

**CITY OF TUCUMCARI
CITY COMMISSION MEETING MINUTES
February 10, 2011**

The Tucumcari City Commission met in their regular meeting on Thursday, February 10, 2011, at 6:00 p.m. in the City Commission Chambers. Members present constituting a quorum were; Antonio Apodaca, Amiel Curnutt, Robert Lumpkin, Jimmy Sandoval, and Jim Witcher.

City staff members present were Bobbye Rose, City Manager; Christine Dougherty, City Clerk; Doug Powers, Planning and Development Director; Jason Braziel, Chief of Police; Dennis Dysart, Finance Director; and Clara Rey, Human Resources Director.

Ms. Bea Laredo gave the invocation and Mr. Ryan Lumpkin led the group in the Pledge of Allegiance.

Consideration of Changes and/or Deletions to the Agenda

Mr. Witcher asked if there were any changes to the agenda. Ms. Rose stated that item VII, Consideration of Racetrack Development Agreement should be deleted. Ms. Rose also asked that items X; A, B, and C be removed from the agenda.

Commissioner Curnutt made a motion to approve the amended agenda and Commissioner Lumpkin seconded the motion. Roll Call:

Curnutt	Witcher	Apodaca	Lumpkin	Sandoval
Yes	Yes	Yes	Yes	Yes

Items from Commissioners

Commissioner Lumpkin explained that he was not at the last meeting and thanked everyone for being patient with him while he recovers. Mr. Lumpkin also thanked Ms. Laredo for providing the invocation and his son, Ryan Lumpkin for leading the group in the Pledge of Allegiance.

Mayor Pro Tem Apodaca stated that he loves the beautiful weather we have been having.

Commissioner Curnutt had no comments.

Commissioner Sandoval had no comments.

Approval of Minutes

A motion was made by Mayor Pro Tem Apodaca and seconded by Commissioner Curnutt to approve the minutes of the January 27, 2011 Regular Commission meeting. Roll Call:

Witcher	Apodaca	Lumpkin	Sandoval	Curnutt
Yes	Yes	Abstain	Yes	Yes

Approval of Vouchers

A motion was made by Commissioner Lumpkin and seconded by Commissioner Curnutt to approve the City vouchers for payment. Roll Call:

Apodaca	Lumpkin	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes	Yes

Items from Citizens

Mayor Witcher asked if there were any citizens wishing to address the Commission. Being none, the meeting continued.

Ordinances and Resolutions

Ms. Rose presented Ordinance 1087 explaining that the City Commission appointed three members to the Tucumcari Memorial Park Cemetery Advisory Board who have had their first informal, organizational meeting. There was discussion that the Cemetery serves the entire county and representation on the Advisory Board should be reflective of that. Ms. Rose stated that this ordinance was read at the last Commission meeting, but not approved, and she recommends that the Commission approve the ordinance which provides for County representation on the advisory board.

Mayor Pro Tem Apodaca stated that he had a problem with the language in the Ordinance as he felt it was too broad, but had a conversation with the Mayor about the Ordinance and he feels comfortable with it now.

Commissioner Lumpkin stated that he has heard people discuss issues regarding decorations at the Cemetery and he feels this is an issue that needs to be considered.

Mayor Pro Tem Apodaca made a motion to approve the First Reading of Ordinance 1087, Amending Ordinance 1081 Establishing the Tucumcari Memorial Park Cemetery Advisory Board and Commissioner Curnutt seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca	Lumpkin
No	Yes	Yes	Yes	Yes

Ms. Clara Rey then presented Resolution 2011-08, Designating In-State Special Areas for Travel and Per Diem. Ms. Rey explained that this resolution modifies the City's in-state special areas to mirror the State's designation of in-state special areas. Currently, Ms. Rey explained, the City has several cities in the state designated as in-state special areas and the new resolution designates only Santa Fe as a special area.

Mr. Lumpkin asked how many trips are taken to Santa Fe in a year by City staff. Ms. Rey responded approximately 25. Ms. Rey added that this change will actually help the budget as it will decrease the total amount paid out in travel and per diem.

Commissioner Curnutt made a motion to approve Resolution 2011-08, Designating In-State Special Areas for Travel and Per Diem and Mayor Pro Tem Apodaca seconded the motion. Roll Call:

Curnutt	Witcher	Apodaca	Lumpkin	Sandoval
Yes	Yes	Yes	Yes	Yes

Ms. Rose then presented Resolution 2011-09, Amending Resolution 2011-05, Authorizing Submission of Application for Airport Aid for Pavement Maintenance. Ms. Rose explained that the initial resolution had the breakdown of the in-kind matches listed incorrectly. Ms. Rose said that the resolution was sent back to the City for changes.

Commissioner Lumpkin made a motion to approve Resolution 2011-09, Amending Resolution 2011-05, Authorizing Submission of Application for Airport Aid for Pavement Maintenance and Commissioner Curnutt seconded the motion. Roll Call:

Witcher	Apodaca	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes	Yes

Ms. Rose then presented Resolution 2011-10, A Resolution Establishing new Museum Admission Fees for Groups and new Hours of Operation. Ms. Rose explained that at the last Commission meeting, this was agreed to and now must be made official via resolution.

Mayor Pro Tem Apodaca made a motion to approve Resolution 2011-10, A Resolution Establishing new Museum Admission Fees for Groups and new Hours of Operation and Commissioner Lumpkin seconded the motion. Roll Call:

Apodaca	Lumpkin	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes	Yes

City Manager's Report

Ms. Rose began by calling on Mr. Dysart to give a Finance report. Mr. Dysart directed the Commission to their packets where they will find the monthly financial statements.

Mr. Dysart went on to explain that the accounting software is a prototype system that the City is not using to its full potential. Mr. Dysart stated that there have been many upgrades to the system that Tucumcari's version has not received. Mr. Dysart explained that he has been working to ensure staff is trained to use the software to its maximum potential. Mr. Dysart stated that two of his staff went to Deming and received four days of training. Triadic, the software company used live data from the City's database to conduct the training and realized how much our version is lacking.

Mr. Dysart went on to explain that he is working to have a paperless system and for all the software operations codes to be utilized. He also explained that he has worked to manage controls and reporting. Late charges associated with utility accounts have been automated, and according to Mr. Dysart there are around 200 customers per month that are assessed late fees. Also, Mr. Dysart stated that on average, 85-100 customers are charged reconnect fees. These automations should generate around \$60,000 per year.

Mr. Dysart explained that he has been able to identify illegal water usage and those meters have been disconnected. Mr. Dysart also stated that the Triadic software has the ability to track deposits; a feature that has not been used up to now. The software indicates there is \$650,000 in uncollected charges. For uncollected charges incurred from 2005 on, Mr. Dysart plans to employ a collections agency.

Mr. Dysart explained that the auditors completed their work and hinted that things are not too bad. Mr. Dysart is hoping for an unqualified opinion on the audit. The auditors reported that they see changes taking place in financial controls.

The auditors identified an error that occurred in the 2008-2009 fiscal year where a loan was recorded in error as revenue. This error impacts the current cash position.

Mr. Dysart described the documents in the financial report. Mr. Dysart pointed out some highlights from the document including that around \$3 million has been paid up front in expectation of grant funds which have not yet been received; gross receipts tax is ahead about \$45,000 from projections for this time of year; and that the error discovered by the auditors from the 2008-2009 fiscal year decreases the current cash balance by \$1.2 million.

Mr. Apodaca stated that at the last Commission meeting an aviation grant application was discussed and he had some concerns regarding the matching funds. Mr. Apodaca stated that he is not trying to be a troublemaker, rather a concerned Commissioner regarding this issue. Mr. Dysart explained that budget items are not the issue, cash flow is the issue. Mr. Apodaca explained that the \$15,000 match for the aviation grant was his concern. Mr. Apodaca stated that he would like clarification regarding where the matching funds will come from as the City Manager said it could come from leftover airport grant funds, economic development tax, or the emergency reserve. Mr. Dysart invited Mr. Apodaca to attend the monthly finance meeting. Mr. Witcher added that the public is invited to the meetings as well.

Commissioner Curnutt thanked Mr. Dysart for a great job on his report and stated that he appreciates the fact that Mr. Dysart has worked very hard to provide the financial information for the Commission.

Mr. Witcher stated for the information of the audience, a qualified opinion on an audit is a bad thing and an unqualified opinion means the City is in good shape.

Ms. Rose went on with her report by explaining that she has been reviewing the debt schedule and finds that most of the City loans are 4.25-4.5% interest. Ms. Rose stated that she wants to open up a discussion to combine some of the debt and decrease interest rates to around 2%.

Ms. Rose added that some funds for the Date Street Lift Station will be sent back as they will no longer be needed. The project was combined with other projects and money was saved.

Ms. Rose cautioned that although gross receipts tax collections have increased, there are many one-time construction projects going on. For example, the new high school, the addition to the college and many City projects.

Ms. Rose encouraged Commission attendance on February 19 at 6 p.m. at the Knights of Columbus appreciation dinner. She added that attendance must be confirmed ahead of time.

Ms. Rose stated that there have been many problems arise out of the adverse weather and she would like to commend the employees that worked out in the foul weather.

Ms. Rose explained that there have been many electrical problems at the Waste Water Treatment Plant and work continues to rectify them.

Ms. Rose stated that the Mayor asked for a draft of a panhandling ordinance and she apologized for not getting that prepared and on the agenda for this meeting.

Ms. Rose informed the Commission that she was the guest speaker at the Rotary Club meeting today, will attend Quay Day at the Legislature next week, and will attend Municipal Day at the Legislature February 22 and 23.

Ms. Rose also stated that her employment contract is about to expire and that the Commission will have to decide if they want to retain her.

Mayor Witcher stated that all departments went above and beyond the call of duty in the bad weather. Mr. Witcher stated that he was scheduled to preside at a funeral on Monday and a water line was broken due to vandalism at the Cemetery. Ironically, Mr. Witcher stated it was the gravesite he was to preside at that was affected. The Mayor stated that the staff was heartbroken that they couldn't do what needed to be done that day.

Ms. Rose informed the Commission that in conjunction with the Small Business Development Center, the City is holding a Government Contracting 101 class on February 22 at the Convention Center from 1:30 to 5:00 p.m.

Commissioner Lumpkin stated that grants received by the City are not always 100% grant, and some of the funds have to be paid back. Mr. Lumpkin added that the Waste Water Treatment Plant, Second Street, and Third Street projects have put a lot of people to work in Tucumcari. Mr. Lumpkin thanked the departments that have worked to secure these grant funds and thanked those that work to control the budget to ensure that our portion can be paid back. Mr. Lumpkin added that sometimes in-kind donations can offset the amounts to be paid back as well.

Mr. Lumpkin also stated that there were a large number of emergency management calls in the last month and the City is losing EMT's. These employees are required to be qualified and are paid \$7.50 per hour to start. Mr. Lumpkin stated that the average pay for those that have been here as an EMT for a while is \$9.86 per hour. Mr. Lumpkin added that Hobbs pays \$13.01 per hour. Mr. Lumpkin said he understands why people are leaving to work elsewhere. Mr. Lumpkin said the City needs to think about this as EMT's are very responsible people and they perform life saving tasks.

Mr. Witcher added that the City is losing good people from the Waste Water Treatment Plant as well after they receive training. Mr. Witcher stated that there are many jobs at the City which require certifications and training.

Bids and Contracts

Ms. Rose explained that ENMR leases land from the City of Tucumcari and the agreement in the Commission packets is to amend that lease to include a small portion of land adjacent to the land they already lease.

Mr. Witcher explained that ENMR is installing a fiber optic system in Tucumcari as a test program. Mr. Witcher added that ENMR needs a building to store their supplies for the project and the land they currently lease is next to the water tank on Eleventh Street. Mr. Witcher added that amending this lease will cost the City nothing as ENMR only needs the land.

Commissioner Lumpkin made a motion to approve the ENMR Lease Expansion Agreement Amendment and Commissioner Curnutt seconded the motion. Roll Call:

Witcher	Apodaca	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes	Yes

New Business

Mr. Witcher asked what dates work well for Commissioners to hold a work session. It was agreed that Thursday, February 17th at 9 a.m. works well for everyone.

Items from Commissioners

Commissioner Sandoval said he had a few questions. First, he asked how much revenue the City is realizing in the metal recycling project. Mr. Powers responded that the program was grant funded and the arrangement is for a recycler from Clovis to travel to Tucumcari and take the recyclables for no charge. Mr. Powers added that the advantage is it keeps the scrap out of our landfill. Mr. Powers went on to say that his department has applied for more grant funds to expand the program.

Mr. Sandoval then asked about the refurbishing project for the street lights on Tucumcari Boulevard. Ms. Rose responded that the electrician is working on the project but has had to spend considerable amounts of time on the Waste Water Treatment Plant project. Ms. Rose went on to say that she knows the lights on the west end of the Boulevard are out but arrangements are being made to use a lift truck for the project.

Commissioner Curnutt had no comments.

Mayor Pro Tem Apodaca thanked Mr. Dysart for his presentation. Mr. Apodaca also thanked staff for their work during the recent storms. He added that State, County, and health care workers had to go above and beyond the normal call of duty to serve the public during inclement weather. Mr. Apodaca also stated that those that have lost their jobs in the tough economy should be remembered.

Commissioner Lumpkin thanked Mr. Apodaca for his comments and thanked those in attendance for coming to the meeting.

Mayor Witcher thanked all those in attendance for coming to the meeting.

Adjournment

There being no further business, a motion to adjourn was made by Commissioner Lumpkin and seconded by Commissioner Curnutt. Time noted 6:55 p.m. Roll Call:

Lumpkin	Sandoval	Curnutt	Witcher	Apodaca
Yes	Yes	Yes	Yes	Yes

James L. Witcher, Sr., Mayor

ATTEST:

Christine Dougherty, City Clerk