

**CITY OF TUCUMCARI
CITY COMMISSION MEETING MINUTES
June 23, 2011**

The Tucumcari City Commission met in a regular meeting on Thursday, June 23, 2011, at 6:00 p.m. in the City Commission Chambers. Members present constituting a quorum were; Antonio Apodaca, Amiel Curnutt, Jimmy Sandoval, and Jim Witcher.

City staff members present were Mike Cherry, Assistant City Manager; Christine Dougherty, City Clerk/Purchasing Agent; Dennis Dysart, Finance Director; Clara Rey, Human Resources Director; Doug Powers, Community Development Director, Yvette Fazekas, Planning and Zoning Administrator; Rex Maddaford, Golf Pro; and Jason Braziel, Chief of Police.

Ms. Amy Pospichal, Pastor of the First Presbyterian Church gave the invocation and Mr. Witcher 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. Mr. Cherry asked that items A and B under Old Business be removed.

Commissioner Curnutt made a motion to approve the agenda as amended and Mayor Pro Tem Apodaca seconded the motion. Roll Call:

Curnutt	Witcher	Apodaca	Sandoval
Yes	Yes	Yes	Yes

Items from Commissioners

Mr. Witcher pointed out that Roman numeral eight was missing from the agenda.

Mayor Pro Tem Apodaca had no comments.

Commissioner Curnutt had no comments.

Commissioner Sandoval asked where the maintenance on the ambulance stands. Mr. Cherry stated that his department is working on it and he will follow up.

Mr. Witcher also announced that Ms. Rose is not at the meeting due to illness, so please forgive them if they seem out of whack tonight.

Approval of Minutes

A motion was made by Mayor Pro Tem Apodaca to approve the minutes of the June 9, 2011 Commission meeting and the motion was seconded by Commissioner Curnutt. Roll Call:

Witcher	Apodaca	Sandoval	Curnutt
Yes	Yes	Yes	Yes

Approval of Vouchers

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

Apodaca	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes

Items from Citizens

Mayor Witcher asked if any citizens cared to address the Commission. Being none, the meeting moved forward.

Ordinances and Resolutions

Mr. Chris Muirhead of Modrall Sperling, Bond Council for the City introduced Ordinance 1091, Authorizing and Delivery of a Loan Agreement. Mr. Muirhead explained that this loan is refinancing the bonds used to create the Convention Center in 2002. Originally, the pledge for repayment of the loan was Lodgers Tax and Gross Receipts Tax. The new loan will save the City approximately \$19,000 per year and pledges only Lodgers Tax for repayment of the loan.

Mr. Muirhead went on to say that the loan will close in early August and the final payment will be due in 2021. The savings is approximately 2% per year. Mr. Muirhead asked if there were any questions regarding the legal aspects of this transaction.

Mr. Erik Harrigan of RBC Capital Markets, financial advisor to the City stated that this is an attractive deal for the City.

Mayor Pro Tem Apodaca made a motion to approve the final reading of Ordinance 1091, Authorizing and Delivery of a Loan Agreement and Commissioner Curnutt seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca
Yes	Yes	Yes	Yes

Mr. Rex Maddaford presented Resolution 2011-30, Establishing New Golf Fees. Mr. Maddaford explained that this resolution increases revenue to the City without making golf prices unattractive to citizens. Mr. Maddaford explained that greens fees are

proposed to increase only by a dollar or two depending on the individual golfer and the day of play. He also stated that the annual shed leases will increase from \$175 to \$192.50. Mr. Maddaford also explained that tournament fees are collected during tournament play when the course is closed to the public. Tournament fees are paid to the City in lieu of green fee revenue. Mr. Maddaford pointed out that children's fees are slated to remain the same.

Mr. Apodaca asked for clarification on the amount of the increase and the City subsidy to the course. Mr. Apodaca said that he is asking because the Recreation Programs were asked to become self sustaining and he does not understand why these two programs are not run equitably.

Mr. Cherry stated that these figures will be provided to the Commission.

Mayor Pro Tem Apodaca made a motion to approve Resolution 2011-30, Establishing New Golf Fees and Commissioner Curnutt seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca
Yes	Yes	Yes	Yes

Mr. Dysart then presented Resolution 2011-36, A Budget Amendment Request. Mr. Dysart stated that this BAR is for internal adjustments. He went on to explain that this BAR is necessary due to a loan that did not belong in the budget, the revenue of the First Street project, landfill reserves and the gross receipts tax for the Main Street project. Mr. Dysart stated that the budget shows a deficit of \$2,900,000. The BAR makes no change to the bottom line numbers; it only moves money within departments.

Commissioner Curnutt made a motion to approve Resolution 2011-36, A Budget Amendment Request and Mayor Pro Tem Apodaca seconded the motion. Roll Call:

Curnutt	Witcher	Apodaca	Sandoval
Yes	Yes	Yes	Yes

Mr. Dysart then presented Resolution 2011-37, A Budget Amendment Request. Mr. Dysart stated that this BAR is for the Department of Finance and Administration. Mr. Dysart stated that this resolution will decrease the deficit by \$80,000 in different funds. Mr. Dysart stated that he attributes this to more conservative fiscal management and that there are more budget reductions. Mr. Dysart said that some of the grant funds will carry over.

Mayor Pro Tem Apodaca made a motion to approve Resolution 2011-37, A Budget Amendment Request and Commissioner Curnutt seconded the motion. Roll Call:

Witcher	Apodaca	Sandoval	Curnutt
Yes	Yes	Yes	Yes

Ms. Kroeker then presented Resolution 2011-38, Establishing New Library Fees. Ms. Kroeker stated that this resolution increases used book prices from a flat twenty five cents each to a range of twenty five cents to \$2, depending on the condition of the book. Additionally, Ms. Kroeker said that this establishes an inter-library loan fee of \$2. Currently, there is no cost passed along to patrons for borrowing books from other libraries. Ms. Kroeker stated that fee will help defray increasing postage costs.

Commissioner Curnutt made a motion to approve Resolution 2011-38, Establishing New Library Fees and Commissioner Sandoval seconded the motion. Roll Call:

Apodaca	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes

City Manager's Report

Mr. Cherry stated that Ms. Rose is out sick and therefore he will be giving the City Manager's Report. Mr. Cherry called on Mr. Dysart to give a Financial Report. Mr. Dysart directed the attention of the Commission to the finance report provided for them on their desks. Mr. Witcher asked Mr. Dysart if the interim budget has been received back from the DFA. Mr. Dysart responded in the negative.

Mr. Cherry then called on Ms. Rey to give a report on Workman's Compensation Insurance. Ms. Rey explained that the initial quote for workman's compensation was over \$400,000. Ms. Rey has been looking for an alternative. The best deal Ms. Rey was able to find is with Travelers, which is a company we already use. The rate with Travelers will be \$206,203 with a deductible of zero. Ms. Rey said historically the City spends between \$8000 and \$13,000 on workman's compensation deductibles. Ms. Rey explained that the safety program has reduced claims. She added that Tucumcari General Insurance was helpful in obtaining quotes.

Mr. Cherry reported that the Gas Station Project will continue this Saturday in the 1800 block of Tucumcari Boulevard across from Route 66 motel. This will make the fifth station painted and we have the sixth one lined up on Main Street for July.

Mr. Cherry said that the Mission Pre-School Requested a sidewalk and ADA repairs be done at their business. City code says this is the owner's responsibility. ADA has not been done in the past.

We will be officially moving to the new landfill on July 5th.

Regarding the Sands Dorsey building, Ross Muir said on June 12th that NMED has just approved a sole source contract with Daniel B. Stephens, the firm that did phase one of the project. The second phase is scheduled for July. We will also be doing cost feasibility for the city to assist determining if acquisition and remediation is within our budgetary means. If the city decides to acquire the building, we will first want to give you an estimate of available funds for remediation. It will be September before we will know the extent of our available funding for remediation.

The Veterans Park Gazebo is up and Steel Electric said they would donate the electrical work for the park.

Recently a concern from a citizen was raised regarding recreational tournaments. Ms. Rose spoke to Scott Simpson and he stated that when he started the City did host a youth football tournament and a couple of adult men's softball tournaments. The youth football tournament was discontinued due to the fact that the YAFL leagues in Albuquerque and Amarillo stopped allowing teams in their leagues to travel out of town with YAFL equipment. Since these were the bulk of the tournament teams only one or two out of town teams would come. Therefore, Mr. Simpson says he was told it wasn't making the City any money and to discontinue. The adult men's tournaments were discontinued due to the state police coming out and writing open container citations to everyone that had a beer in the parking lot at the softball fields. Mr. Simpson says he has been unable to get more than a couple of teams to want to come to a tournament since.

There was a complaint regarding lifeguards attire. The city used to provide shirts for them but we have taken away all funds for uniforms. The Commission also advised Ms. Rose that we did not have a dress policy.

If anyone would like to attend the NMML Annual Conference to be held August 30 through September 2, 2011 in Roswell, please see Ms. Dougherty.

Ms. Rose will have the rate recommendations at the next meeting for utilities. Mr. Cherry asked if the Commission would like to have a work session to discuss rates. It was agreed that a Work Session will be held on Tuesday, July 12 at 10 a.m.

Mr. Curnutt asked that the downtown business people be notified of what is going on with the Sands Dorsey building. Mr. Cherry said he would make sure that happens.

Mr. Witcher stated that he received a letter saying the City was denied a loan for the project on Whitmore Street. Mr. Witcher said this is something that is usually awarded every other year, but the Planning department applied even though the City received the funds last year. The loan was denied by the state.

Bids and Contracts

Mr. Cherry presented the task orders for the Airport project. Mr. Cherry explained that task order number four is for \$12,588 for a friction test on the runway, number five is for \$7566 for a storm water prevention plan, task order number six is for \$30,672 for creation of a property boundary map, and task order number seven is for \$25,800 for pavement.

Mayor Pro Tem Apodaca made a motion to approve task orders number four, five, six and seven for the Airport Project and Commissioner Curnutt seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca
Yes	Yes	Yes	Yes

Mr. Cherry asked for approval for Engineering Services from Gordon Environmental at the new landfill. Mr. Cherry explained that this is for the permit for new cells for construction debris. The cost is \$8500.

Mayor Pro Tem Apodaca made a motion to approve the Engineering Services with Gordon Environmental and Commissioner Curnutt seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca
Yes	Yes	Yes	Yes

Ms. Fazekas presented the New Mexico Clean and Beautiful Grant. Ms. Fazekas stated this is a standard agreement for \$12,000 with a \$8500 match that will be met with all in-kind services. Ms. Fazekas went on to explain that this grant is used to purchase equipment for beautification and to pay youth groups to conduct litter pick ups.

Commissioner Curnutt made a motion to approve the New Mexico Clean and Beautiful Grant and Mayor Pro Tem Apodaca seconded the motion. Roll Call:

Curnutt	Witcher	Apodaca	Sandoval
Yes	Yes	Yes	Yes

Mr. Cherry presented the Bid for Water Attorney Services. Mr. Cherry explained that an RFP for these services was issued and one response was received. The one responder was Kyle Harwood, current water attorney. Mr. Cherry stated that Ms. Rose recommends approval of Mr. Harwood's bid.

Commissioner Curnutt made a motion to approve the bid for water attorney services from Harwood Consulting and Mayor Pro Tem Apodaca seconded the motion. Roll Call:

Witcher	Apodaca	Sandoval	Curnutt
Yes	Yes	Yes	Yes

Ms. Fazekas presented the contract for Engineering Services with Wilson and Company for the MAP/CO-OP project on Campbell Street. Ms. Fazekas explained that this project is to renovate Campbell Street from Second to Eleventh Streets.

Mayor Pro Tem Apodaca made a motion to approve the engineering Contract with Wilson and Company for the MAP/CO-OP project on Campbell and Commissioner Curnutt seconded the motion. Roll Call:

Apodaca	Sandoval	Curnutt	Witcher
Yes	No	Yes	Yes

Ms. Dougherty asked for approval for the copier lease with SPC. Ms. Dougherty explained that the Richo contract had become too costly and asked to be released from the contract due to non-appropriation of funds. An RFP was issued and the sole responder, SPC has provided a very attractive price and package. Ms. Dougherty explained that two unnecessary copiers will be eliminated. The monthly savings to the City will be \$2662.45 and the annual savings will be just under \$32,000. Additionally, Ms. Dougherty reported that paper, toner and shipping are included in the price saving the City even more money.

Mayor Pro Tem Apodaca made a motion to approve the copier lease contract with SPC and Commissioner Curnutt seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca
Yes	Yes	Yes	Yes

Old Business

Mr. Even presented the Lodgers’ Tax Advisory Board recommendations for funding for promotion of tourist related events. Mr. Even explained that the advisory board tried to be as generous as possible as there are some good things going on. There are some new events happening and the advisory board wants to fund them. Conversely, the advisory board would like to see existing events become self-sustaining. Mr. Even stated that the recommendations are to fund the Rotary Air Show \$5000, the Bluegrass Festival \$2000, the Mariachi Christmas \$500, the Main Street Fired Up event \$5000 and the Mother Road Rally \$750.

Commissioner Curnutt made a motion to approve funding through the Lodgers’ Tax as per the Advisory Boards recommendations and Mayor Pro Tem Apodaca seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca
Yes	Yes	Yes	Yes

Mr. Even further reported that a documentarian will be filming at the gas station painting project to be submitted to the History Channel. The film maker is working on documenting the renovation of old buildings along Route 66.

New Business

Mr. Maddaford presented the Capital Improvements request for the Golf Course. Mr. Maddaford explained that the motor in the well at the course went out and the course went for 10 days without water. Due to the dedication of the employees, Mr. Maddaford was pleased to report that none of the greens were compromised. Mr. Maddaford went on to say that all the wiring has been replaced as it was undersized for the well. Xcel energy donated 150 yards of wire for the project. Great Plains Electric did the work and Arch Hurley Conservancy District donated the use of some of their crew and their crane.

The repaired pump tested well; almost as good as when it was new. The cost of the new motor was \$5000.

Mr. Maddaford stated that the shed lease account has been set aside for improvements. The Golf Advisory Board changed their by laws to require their approval of expenditures out of the account as a safeguard measure. The advisory board approved the purchase of the new motor.

Commissioner Curnutt asked if the motor is new. Mr. Maddaford responded in the positive. Mr. Maddaford went on to say that the well was initially intended to be the backup water source for Arch Hurley water. As no water has been in the canal for several years, the well has been heavily relied upon.

Commissioner Curnutt made a motion to approve the Golf Course Capital Improvements and Mayor Pro Tem Apodaca seconded the motion. Roll Call:

Witcher	Apodaca	Sandoval	Curnutt
Yes	Yes	Yes	Yes

Mayor Witcher appointed Mr. Apodaca to serve as the voting delegate at the New Mexico Municipal league Conference in Roswell and Mr. Sandoval to serve as the alternate.

Items from Commissioners

Mayor Pro Tem Apodaca commended those employees who have been working in the intense sun.

Commissioner Curnutt thanked all those in attendance.

Mayor Witcher thanked all those who came for attending the meeting.

Commissioner Sandoval had no comments.

Adjournment

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

Sandoval	Curnutt	Witcher	Apodaca
Yes	Yes	Yes	Yes

James L. Witcher, Sr., Mayor

ATTEST:

Christine Dougherty, City Clerk