer to meet with him and Ms. Strand during the infrastructure conference. He stated the bids seemed a little high and he would like to reduce it down and get this project more in line.

He stated the Coop Project needs to be completed by the end of the month. He stated there was a delay with the grant agreement, however; it seems to be proceeding well.

He stated they have ordered an additional 115 meters. The water superintendent and his crew are installing the meters and it will enable us to purchase more meters, which puts us at nearly 2,000 meters.

He added the final segment at the railroad depot project installed electrical cooling and heating on the east side of the breezeway, lighting improvements, along with lighting up the arches.

He stated he visited with Joe Thomas, City Manager in Clovis, regarding Sands Dorsey, they are hoping to complete construction on their asbestos cell. He stated as we all know, the transportation has been the major portion of the disposal of the building. With construction completed, they will ask for the environment department to complete an inspection, which should take five weeks or so. He is hoping by the end of this year, if the commission is ready to proceed, we will have an alternate site for disposal, which will be a tremendous cost saving to the City.

He stated we had the Northeast Regional Transportation Organization meeting yesterday. He thanked Commissioner Gutierrez and Mayor Pro Tem Litchfield for attending. He stated it was a

great turnout. He stated Tucumcari is well known for our hospitality and it was demonstrated. He stated every room at the convention center had something going on.

He thanked Dr. Dan C. Trigg Hospital for setting up the hazmat Ebola training for hospital staff and ambulance service.

He attended the Eastern New Mexico Utility Authority meeting. The report given stated that last month they had 2,122 ac. ft. had been lost due to evaporation. He stated although it seems like a huge amount, we need to consider the humidity and cooler weather, it fluctuates.

He stated the NMUA will be meeting with the county commissioners next Monday. The Mayor from Portales stated they would like to meet with the city commission. He added they are well organized and active along with having a lot of political support.

Mayor Lumpkin stated the pipeline group from Portales and Clovis has a Drought Management Plan, in case of drought. He stated their effort says if their reservoir goes below 3,766 elevation, which it has not been that low since the dam was drained. He stated when it goes below that, they will reduce pumping from that reservoir by 30%, which means they will continue to pump 70% of their allocation down to a level of 3,741. He stated 3,741; in 1965 was about 50,000 ac. ft., however; now 3,741 is less than 30,000 ac. ft., which is basically mud. He stated if we are concerned about that we need to ask for a reasonable minimal pool be set aside. We have asked for 3,765, which is about the size of the reservoir before the extension of the dam. He stated during our last drought, it went down to nearly the 3,765. He stated we have in our area, 400 jobs because we have Ute Lake. He stated if the reservoir is taken down to 3,741 it would be a river channel. Game and Fish has asked them to leave 50,000 ac. ft. of water in that reservoir to support Game and Fish, however, their plan will bring it down to 30,000 ac. ft. He stated as far as Tucumcari we have 6,000 ac. ft. of water that we have paid for that we can take from Ute Lake. He stated they have decided not take water from Ute Lake except when needed, and if the reservoir and climate support it. However, we do have a plan to use the water and we have a plan to set it up and we will be working on publishing that plan. He stated what they are concerned about is prior to the rain this year; we had 13 years of a -3,000 ac. ft. of water running into the reservoir, which means we went down 3,000 ac. ft. of water on average per year for 13 years because of evaporation. He stated in their plan, it states we will receive a minimum of 8,000 ac. ft. and an average of 55,000 ac. ft. of water. Those two numbers do not match up. He will bring up these issues when we have a meeting. He wants to make sure we can share that we can share that water with Clovis and Portales. In addition, he thinks we need to be concerned about a minimum pool so we can have our economy attached to that reservoir as well.

Bids and Contracts

Approval of Five (5) Contracts between City of Tucumcari and Sun Vista Advertising, LLC for Billboards – Mayor Lumpkin asked the commission to show the colored copies of the signs to the audience. Al Patel, secretary for the Lodger's Tax Advisory Board, stated the Board approved five billboards. He stated four will be paid for and the fifth will be free. He further stated that one billboard was relocated from I-25 to I-40 for maximum exposure. He stated the Board did upgrade one of the billboards, which is the complimentary billboard and will be fully lit. He stated the original theme was to promote Rte. 66 and we are continuing with the theme of "Tucumcari Tonight".

Mr. Patel stated the contract will be for 36 months at \$28,000 per year.

Commissioner Mihm made the motion to approve the five (5) contracts with Sun Vista Advertising and Commissioner Haymaker seconded the motion. Roll Call:

Lumpkin	Gutierrez	Litchfield	Haymaker	Mihm
Yes	Yes	Yes	Yes	Yes

Commissioner Haymaker stated he is glad that the Board has gone back to “Tucumcari Tonight.

Approval of NMED grant 14-1664-STB Tucumcari Landfill Trash Compactor – Ralph Lopez stated this grant is for the purchase of the landfill trash compactor. Although we applied for a \$450,000 grant we were awarded \$300,000 and we will need to make up the difference with either finance through the purchase company or another loan. He stated at this time, we need to approve the grant as it was awarded to the City.

Mr. Powers thanked Rep. Roch and Sen. Woods for their support in this project. He stated we received double what our allocation was from last year. He stated that although this is Tucumcari’s landfill, we also take care of this part of the State.

Commissioner Gutierrez made the motion to approve the NMED Grant 14-1664-STB for the Tucumcari Landfill Compactor and Mayor Pro Tem Litchfield seconded the motion. Roll Call:

Haymaker	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

Approval of CDBG grant – 4-C-NR-I-01-G-08, Daubs Addition – Ralph Lopez stated the City of Tucumcari applied for and was awarded \$500,000 and it will be used for phase 1 of the Daubs Addition and the City’s in-kind will be \$50,000 and the City will do the milling and the contractor will surface it.

Mayor Lumpkin stated that the in-kind work means that part of the grant will either come out of our budget or from Tucumcari staff.

Commissioner Haymaker made the motion to approve the CDBG Grant for the Daubs Addition and Commissioner Mihm seconded the motion. Roll Call:

Mihm	Litchfield	Lumpkin	Gutierrez	Haymaker
Yes	Yes	Yes	Yes	Yes

New Business

Economic Development Corp. Quarterly Report – Mr. Vanderpool stated that Mr. Powers reflected on hospitality from Tucumcari, which he thinks is true. Tucumcari has been very busy this week including the visit from Governor Susana Martinez, the Council of Governments Economic Development workshop for two days and the RPO meeting. He stated prior to that he was in Ft. Worth, TX. for the weekend, attending the International Economic Development Council’s annual meeting. He stated Tucumcari does the right thing regarding hospitality.

He also stated that during the Economic Development workshop the discussions were how many jobs we need to support, what size population, what kind of jobs are there going to be, and what are the things we need in order to get those jobs.

He stated that we need to know what economic development is and improve the economic well-being in the community. He stated we need to remember there are some things we control and some things we don't. He stated we don't control what happens on the international and national level. He stated what we can control are things like local infrastructure, local workforce programs and incentives, how much time it takes us to do permitting, marketing, community facilities and policies.

He stated there are metrics that we need to look at and benchmarks to look at to make sure what we are doing is the right thing or not and whether we are getting better or worse. He stated on page 4 of the presentation it talks about the fact the population is declining however, so is the unemployment rate. He stated our weekly wages have gone up from \$514.00 on an average weekly wage to \$575.00. He stated our per capita income has grown however we still trail the state average. One of the reasons for that, which is not reflected on the power point, is the recent study from the Southern Rural Development Center states that in Quay County only 8.4% of our jobs are good producing jobs which include agriculture, mining or manufacturing. In fact 91.6% of our jobs are service jobs.

He stated the economic development plan of work is three things: attracting and growing new business, retaining and expanding existing business, and trying to build a better product, which is our community.

He stated the activity in the first quarter, we spent a significant amount of time in sales and marketing. He stated they met with New Mexico Economic Development Partnership to make sure they understood what we have to offer and what our targets are and what is appropriate for our community. He stated they went on a sales mission to Northern California with the New Mexico Economic Development Partnership as well as holding a specific meeting with a prospect in late August.

He stated on the public policy side of things, we met with Mark Loudman who is a consultant to the Legislative Jobs Council and who is the person who was here spearheading the work we did for the last two days as part of the legislative jobs council. He stated Senator Woods sits on the council and is an intricate part of what those conversations are. He stated major initiative through that legislative jobs council includes \$12,000,000 in funding for the job training program at the state level; \$1,500,000 for the New Mexico Economic Development Partnership to continue the marketing of New Mexico; \$2,000,000 request of the legislature that's coming up for the reinstatement of the coop advertising for economic development, which was not in place for a couple of years and they are looking at 50,000,000 capital outlay for the state level LEDA program. He added what the commission did when they got the ball rolling in terms of our ability to get additional funding from our partners at the state level, which now they are looking at numerous tax credits, collateral support program and state level LEDA money, which secretary John Barela is considering putting into the Tucumcari Mountain Cheese Factory. He thanked Mr. Powers and Mr. Lopez for putting together the initial cost estimate for the water treatment improvements at the cheese factory and putting the initial schematic drawing.

He stated they were able to put together a list of incentives for new and existing businesses. He noted some innovation for the real property incentive program.

He stated the first quarter allocation of financial resources which is the income was at 26.9% of budget and expenses 30.4% of budget.

He stated they played a role in getting the capital outlay for the depot renovation through Senate Bill 443 in 2009; in addition they played a role in working with Dr. Berry and Jim Morgan from Mesalands Community College in addressing their cost over runs for the turbine they have on campus through Senate Bill 443. We have participated in attracting over \$1.2 mil from the Sandia Los Alamos New Mexico Small Business Assistance Program. He stated this does not come in a form of cash but it comes in form of technical assistance from our national labs for a variety of projects we've had in Quay County and surrounding areas over the last six years.

He stated they attracted the money from Environmental Protection Agency to do a phase one and two environmental assessment at the old truck stop west of town.

He stated they generated 19 new leads in the first quarter, which are listed in the presentation by project name. He stated Project Confection which is a food processor company wanted a 100,000 ft. existing building. We responded by telling them we do not have a building in that size however, we can get one up in a hurry.

He stated they have identified opportunities in retail. He stated retail is taking an uptick in the economy and we are starting to see retail operators look for new locations.

We will try to improve programs and policies for infrastructure.

Mr. Powers asked Mr. Vanderpool to provide the commission with a letter with an update on the racetrack.

Requesting approval for the ODWI/OBD/100 Days & Nights Grant – Sgt. Paul Bell stated this grant is for saturation patrol for safety in our community.

Mayor Lumpkin thanked Sgt. Bell and all officers for their efforts they put forth to help Tucumcari and work with the citizens. He appreciates Sgt. Bell's work in bringing this grant to Tucumcari.

Commissioner Mihm made the motion to approve the ODWI/OBD/100 Days & Nights Grant and Mayor Pro Tem Litchfield seconded the motion. Roll Call:

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

Public Comments

James Dowell – He stated there was a great turnout at the depot on October 11 & 12th. He is looking forward to moving their project forward. He thanked the City of Tucumcari for their cooperation and workforce.

He stated they have people from all over the world attend the event. He also pointed out they had people show up from England.

The board is asking for volunteers at the depot.

Items from Commissioners

Commissioner Mihm thanked everyone for coming tonight.

Mayor Pro Tem Litchfield thanked everyone for coming tonight. She thanked Mr. Dowell for his hard work at the depot.

Commissioner Gutierrez thanked Mr. Patel and Lodger's Tax Board for their hard work on the signage. She reminded everyone Halloween is on Friday and to be safe and drive slower.

Commissioner Haymaker thanked everyone for coming and thanked Mr. Dysart for his report, Mr. Lopez for his detailed report, and Mr. Dowell for his report at the depot along with Mr. Patel for his presentation and Mr. Vanderpool for his quarterly report along with Sgt. Bell.

He thanked Mr. Powers for his hard work. He also welcomed Mr. Langenegger.

Mayor Lumpkin stated the plans regarding Sands Dorsey will not interfere with any other plans. He stated anything we can do to correct this, we should apply for everything we can and visit with developers.

He stated we have a ¼ cent gross receipts tax in Tucumcari and is set aside for Ute Lake Water. He stated if we needed to get Ute Lake Water it would take a couple of years of planning and permitting. Therefore, the plan is to ask the people to pass a referendum which will redefine how that ¼ cent tax could be spent. This tax generates approximately \$250,000.00. He stated if we diverted the spending definition of that tax for two years, we would have approximately \$500,000 which could be used to clean up Sands Dorsey or other properties in Tucumcari. After the two years, the money would automatically go back to its original purpose. He stated that tax would not cost the citizens of Tucumcari.

He thanked Mr. Powers for his hard work. He reminded the citizens that Mr. Powers and his staff have brought in \$63,000,000 in grants. He also welcomed Mr. Langenegger.

Executive Session

Commissioner Mihm made the motion to convene into executive session pursuant to the Open Meetings Act §10-15-1(H)(2) Limited Personnel Matters regarding new city manager's contract and Commissioner Haymaker seconded the motion. Roll Call:

Litchfield	Haymaker	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	Yes

Commission convened at 7:36 p.m.

Mayor Lumpkin asked for a motion to reconvene noting no action was taken in this meeting and the only discussion was regarding the new city manager's contract. Commissioner Mihm made the motion to reconvene into regular session and Commissioner Gutierrez seconded the motion. Roll Call:

Lumpkin	Gutierrez	Litchfield	Haymaker	Mihm
Yes	Yes	Yes	Yes	Yes

Commission reconvened at 8:19 p.m.

Commissioner Mihm made the motion to approve contract with Jared Langenegger for employment and Commissioner Gutierrez seconded the motion. Roll Call:

Haymaker	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

Adjournment

Mayor Lumpkin asked for a motion to Adjourn. Mayor Pro Tem Litchfield made the motion to adjourn and Commissioner Haymaker seconded the motion. Roll Call:

Mihm	Litchfield	Lumpkin	Gutierrez	Haymaker
Yes	Yes	Yes	Yes	Yes

Meeting adjourned at 8:21 p.m.

Ruth Ann Litchfield, Mayor Pro Tem

ATTEST:

Angelica M. Gray, City Clerk