

**CITY OF TUCUMCARI
CITY COMMISSION MEETING MINUTES
December 8, 2011**

The Tucumcari City Commission met in a regular meeting on Thursday, December 8, 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 Doug Powers, Interim City Manager, Mike Cherry, Assistant City Manager/Fire Chief; Christine Dougherty, City Clerk/Purchasing Agent; Dennis Dysart, Finance Director; Yvette Fazekas, Zoning Administrator; Pete Rivera, Deputy Chief of Police; and Vicki Strand, Human Resources Director.

Mr. Eddy Mardis, of the Fathers Forge Church gave the invocation and Ms. Toni Leal led the group in the Pledge of Allegiance.

Consideration of Changes or Deletions to the Agenda

Mayor Witcher stated that item seven, A should be removed as it has been taken care of.

Commissioner Curnutt made a motion to approve the agenda with the deletion of item A under Proclamations, Memorials or Petitions and Commissioner Lumpkin seconded the motion. Roll Call:

Curnutt	Witcher	Apodaca	Lumpkin	Sandoval
Yes	Yes	Yes	Yes	Yes

Items from Commissioners

Commissioner Sandoval stated that he feels Mr. Powers is trying to find the break pedal so that Tucumcari can stop rolling backwards. Mr. Sandoval said that with Mr. Powers help, he thinks the City will be moving forward by next year.

Commissioner Curnutt thanked everyone in attendance for taking the time to attend the meeting.

Mayor Pro Tem Apodaca stated that he is not picking on a particular department or person, but regarding Resolution 2011-49, he feels the Commission was circumvented by the Police Department when they sold surplus firearms to individuals. Mayor Pro Tem Apodaca said he would like this to be immediately corrected and a full report given to the Commission. Mr. Apodaca went on to say that if Department Heads do not follow the directives detailed in resolutions passed by the Commission, we have lost control.

Mayor Pro Tem Apodaca went on to say that a full report should be submitted to Mr. Powers. Mr. Apodaca said that he does not believe any violations of the law occurred but, the resolution

was circumvented when the sale of weapons was not handled as it was supposed to be and this needs to be corrected immediately.

Mayor Witcher thanked everyone for attending the meeting and thanked everyone for their prayers.

Approval of Minutes

A motion was made by Commissioner Lumpkin to approve the minutes of the November 17, 2011 Regular Commission meeting and the motion was seconded by Commissioner Curnutt.

Roll Call:

Witcher	Apodaca	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes	Yes

A motion was made by Commissioner Lumpkin to approve the minutes of the November 29, 2011 Public Hearing and seconded by Mayor Pro Tem Apodaca. Roll Call:

Apodaca	Lumpkin	Sandoval	Curnutt	Witcher
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:

Lumpkin	Sandoval	Curnutt	Witcher	Apodaca
Yes	Yes	Yes	Yes	Yes

Items from Citizens

Mayor Witcher asked if there were any citizens wishing to address the Commission. Mr. Gilbert Pacheco approached the podium and explained that he requested the financial records for the Recreation Department. Mr. Pacheco said that the budget did not make any sense to him. Mr. Pacheco asked the Commission to look at the finances of the Recreation Department since Scott Simpson took over. Mr. Pacheco said that during the last football season, a child broke his arm and Mr. Simpson was no where to be found. Mr. Pacheco stated that Coach Lott got loud and was evicted from a game. Mr. Simpson was not around and the game was going to be cancelled because there was no coach for Mr. Lott's players to complete the game. Mr. Pacheco stated that a parent coached the remainder of the game so the players did not have to forfeit.

Mr. Pacheco reported that Mr. Simpson went to Mr. Lott's teams' next practice. Mr. Pacheco stated that Mr. Lott coached Recreation football teams for 20 years. Mr. Pacheco explained that on that day, Mr. Simpson suspended Mr. Lott's coaching privileges for two years. Mr. Pacheco's concern was how the players felt watching their coach get suspended.

Mr. Pacheco further went on to say that at the Cemetery, the employees have no regard for the grave sites. Mr. Pacheco said the graves are being abused and trampled. Mr. Pacheco then asked if the City has the right to refuse anyone the right to purchase a burial plot. Mr. Witcher responded in the negative. Mr. Pacheco stated that he was refused when he tried to purchase a plot at the Cemetery. He further went on to say that the Cemetery Superintendent was driving around the Cemetery as though it was a race track. After being refused, Mr. Pacheco said he spoke with Assistant City Manager, Mike Cherry. Mr. Pacheco sent his wife to the Cemetery to purchase plots. Mr. Pacheco's wife went to the Cemetery on her lunch hour and waited an hour and no one was there to assist her.

Mr. Pacheco concluded that Mr. Simpson is lost in his managerial duties and not helping the City. Mr. Pacheco said he was refused the right to purchase a burial plot, the Commission continues to increase rates and he can no longer afford to live in Tucumcari.

Mayor Witcher instructed Mr. Pacheco to write down his concerns and give them to the City Clerk. Mr. Witcher said copies will be made for all the Commissioners and then they can come to a conclusion about Mr. Pacheco's concerns.

Ms. Toni Leal approached the podium and asked if water rates were going to be discussed at the meeting this evening. Mr. Witcher responded that Ordinance 1099 will be read for the first time this evening and that it addresses water rates.

Ordinances and Resolutions

Yvette Fazekas presented Ordinance 1098 Vacating an Alley Right of Way. Ms. Fazekas explained that this alley way is across from Circle K, between CA Electric and the old Acme building. Ms. Fazekas added that this closure only affects a portion of the alley. Ms. Fazekas explained that this is the second and final reading of this Ordinance.

Commissioner Lumpkin made a motion to approve Ordinance 1098 Vacating an Alley Way and Mayor Pro Tem Apodaca seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

Mr. Doug Powers presented Ordinance 1099 for the first reading. Mr. Powers explained that this ordinance addresses modifying water rates as per the recent discussions by the Commission on the issue. Mr. Powers said that this ordinance increases the minimum usage to 3000 gallons for each customer. Additionally, Mr. Powers said that the rates from July 2011 were used as a base and increased 10% for residential customers and 20% for commercial customers. Mr. Powers explained that customers residing outside the City Limits will pay one and a half times what customers inside the City pay. Mr. Powers further explained that the price per one thousand gallons in the tiered structure has been decreased within this ordinance. Mr. Powers also explained that this will match the sewer billing tiers so that the billing system will work smoothly. Mr. Powers concluded by explaining that the ordinance includes an automatic 4% annual increase in rates.

Commissioner Curnutt stated that in lieu of a fixed rate increase, perhaps the consumer price index could be used to calculate the increase. Mayor Pro Tem Apodaca said that he felt that would complicate the issue with a variable rate increase. Mayor Pro Tem Apodaca made a motion to approve the first reading of Ordinance 1099 Amending Municipal Code Regarding Water Rates. Mr. Apodaca went on to say that this motion shows the citizens that they have a voice in government.

Commissioner Lumpkin explained that at work sessions regarding this issue it was discussed that the original water rate format should be used and a rate increase in a manageable amount should be implemented. Mr. Lumpkin explained that water rates are increasing from what customers were charged back in July but going to be less than the increase that was implemented this fall. Mr. Lumpkin stated that he and Mr. Powers visited with area business people and they agreed they could live with the proposed rates. Mr. Lumpkin complimented those that helped with the process and said he felt most people would be pleased with the rate structure. Mr. Lumpkin then seconded the motion.

Commissioner Sandoval stated that he talked to citizens and business owners and they told him they could live with these rates. Mr. Sandoval said that because of this, he plans to vote yes on this motion.

Commissioner Curnutt stated that he is content with these rates and they are something business people can live with. However, Mr. Curnutt said that he still feels the automatic rate increase should be based on an index of some kind. Mayor Pro Tem Apodaca stated that he thinks basing the rate increase on an index will create a problem and make the process more complicated. Mayor Witcher said it will be easier to create the budget each year when we know exactly how much rates will increase. Mayor Pro Tem Apodaca said if we use the consumer price index to increase the water rates, you will have to be a scholar to figure out the new rates each year. Mayor Witcher stated that he believes the consumer price index is published in September each year and we will then be using year old data to base the rate increase upon. Mayor Pro Tem Apodaca said that some years we will need more of an increase and he didn't want to complicate matters.

The Mayor then called the question regarding the motion made by Mayor Pro Tem Apodaca to approve the first reading of Ordinance 1099 Amending Municipal Code Regarding Water Rates that was seconded by Commissioner Lumpkin. Roll Call:

Curnutt	Witcher	Apodaca	Lumpkin	Sandoval
Yes	Yes	Yes	Yes	Yes

Ms. Fazekas then presented Ordinance 1100 for the first reading Amending the Unified Development Code. Ms. Fazekas explained that this ordinance was drafted to modify the number of members on the Planning Commission from seven to five. She explained that they are having difficulty finding enough volunteers to serve on the commission and making a quorum.

Commissioner Lumpkin made a motion to approve the first reading of Ordinance 1100 Amending the Unified Development Code. Commissioner Curnutt seconded the motion. Roll Call:

Witcher	Apodaca	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes	Yes

Mayor Pro Tem Apodaca then made a motion to approve Resolution 2011-57 regarding redistricting the Municipality. Mayor Pro Tem Apodaca explained that he made this motion to approve concept A for redistricting because it effects the least change and preserves the sacred right of equal representation. Commissioner Curnutt seconded the motion. Roll Call:

Apodaca	Lumpkin	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes	Yes

Ms. Dougherty then presented Resolution 2011-60, Calling the Municipal Election. Ms. Dougherty explained that this resolution is required in order to call the election and details that seats for commission districts one, two and three are up for election. Ms. Dougherty explained that this resolution consolidates the districts for casting ballots into a voting convenience center which will be the Tukumcari Convention Center. Ms. Dougherty explained that the County Commission approved the Tukumcari Convention Center as the voting convenience center for voters within the City and in order to create continuity, this location was selected for the Municipal Election as well.

Mayor Pro Tem Apodaca stated that we are trying to get people out to vote and he felt the Convention Center was too far for many people to travel to cast their ballots. Mr. Apodaca suggested that the schools or the college would be better locations. Commissioner Lumpkin stated that he agreed and would like the election to be held at a more central location. Mr. Lumpkin said that people should be able to walk to the polls.

Ms. Dougherty explained that the voting convenience centers have been designated across the county by the County Commission and she would like to see the City mirror that for continuity. She explained that the location chosen needs to be large enough, have ample parking and have wireless internet service so that the ballot on demand system can be implemented in the future.

Mayor Pro Tem Apodaca said that as this is a City election, the Commission should have a say in where the polls are located. He suggested that we talk to the College to see if we can hold the election there. Mr. Apodaca said this is an important election because three of the seats are up and that constitutes a quorum of the Commission.

Commissioner Lumpkin asked if the Middle School gym has wireless internet. Ms. Dougherty stated that she does not know. Ms. Dainetta Kroeker, was in the audience and stated that the Library has wireless internet.

At this point in the meeting, it was 6:30 p.m. and Commissioner Curnutt exited.

Mayor Pro Tem Apodaca said that the Library was a good location and suggested that the election be changed to be held there. Mayor Pro Tem Apodaca stated that he felt that holding the election at the Library will increase voter participation.

At this point in the meeting it was 6:35 p.m. and Mayor Witcher called for a five minute recess.

At 6:40 p.m. the entire Commission re-convened.

Commissioner Lumpkin made a motion to approve Resolution 2011-60, Calling the 2012 Municipal Election with the voting convenience center location changed to the Tucumcari Public Library. Mayor Pro Tem Apodaca seconded the motion. Roll Call:

Curnutt	Witcher	Apodaca	Lumpkin	Sandoval
Yes	Yes	Yes	Yes	Yes

Ms. Yvette Fazekas then presented Resolution 2011-61, Authorizing Submission of the Community Development Block Grant (CDBG) Application, Preliminary Engineering Report for Infrastructure Improvements/Upgrades. Ms. Fazekas stated that this is approving an application to the Department of Finance for planning funds and designates the Mayor as the Chief Executive Officer with signatory authority. Ms. Fazekas explained that this application is for a \$50,000 grant with a \$5000 match.

Mayor Pro Tem Apodaca asked if the matching funding is available. Mr. Powers responded in the positive.

Commissioner Curnutt made a motion to approve Resolution 2011-61, Authorizing Submission of the Community Development Block Grant (CDBG) Application, Preliminary Engineering Report for Infrastructure Improvements/Upgrades and Commissioner Lumpkin seconded the motion. Roll Call:

Witcher	Apodaca	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes	Yes

Ms. Fazekas then presented Resolution 2011-62, Authorizing the Submission of the CDBG Application for Water and Street Improvements. Ms. Fazekas explained that this application is for funding to complete street and water system improvements in the Daubs Addition. Ms. Fazekas explained that there have been two public hearings regarding this project and the application is for \$50,000 grant with the match being in-kind. Mr. Powers stated the Street Superintendent, Alex Madrid and Water Superintendent, Charlie Sandoval both recommend this application be approved due to needs in the area. Mr. Powers also explained that this project will upgrade the area with the new ADA compliance regulations.

Mayor Pro Tem Apodaca made a motion to approve Resolution 2011-62, Authorizing the Submission of the CDBG Application for Water and Street Improvements and Commissioner Lumpkin seconded the motion. Roll Call:

Apodaca	Lumpkin	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes	Yes

Mayor Pro Tem Apodaca then asked where the project on Campbell Street stands. Ms. Fazekas said that today she sent the engineers preliminary drawings back with her red lines through it and she expects the project to begin in early spring.

Commissioner Sandoval asked if the new CDBG project will fix the hole in front of Bob's Upholstery Shop. Ms. Fazekas responded in the negative explaining that the store is on Main Street which is a street in DOT jurisdiction. She also explained that the CDBG program cannot make improvements in commercial areas.

City Manager's Report

Mr. Powers stated that since his first day as Interim City Manager, people have been talking about the water rates. Mr. Powers said the City Commission has put a lot of time in on analyzing this situation and he hopes the public realizes how much work they have done. Mr. Powers thanked the Commissioners for their work.

Mr. Powers reported that the pre-bid meeting for the waste water re-use project was held; as well as a meeting for the Airport Master Plan.

Mr. Powers explained that an application has been submitted to the Drinking Water Bureau for auto read water meters in the amount of \$1.6 million. Mr. Powers speculated that the City should qualify for 75% of these funds in the form of a grant.

Mr. Powers said that an application has also been submitted to the Water Trust Board for funds to repair the transmission line and for the water tank. The application is for 90% grant with 10% match.

Mr. Powers said that he would like to step outside of the box and compliment city employees that have been wearing multiple hats. He said that there are some department heads that have stepped up and done outstanding jobs. Mr. Powers said the Vicki Strand took the Human Resources job and helped in the Finance Department in Mr. Dysarts absence. Mr. Powers said that Ms. Strand is now helping to train her replacement in the Finance Department. He said that he will take Ms. Strand to lunch next week some time to thank her for her work.

Mr. Powers then stated that when he was appointed Interim City Manager, Yvette Fazekas took over his position in the Community Development Department. While Ms. Fazekas did this, one of the other employees was busy doing two jobs as well. Mr. Powers said he is so proud and happy with the work that is being done. Mayor Witcher asked the two employees to rise and be recognized.

Mayor Witcher stated that he read the department head reports and found that at the Lab they will be conducting a new type of test on the waste water. Not many labs conduct this type of test so Janet Garcia plans to provide the test for other labs for a fee. Mr. Witcher complimented this

department head for diving in and finding a new revenue source. Mr. Powers added that with the completion of the new lab building, Ms. Garcia was recently involved in moving offices and had limited telephone and internet service.

Bids and Contracts

Mr. Mike Cherry presented the Emergency Management Performance Grant. Mr. Cherry stated that this grant provides 50% of the funding for the Emergency Managers salary and benefits. Mayor Pro Tem Apodaca asked what that person does for the City and where the other half of the salary comes from. Mr. Cherry explained that the grant covers half of the salary and benefits, 25% is covered by the City and 25% is covered by the County. The grant is for \$27,000 and the City and County each pick up around \$12,000. Mayor Pro Tem Apodaca asked if there is a need for this position. Mr. Apodaca wondered if the Fire Department could absorb these duties.

Mr. Cherry responded that this position is a part of the Fire Department and that having an Emergency Management Department brings in another \$250,000 in grants to the City. Mr. Cherry also explained that this position ensures that the City is ready for a large snow storm, that communications are operating correctly and efficiently, and that the emergency alert system is working properly. Mr. Cherry added that this position has been working to provide an emergency alert system for all land line phones so that all land lines will be called within five minutes in the instance of an emergency. Mr. Witcher added that this system will require only a button to be pushed and everyone will be notified.

Mayor Pro Tem Apodaca asked if this position is required in order for the City to apply for and receive \$250,000 other grant dollars. Mr. Cherry responded in the positive. Commissioner Sandoval asked if this grant can be spent on anything else. Mr. Sandoval suggested that the funds might be used to provide a pay raise for the Interim Ambulance Director. Mayor Witcher responded in the negative saying that the funds can only be used for the Emergency Manager.

Mr. Powers asked if the County has already approved this grant agreement. Mr. Cherry responded in the negative explaining that this is only the application and explained that both entities will have to increase the amount they are paying. Mr. Powers asked what will happen if the County does not approve this application. Mr. Powers expressed concern that the City may be stuck paying 50% of the salary and benefits if the County does not approve the application. Mr. Cherry responded that this is only the application. Mr. Powers explained that he is under the impression that this document is an authorization to commit to \$27,000. Mr. Cherry stated that this is only the application, the grant will be sent out later.

Commissioner Lumpkin stated that this application has a person attached to it. Mr. Lumpkin said that the grant is for \$27,000 and the City and County each pick up 25% of the salary and benefits. Mr. Lumpkin also said that the City is cutting back and increasing rates. Mr. Lumpkin asked if the position will not exist if the grant application is not approved. Mr. Cherry explained that this position has been in existence since 1995 in the City and has been a full time position since 2008. Mr. Lumpkin said he does not want to end a job and would rather see it end through attrition. Mayor Pro Tem Apodaca asked who fills this position now. Mr. Cherry responded that it is Mr. Scot Jaynes. Mr. Apodaca said the position was part time for 16 years and

wondered if the work could be done on a part time basis. Commissioner Sandoval stated that Mr. Cherry did the job alone before and stated that he has not seen any movement in the department.

Mayor Witcher asked Mr. Cherry to describe what Mr. Jaynes has completed in his position. Mr. Cherry explained that he did not come prepared to answer this question but could list some accomplishments. Mr. Cherry said that the Emergency Manager has completed the mitigation plan, has worked with the County emergency services to update communications, and helped with the management of the dispatch center. Mr. Cherry also explained that after 2001 the flow through funds increased with the addition of this position allowing the department to purchase many vehicles, a mobile command post and to interface the communications infrastructure.

Mayor Witcher added that the City was informed a long time ago that we were required to purchase new radios and then told we did not have to purchase the radios. The City was also told we were to have one dispatch center but that was an unfunded mandate. The City was able to secure funding to consolidate the dispatch center for Harding, San Miguel and Quay Counties and to build the tower to do so. Mayor Witcher went on to say that the Emergency Manager position brings a lot to the City and the County.

Mayor Pro Tem Apodaca said he is not talking about eliminating the Emergency Management functions. He then asked if Mr. Jaynes is full time. Mr. Cherry responded in the positive. Commissioner Sandoval said that the community is dying and we don't need Mr. Jaynes anyway. Mayor Witcher said that Mr. Sandoval has said so many times that the community is dying and he is so tired of his negative attitudes. Mayor Witcher then apologized to Mr. Sandoval saying he lost his cool. Mr. Sandoval said he has not yet lost his cool, but Mr. Witcher will see him lose it.

Commissioner Lumpkin made a motion to approve the Emergency Management Performance Grant and Commissioner Curnutt seconded the motion. Roll Call:

Lumpkin	Sandoval	Curnutt	Witcher	Apodaca
Yes	No	Yes	Yes	Yes

Ms. Fazekas presented the tabulation results of the responses to the RFP for engineering services. The RFP solicited responses for engineering services for the Daub's addition water and sewer project. Ms. Fazekas reported that two responses were received, rated and ranked and the evaluation committee recommends approving the bid from Forsgren Associates.

Mayor Pro Tem Apodaca made a motion to approve the RFP recommendation for Engineering Services from Forsgren Associates and Commissioner Lumpkin seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

Old Business

Mayor Witcher opened the discussion of payment of the SPIRIT dues by saying that in the past it was decided that these dues were too expensive. Commissioner Sandoval stated that he asked the Interim City Manager to bring this item up for discussion. Mr. Sandoval stated that he and Ms. Ditto traveled to Washington to discuss the expansion of Highway 54 project. Mr. Sandoval said that there has to be a way to enter New Mexico and he hasn't seen any maps showing this. Mr. Sandoval said this is very important because Tucumcari is drying up and we need four lanes going through Tucumcari.

Mayor Pro Tem Apodaca stated that he does not see how our membership is beneficial to the City as this is a State and Federal issue. Mr. Apodaca said \$2396 a year is too much for this membership. Mayor Witcher stated that the Economic Development Director represents the City in the SPIRIT organization. Mr. Apodaca added that he does not see a reason to spend this money.

Mayor Pro Tem Apodaca made a motion to table the discussion of payment of SPIRIT dues 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 September 27 and the November 2, 2011 Planning and Zoning Commission Meetings.

New Business

Ms. Jessica Elebario presented the applications for three seats on the Senior Citizens Advisory Board. Ms. Elebario explained that there are four applications and she recommends that the Commission re-appoint the incumbents to their seats.

Commissioner Lumpkin said it is a tough situation when there are more applications than seats and thanked all those that applied to serve. Commissioner Lumpkin then made a motion to appoint Mr. Kuykendall, Ms. Gholson, and Ms. Bivens to server on the Senior Citizens Advisory Board and Commissioner Curnutt seconded the motion. Roll Call:

Witcher	Apodaca	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes	Yes

Ms. Fazekas explained that one member of the Community Development Board resigned his position and an application has been received by an individual interested in filling the spot.

Commissioner Curnutt made a motion to appoint Mr. Keith Bowen to serve on the Community Development Board and Commissioner Lumpkin seconded the motion. Roll Call:

Apodaca	Lumpkin	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes	Yes

Ms. Dainetta Kroeker explained that there are two seats up for re-appointment on the Library Advisory Board and two applications have been received.

Commissioner Lumpkin made a motion to appoint Mr. Leon Logan and Ms. Nancy McNabb to serve on the Library Advisory Board and Commissioner Sandoval seconded the motion. Roll Call:

Lumpkin	Sandoval	Curnutt	Witcher	Apodaca
Yes	Yes	Yes	Yes	Yes

Items From Commissioners

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

Commissioner Lumpkin thanked everyone for coming and giving input. He also cautioned everyone to be careful on the frozen roads.

Mayor Pro Tem Apodaca reiterated that he would like the firearms listed in Resolution 2011-49 returned to the City, an inventory completed and that they be disposed of through consignment as the resolution states.

Commissioner Curnutt thanked those in attendance for coming and said he hopes that the new water rates work for everyone.

Mayor Witcher apologized for his rude outburst.

Mayor Pro Tem Apodaca stated that he is not picking on a particular department.

Executive Session

Commissioner Lumpkin made a motion to convene in Executive Session pursuant to New Mexico Statutes 1978 Pertaining to Open Meetings Referencing Section 10-15-1 H (7) threatened or pending litigation and Section 10-15-1 H (2) limited personnel matters. Mayor Pro Tem Apodaca seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

Time noted was 7:19 p.m.

Commissioner Lumpkin made a motion to reconvene in Regular Session after Executive Session where the only matters discussed were pursuant to New Mexico Statutes 1978 Pertaining to Open Meetings Referencing Section 10-15-1 H (7) threatened or pending litigation and Section

10-15-1 H (2) limited personnel matters. Commissioner Curnutt seconded the motion. Roll Call:

Curnutt	Witcher	Apodaca	Lumpkin	Sandoval
Yes	Yes	Yes	Yes	Yes

Time noted was 7:43 p.m.

Adjournment

Commissioner Lumpkin made a motion to adjourn the meeting and Commissioner Curnutt seconded the motion. Time noted: 7:44 p.m. Roll Call:

Witcher	Apodaca	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes	Yes

Antonio Apodaca, Mayor Pro Tem

ATTEST:

Christine Dougherty, City Clerk