

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

The Tucumcari City Commission met in a regular meeting on Thursday, March 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; Mike Cherry, Assistant City Manager/Fire Chief; Christine Dougherty, City Clerk/Purchasing Agent; Jason Braziel, Chief of Police; Dennis Dysart, Finance Director; Clara Rey, Human Resources Director; and Vicki Strand, Assistant Finance Director.

Mr. Eddy Mardis of the Father's Forge Church gave the invocation and Mr. Ron Wilmot led the group in the Pledge of Allegiance.

Consideration of Changes or Deletions to the Agenda

Mr. Witcher asked if there were any changes to the agenda. There were none.

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

Curnutt	Witcher	Apodaca	Lumpkin	Sandoval
Yes	Yes	Yes	Yes	Yes

Items from Commissioners

Commissioner Lumpkin thanked all those in attendance for coming to the meeting. He stated that any input from the citizens is helpful. Mr. Lumpkin added that the Commission needs to make some decisions and community input is helpful. Mr. Lumpkin also congratulated the Rattlers for going to the State Basketball Championship.

Mayor Pro Tem Apodaca had no comments.

Commissioner Curnutt thanked those in attendance for coming to the meeting.

Commissioner Sandoval stated he had two questions. He asked if work continues on the street lights on Tucumcari Boulevard. Ms. Rose responded in the positive. Mr. Sandoval then stated that we are celebrating the fourth anniversary of the Sands Dorsey fire and the building is still standing.

Approval of Minutes

A motion was made by Commissioner Lumpkin to approve the minutes of the February 24, 2011 Commission meeting and seconded by Commissioner Curnutt. Roll Call:

Witcher	Apodaca	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	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.

Ms. Betty Coslett approached the podium and asked the Commissioners to pull their microphones closer to them so the audience can hear them speak.

Ordinances and Resolutions

Ms. Rose explained that Ordinance 1083 calls for the rededication of GRT taxes earmarked for the construction of Ute Lake Water pipeline infrastructure to be used for remediation purposes at the burned Sands Dorsey building. Mr. Lumpkin added that \$1.2 million have accumulated for infrastructure to bring Ute Lake water to Tucumcari. Mr. Lumpkin stated that a business owner told him of an old motel adjacent to her business that has people going into the building in the evenings and burning candles. This presents a safety hazard. Additionally, Mr. Lumpkin explained that the old landfill has no room for debris that would be generated from demolition of buildings. He added that there are over 80 unsafe properties in the City. Mr. Lumpkin explained that changing the dedication of this tax will not increase taxes. He stated that he feels it might be better if the dedication was opened up and not dedicated to only the Sands Dorsey building and used also for some of the needs he listed.

Mayor Pro Tem Apodaca stated that Mr. Lumpkin explained the situation very well. He went on to say that he traveled to Washington, D.C. on the approval of the rest of the Commission and met with Mr. Bingaman, Mr. Udall and Mr. Domenici to discuss the need to secure water for the future of Tucumcari. Mr. Apodaca stressed with the federal law makers that Tucumcari may not need the water today, but for future agricultural, commercial and residential needs, the water was necessary. Mr. Apodaca went on to say that if he votes yes to pass Ordinance 1083, he endorses changing the work he did in the past. He added that passing this ordinance would open the door to those looking for

water for their communities. Mr. Apodaca expressed concern due to the depletion of the water table and the lack of irrigation water due to draught. Mr. Apodaca stated that other communities are in trouble when it comes to water and he feels that we need to protect this water for our children. Mr. Apodaca added that \$80,000 has already been expended to study the water issue and cautioned that the Commission should be very careful in making this decision.

Mr. Witcher stated that he feels the ordinance should include wording that puts the issue to the voters in a referendum. Ms. Dougherty concurred that this cannot be changed without going to the voters for approval.

Mr. Lumpkin agreed that the rededication must be done via referendum. Mr. Lumpkin also stated that he understands what Mr. Apodaca is saying. He added that every community around has allocations of water from Ute Lake. Mr. Lumpkin stated that Gallup has passed a tax increase to be used for building demolition and is asking the public to vote on the issue.

Mr. Witcher explained that the \$1.2 million that has already accumulated cannot be touched except for Ute Lake water infrastructure.

Ms. Rose explained that \$80,000 for the study and the \$207,000 preliminary engineering report are slated to be paid out of the \$1.2 million accumulation. Ms. Rose added that the environmental assessment performed for the possibility of Ute development or piping the water to Tucumcari is only good for five years.

Mr. Witcher asked Mr. Powers to estimate the cost of a pipeline from Ute Lake to Tucumcari. Mr. Powers speculated the cost to be around \$25 million.

Ms. Rose stated that she would prefer that the language be cleaned up before this ordinance is approved. Ms. Rose suggested that the Commissioners use their next work session to discuss the possibilities for language in the ordinance.

Mr. Lumpkin agreed that the next work session should be used to determine how to word the ordinance and then made a motion to table Ordinance 1083, amending the dedication of a Municipal Capital Outlay Gross Receipts Tax. Commissioner Curnutt seconded the motion. Roll Call:

Lumpkin	Sandoval	Curnutt	Witcher	Apodaca
Yes	Yes	Yes	Yes	Yes

Ms. Rose then presented Ordinance 1084. She explained that this is the first reading of the ordinance. She added that in order to impose this tax beginning July, 2011, the Commission would have to hold a special meeting before the end of the month. She added that if the citizens do not petition to have a referendum held, and then the tax could be imposed beginning July, 11. If not, Ms. Rose explained that the tax can be imposed

beginning January, 2012. Mr. Apodaca asked if the Commission votes to impose this tax, then what is the plan. Mr. Witcher stated that the tax will be used as the dedication reads.

Mr. Apodaca clarified that his question was how the Commission plans on getting the issue passed by the voters. He stated that in eleven months early voting will begin for the next municipal election. Mr. Apodaca stated that he would like to leave some funds for the new Commissioners that will be elected in the next election. He added that he cannot support imposition of this tax as it will be difficult for the elderly, those on fixed incomes, and those in minimum wage jobs to survive. Mr. Apodaca stated that the voters did not give him the power to hit the everyday pocketbook.

Mr. Witcher stated that this is a Republic form of government. Mr. Apodaca said this is a Democratic form of government and these issues should go before the voters. Mr. Witcher responded that he was elected to do the best for Tucumcari and that the Commission faces many tough issues. Mr. Witcher said that in recent history, the Federal government has had to cut back allocations to the states which in turn caused cutbacks to the counties and municipalities. Mr. Witcher stated that Mr. Lumpkin had mentioned that both Clovis and Gallup have enacted new taxes recently. Mr. Witcher explained that there are tough decisions to be made and the Commissioners were elected to make them. Mr. Witcher added that he would like to leave the legacy of funds to handle the problems the next Commissioners may encounter. He stated that costs are going up everywhere and Tucumcarians have to stand up and do it for themselves. Mr. Witcher added that the citizens have rights, they can recall the Commissioners if they choose. Mr. Witcher commented that if the Commission votes to enact the new tax, the citizens can force it to referendum with 5% of the voters signing a petition. Mr. Witcher stated that there are people on social security in his district and he hasn't received a raise but he wants toilets that flush and good streets.

Mr. Sandoval agreed that there are tough decisions to make but they should have been made a long time ago. Mr. Sandoval stated he feels the Commission hasn't moved forward in the last seven years. Mr. Sandoval said that he will vote not to impose the tax because he feels the City is at a standstill.

Mr. Witcher said that there was a presentation for the Commission from the Economic Development Director before the Commission meeting tonight but, only three Commissioners chose to show up. Mr. Witcher said the presentation looked good and the future of Tucumcari looks good. Mr. Apodaca said he has been to many presentations given by Economic Development and the plan hasn't changed much. Mr. Apodaca said there have been three areas of focus, wind energy, retail growth, and health care. Mr. Apodaca said he does not want a history lesson, adding that in the 14-15 years that there has been an EDC contract, the plans have always been the same with some of the goals being achieved.

Mr. Lumpkin stated that he has received several phone calls regarding the tax increase. He stated that questions he received were regarding what the tax dollars will be used for and how it will be monitored. Some citizen concerns Mr. Lumpkin heard were that the

money may be used for salaries and benefits for City employees. Mr. Lumpkin stated that the taxes should be kept in a separate account. Ms. Rose stated that separate accounting and monitoring of the taxes will not be a problem.

Mr. Lumpkin added that there have been numerous cuts already made to ease the budget issues. He stated that Commissioners are open to calls with ideas for cost savings. He went on to say that Commissioners have been told services need to be cut and revenues need to be increased. Mr. Lumpkin went on to say that many City programs are subsidized by the general fund and many are self-supporting.

Mr. Lumpkin said that implementing the new taxes is an investment in Tucumcari if monitored and used properly. Mr. Lumpkin added that if passed, the citizens can petition and force the issue to a vote. Mr. Lumpkin explained that a timeline on the tax is a possibility or the tax could be repealed. He said that the process will be as transparent as possible adding that only three states impose gross receipts taxes; New Mexico, Idaho and Hawaii. In most cases, the tax can be rolled over to the consumer but Mr. Lumpkin said, not in all cases.

Mr. Lumpkin explained that the tax is $\frac{1}{4}$ of one percent meaning that for every four dollars someone spends, they will pay one cent in new taxes. Mr. Lumpkin said he would support the tax implementation knowing that the citizens could petition if they so choose. Mr. Lumpkin added that in Amarillo, the city gave several million dollars to Bell Helicopter to locate in their city and got those funds back from Bell in just a few years due to their volume of business. Mr. Lumpkin added that Tucumcari needs \$600,000 in new equipment and a new water tank that will cost \$400,000, numerous dangerous properties that need to be dealt with, infrastructure is in need of repair and wondered how long these things can be put off.

Ms. Rose added that even if a special meeting is held to implement the taxes, if the voters challenge it, the tax cannot be implemented by July first. Mr. Richard Tally, who was in the audience stated that if the ordinance is passed tonight, it will be worded exactly as is currently. Mr. Witcher added that the way the ordinance is worded; the taxes can be used for anything. Mr. Lumpkin asked if the ordinance could be reworded now. Mr. Witcher said that he likes the wording because lots of things need to be done. Mr. Witcher went on to say that if the Commission sits still, that is the worst thing they can do.

Mr. Lumpkin said that earlier in the day, the Commission met with financial advisor Paul Cassidy of RBC Capital and his recommended increasing revenues. Ms. Rose added that she has spoken with several companies that manage utilities for cities and they laughed when they heard the age of our equipment and our rates. Mr. Witcher explained that Ms. Rose has spoken to these companies in an effort to check for ways to save money.

Mr. Lumpkin asked Mr. Tally how he would like to see the ordinance reworded. Mr. Tally asked if water and sewer improvements must be funded through revenues from those departments. Ms. Rose stated that it is good policy for utilities to fund themselves but those improvements can be paid for with taxes. Ms. Rose stated that a decision needs

to be made; raise utility rates or raise taxes. Mr. Witcher said that water and sewer revenues can't be spent in the general fund. Ms. Rose stated that she disagrees with Mr. Witcher saying that it is a best practice not to spend utility revenues in the general fund, but it is not disallowed. Mr. Tally said he thinks that as a business person he is concerned with taxes increasing and would like to see more specific uses of the taxes outlined. Mr. Witcher stated that there are unknown future needs.

Mr. Witcher asked if there was anyone else that wished to speak on the issue. Mr. Tom Even said that he is a local business person who recently sold his business. He said that some tourists came in recently because they loved the Tucumcari billboards. However, the tourists were sorely disappointed by the town's curb appeal when they arrived. Mr. Even also stated that a gentleman in town to remodel the Kmart store was on his cell phone and Mr. Even overheard him refer to Tucumcari as a ghost town. Mr. Even said that increased taxes are difficult for business people to handle but this is a tourist town and something has to be done.

Mr. Curnutt stated that the Commissioners are in the positions they are in to clean up a mess that was made before them. He added that the infrastructure in town is shot and the City is not flush with cash. Mr. Curnutt added that the new tax will only generate \$250,000 per year and is not enough to fix the issues the City faces. Mr. Curnutt said that the City needs more money but he understands the reluctance to implement new taxes.

Mr. Apodaca stated that if you research the history, millions of dollars have been invested in Tucumcari. For example, the airport, the wastewater treatment plant and the streets have all been improved. Mr. Apodaca said that for the last two years they have not been idle, the Commissioners and the Manager have been working hard long before some of the Commissioners got on the Commission. Mr. Apodaca added that the funds accumulated are to store water and deliver water where it is needed. Mr. Apodaca added that Mr. Curnutt should use caution as what he says is not true.

Mr. Witcher said he had a suggestion for a compromise. He stated that in March an election will be held for the positions held by Mr. Sandoval, Mr. Apodaca and himself. Mr. Witcher suggested that the tax be imposed for one year to give the citizens time to look at the issue and would give the city time to prepare the budget. Ms. Rose stated that she would not recommend that suggestion be implemented. Mr. Witcher asked why and Ms. Rose explained that in that time only \$230,000 will accumulate and a special election might have to be held. Mr. Curnutt asked if the tax was implemented and some dollars accumulate couldn't they be used for collateral. Ms. Rose explained that all USDA loans are financed for 40 years and the funds pledged to pay them back must be secure for the same period of time.

Ms. Rose directed everyone's attention to the blackboard which listed essential and non-essential services. She went on to say that most GRT pays for non-essential services and the City is barely getting by paying the bills. Ms. Rose explained that salaries are under non-essential services and asked what level of service the Commission and the citizens desire.

Mr. Lumpkin asked if something big happens, like Tukumcari gets a race track and casino, could the Commission vote to repeal the tax. Ms. Rose responded in the positive.

Mr. Apodaca stated that imposing new taxes and rate increases is a lot for citizens to bear. Mr. Apodaca reiterated that he does not support imposing new taxes and feels the issue should go to the voters. Ms. Rose added that rates will likely have to be increased.

Ms. Diane Morency, who was in the audience approached the podium and asked if the issue could be put to a vote without having to wait for a petition. Ms. Rose responded that the language can be included in the ordinance to put the issue to referendum without a petition.

Mr. Witcher stated that there will be work session on Thursday at 9 a.m. and the public is welcome to attend.

Mr. Kelly McFarland, who was in the audience approached the podium and stated that he has no problem with putting the issue to the vote and the delay is not an issue. Mr. McFarland stated that this will give the Commission the time to present the issue to the public. Mr. McFarland stated that the Commission does not have a clear idea where they want to go and suggested that the people be allowed to vote. Mr. McFarland stated that he was on the school board for 16 years and it was apparent to the board that new buildings were needed but the public voted new buildings down. The school board had to convince the public that buildings were needed. Mr. McFarland stated that the Commission should consider putting together a plan for what they really want to do , selling it to the public, and then letting the people vote.

Mr. Lumpkin stated that he is not opposed to Mr. McFarland's idea but wondered what would be done for budget preparation. Ms. Rose stated that we would pray there are no emergencies and cut services to make ends meet.

Mr. Lumpkin made a motion to re-word Ordinance 1084 in a future work session and to bring it to the public for vote. Commissioner Curnutt seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca	Lumpkin
No	Yes	Yes	No	Yes

Mr. Witcher then recessed for a ten minute break. The time was 7:30 p.m.

At 7:45 p.m. the meeting re-convened.

Mr. Powers then introduced Resolution 2011-11, requesting participation in the 2011-2012 Municipal Arterial Program (MAP). Mr. Powers explained that these funds will be used to repair deteriorated streets around town. Mr. Powers referenced a packet he handed out with pictures of the streets that are slated for repair. Mr. Powers also explained that the match for the grant funds, if received, will be in-kind except for

engineering. Mr. Powers also stated that the project will be adjusted based on the funds received.

Commissioner Sandoval stated that he and Mr. Powers have discussed this application and Mr. Sandoval would prefer using the funds to fix the flood areas in his district. Ms. Rose asked Mr. Powers what would be required to fix the flood areas. Mr. Powers responded that additional \$15-20,000 would be needed for a study. Mr. Powers added that the flood area has 67 hydrants that would have to be replaced and 50 year old water lines, making it a costly project.

Mr. Apodaca stated that in the proposed MAP project area new water lines were added six or seven years ago and the project should be completed with new pavement.

Mr. Sandoval stated that County Manager, Richard Primrose could be contacted for assistance in the flood area because some of that area is in the county. Ms. Rose explained that in a flood plain there are more restrictions and the work would be an intense process with lots more planning.

Mr. Lumpkin asked if the issue should be tabled. Mr. Powers responded that the application is due next week.

Mayor Pro Tem Apodaca made a motion to approve Resolution 2011-11, Requesting Participation in the 2011-2012 MAP Program and Commissioner Curnutt seconded the motion. Roll Call:

Curnutt	Witcher	Apodaca	Lumpkin	Sandoval
Yes	Yes	Yes	Yes	Yes

Mr. Powers then presented Resolution 2011-12, Requesting Participation in the 2011-2012 Cooperative Agreement Program. Mr. Powers explained that this funding, if received will be used for Robison Street. The street is deteriorating and is rated in the street study as poor. Mr. Powers stated that Co-Op funding has varied over the years and the request which is for two blocks of the street can be decreased if the funding is granted in a lesser amount.

Mayor Pro Tem Apodaca made a motion to approve Resolution 2011-12, Requesting Participation in the 2011-2012 Cooperative Agreement Program and Commissioner Lumpkin seconded the motion. Roll Call:

Witcher	Apodaca	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes	Yes

Ms. Rose presented Resolution 2011-13, Authorizing Submission of an Application to the New Mexico Finance Authority to refinance convention center loans. Ms. Rose explained that this has been discussed in work sessions and the lower interest rate will save about \$19,000 per year.

Commissioner Lumpkin made a motion to approve Resolution 2011-13, Authorizing Submission of an Application to the New Mexico Finance Authority to refinance convention center loans and Mayor Pro Tem Apodaca seconded the motion. Roll Call:

Apodaca	Lumpkin	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes	Yes

City Manager's Report

Ms. Rose reminded the Commission there will be a Budget Training Session conducted by the DFA at 9:00 a.m. on March 24th. An invitation to neighboring local entities has been extended.

Ms. Rose received a call from John Bunch with Daniel B. Stephens and Associates. Mr. Bunch will submit a work order to Ross Muir with NMED for Phase I of the Sands Dorsey Building project. Mr. Muir should be here next week and must have this portion completed by March 31st.

Ms. Rose reported that the roof on the EMS building has been damaged by the recent rains. She has authorized repairs to be completed.

Ms. Rose informed the Commission that the Convention Center roof is again leaking and repairs are being made. At the library, Ms. Rose said the Conklin Company has determined that the issues with the roof are due to installer error. The contractor that installed the roof is out of business. Ms. Rose explained that grant funds are being sought and there is a possibility the Conklin Company will donate product to coat the roof.

Ms. Rose informed the Commission that she authorized submission of a Community DWI grant for reduction of DWI. The program is 100% grant funded.

Ms. Rose reported the important happenings on the following dates:

- 2/25/2011 Department Head Meeting – we discussed what is going on in each department problems and projects. We also talked about the City health insurance benefit and they feel many of the employees are working for the city because of this benefit.
- 2/28/2011 Manager met with staff concerning the budget and explained the essential and non-essential services. We also talked about the health insurance benefit and pay scales.
- 3/2/2011 Met with David Essex of Xcel, they will be proposing a rate increase to the PRC
- 3/2/2011 Wastewater Meeting at the plant

- 3/3/2011 Work Session with Commission – I appreciate your attendance
Guests were Bob Hockaday concerning the solar project
Paul Cassidy concerning re-finance options
- 3/8/2011 Pre-Construction Conference on the Roof at Depot project
- 3/15/2011 Mandatory Safety Meeting at 11:00 – for Department Heads
- 3/19/2011 Legislative Session Ends
- 3/17/2011 Commission Work Session beginning at 9:00
- 3/24/2011 9:00 Meeting with DFA. They want to talk about Commissioners duties,
budget issues and other issues and we have invited Logan, San Jon,
House, Quay County and Arch Hurley to attend.
- 3/25/2011 City Board of Finance meeting, 10 a.m.
- 4/4/2011 District NMML meeting in Portales - \$30.00 – Need to register

Bids and Contracts

Mr. Powers introduced the YCC Grant Agreement. He explained that the Commissioners are familiar with this program as it has been an excellent project at the City for many years. Mr. Powers explained that this year the program is slated to make improvements to the baseball fields. Mr. Sandoval asked that the Commission be provided with the names of the program participants.

Commissioner Lumpkin made a motion to approve the YCC Grant Agreement and Commissioner Curnutt seconded the motion. Roll Call:

Lumpkin	Sandoval	Curnutt	Witcher	Apodaca
Yes	Yes	Yes	Yes	Yes

Mr. Ron Wilmot then presented the lease between the City and Representative Ben Ray Lujan. Mr. Wilmot explained that the lease is actually between the Federal US House of Representatives for office space for Mr. Lujan at the Chamber of Commerce.

Commissioner Lumpkin made a motion to approve the lease and Mayor Pro Tem Apodaca seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

Old Business

Ms. Rose explained that USDA funds have been secured in the form of part loan/part grant for the Date Street Lift Project. Ms. Rose stated that additional grant funds were secured by Mr. Powers and used for the project so some of the USDA loan funds can be returned. This will save the City money.

Mayor Pro Tem Apodaca approved return of USDA Funds for the Date Street Lift Project and Commissioner Curnutt seconded the motion. Roll Call:

Curnutt	Witcher	Apodaca	Lumpkin	Sandoval
Yes	Yes	Yes	Yes	Yes

Mayor Witcher acknowledged reading the minutes of the January 26, 2011 Emergency Communication Board meeting.

Ms. Rose then explained that two people representing the City need to be appointed to the Quay County Gaming Authority. Ms. Rose suggested that because she and Mr. Witcher have been involved in the project from the beginning, they be appointed. Mr. Witcher appointed Ms. Rose and himself to the Quay County Gaming Authority and Mr. Lumpkin as the alternate.

New Business

Mr. Tom Even of the Lodgers' Tax Advisory Board (LTB) reported to the Commission the LTB's intention to purchase directional signs to show visitors the way to local attractions. Mr. Even explained that the intent is to purchase 12 signs that have already been approved by the Department of Transportation. The signs will be brown with white lettering and will catch the attention of visitors entering the City from any direction. Mr. Even stated that three quotes were sought and Albuquerque Highway Supply was the least expensive. Mr. Even added that the State will install the signs at no charge.

Commissioner Lumpkin made a motion to approve the LTB purchase of 12 directional signs and Commissioner Curnutt seconded the motion. Roll Call:

Apodaca	Lumpkin	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes	Yes

Mr. Mike Cherry then presented the Annual Volunteer Fire Fighters Report to PERA. Mr. Cherry explained that this report enables the volunteers to accumulate service credits towards retirement. Mr. Cherry added that this costs the City nothing.

Mayor Pro Tem Apodaca made a motion to approve the Annual Volunteer Fire Fighters Report to PERA and Commissioner Lumpkin seconded the motion. Roll Call:

Lumpkin	Sandoval	Curnutt	Witcher	Apodaca
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Yes Yes Yes Yes Yes

Ms. Clara Rey then presented the New Mexico Aging and Long Term Services Department Capital Outlay Request. Ms. Rey explained that this contract provides an additional allocation in the amount of \$7500 for furnishings at the Senior Center.

Mayor Pro Tem Apodaca made a motion to approve the New Mexico Aging and Long Term Services Department Capital Outlay Request and Commissioner Lumpkin seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

Ms. Rose then presented the Ute Water Administrative and Fiscal Service Agreement. Ms. Rose explained that the fee is 25 cents per acre foot of reserved water and the City has 6000 acre feet reserved. She stated that the fee is to help pay the Ute Water Commission for their services. She also explained that although it is not budgeted, the funds to pay the fee are in the Ute Lake account.

Commissioner Lumpkin made a motion to approve the Ute Water Administrative and Fiscal Service Agreement and Mayor Pro Tem Apodaca seconded the motion. Roll Call:

Curnutt	Witcher	Apodaca	Lumpkin	Sandoval
Yes	Yes	Yes	Yes	Yes

Mr. Apodaca asked if the Commission voted to continue participation in the COG Board. Ms. Rose responded in the negative stating that she sits on the Executive Board but has not been attending meetings as the City chose not to pay dues. Ms. Rose added that she recommends going back into participation with the COG.

Ms. Rose then presented the emergency purchase in the Water department. Ms. Rose explained that two sewer lines collapsed in the area of Fifth and Sixth streets around Chenault and Charles. Ms. Rose stated that it would take staff one month to repair the lines. A quotation from Samcon for \$153,085 was received and Ms. Rose would like the Commissions blessing to contract Samcon to do the repairs under an emergency purchase. Ms. Rose explained that this will be paid out of the emergency contingency fund.

Mayor Pro Tem Apodaca made a motion to approve the emergency purchase in the Water department for repair of sewer lines by the Samcon Company. Commissioner Curnutt seconded the motion. Roll Call:

Witcher	Apodaca	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes	Yes

Items from Commissioners

Mr. Witcher asked for Commission Comments.
Commissioner Sandoval had no comments

Commissioner Curnutt had no comments.

Commissioner Lumpkin thanked all those in attendance for coming to the meeting.

Mayor Pro Tem Apodaca stated that although the debate sometimes gets heated, tomorrow it will be forgotten by the Commissioners.

Mayor Witcher said he seconds Mr. Apodaca's comments.

Executive Session

Due to the length of the meeting, Mr. Witcher stated that the Executive Session will be held at another time.

Adjournment

There being no further business, a motion to adjourn was made by Mayor Pro Tem Apodaca and seconded by Commissioner Lumpkin. Time noted 8:28 p.m. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

James L. Witcher, Sr., Mayor

ATTEST:

Christine Dougherty, City Clerk