

**CITY OF TUCUMCARI
CITY COMMISSION MEETING MINUTES
January 26, 2012**

The Tucumcari City Commission met in a regular meeting on Thursday, January 26, 2012, 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; Christine Dougherty, City Clerk/Purchasing Agent; Dennis Dysart, Finance Manager; Vicki Strand, Human Resources Director; and Jason Braziel, Chief of Police.

Mr. Lendy Borden, Pastor of Abundant Life Church gave the invocation and Mr. Robert Lumpkin led the group in the Pledge of Allegiance.

Consideration of Changes or Deletions to the Agenda

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

Curnutt	Witcher	Apodaca	Lumpkin	Sandoval
Yes	Yes	Yes	Yes	Yes

Items from Commissioners

Commissioner Lumpkin thanked those in attendance for coming to the meeting. He went on to say that there has been much talk of the Ute Lake Pipeline project and he recently attended an Interstate Streams Commission (ISC) meeting regarding the project. Mr. Lumpkin said that at the meeting he asked the ISC to reconsider their mandate that Tucumcari use the ENMRWA intake structure to get water from the lake. Mr. Lumpkin said that he feels he finally got their attention and they asked for more information. Mr. Lumpkin said he thinks there may be some sympathetic ears on the ISC.

Mayor Pro Tem Apodaca said that he feels there is an issue that may need to be addressed regarding the Parks. Mr. Apodaca said that City Code 11.16.070 regarding enforcement of park regulations allows any City employee to eject someone from the parks for violation of the rules. Mr. Apodaca explained that he feels this puts the City at a liability as only City Police Officers are trained to deal with unruly people. Mayor Pro Tem Apodaca went on to say that this may be an extreme circumstance but added that human behavior is complex. In basic terms, Mr. Apodaca said that an untrained person could get whipped. Mayor Witcher asked that the Clerk provide copies of the code to the Commissioners and that it appear on the next agenda.

Commissioner Curnutt thanked everyone for coming to the meeting.

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

Mayor Witcher thanked everyone for their prayers and said he has finished his radiation treatments.

Approval of Minutes

A motion was made by Commissioner Lumpkin to approve the minutes of the January 12, 2012 Regular Commission meeting and the motion was seconded by Commissioner Curnutt. Roll Call:

Witcher	Apodaca	Lumpkin	Sandoval	Curnutt
Abstain	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

Ms. Christina Benavidez approached the podium to address the Commission. Ms. Benavidez stated that although she does not live in Mr. Sandoval’s district, she would like to offer her support to his campaign for Commissioner. Ms. Benavidez said that she feels Mr. Sandoval is an asset to his district and she will assist him in his campaign.

Proclamations, Memorials, or Petitions

Mr. Witcher presented the VFW Ladies Auxiliary President, Ms. Kathleen Lopez with a Proclamation for Stand Up-Leave No Veteran Behind Day in Tucumcari. Mr. Witcher stated this is also in honor of the National VFW Ladies Auxiliary Presidents visit to Tucumcari.

Commissioner Lumpkin thanked the Ladies Auxiliary for all they do.

Mayor Witcher stated that he had surgery at the VA hospital the day before Veteran’s Day and Ladies Auxiliary representatives along with their families came by to visit him. Mr. Witcher said that the ladies are passing on the legacy of what it means to be an American. Mr. Witcher added that the ladies do a thankless job.

Ms. Lopez thanked the City for the Proclamation and encouraged the Commissioners to come by the Convention Center and meet the National President. Ms. Lopez also thanked the veterans for what they have done for our country.

Mr. Lumpkin added that Ms. Lopez is also the State President of the Auxiliary and she is the first one from our area since 1952.

Ordinances and Resolutions

Mr. Dennis Dysart presented Resolution 2012-03, A Budget Amendment Request (BAR). Mr. Dysart explained that this is the first BAR of the year and it adjusts the budget in the following areas; modifies the budget according to the water rate change, moves funds in departments where the supervisors have identified the need to do so, and adds revenues realized from the insurance claim on the convention center roof, the sale of the block press, the sale of vehicles and firearms. Mr. Dysart asked for the Commission to approve the BAR.

Mayor Pro Tem Apodaca asked for a report showing where each department is currently. Mr. Dysart explained that some departments are over in certain line items but this BAR moves funds to keep departments within their budgets. Mr. Apodaca asked that a report be crafted that shows where each department is at risk of overspending. Mr. Dysart explained that he will present that in his mid-year budget report later this evening. Mr. Apodaca stated that we need to be careful how we are spending and watch each department closely.

Commissioner Curnutt made a motion to approve Resolution 2012-03, A Budget Amendment Request and Mayor Pro Tem Apodaca seconded the motion. Roll Call:

Lumpkin	Sandoval	Curnutt	Witcher	Apodaca
Yes	Yes	Yes	Yes	Yes

City Manager's Report

Mr. Powers began his report by thanking Mr. Lumpkin for his work on the Ute Water project. Mr. Powers said he feels more progress was made at the last few months than in years on this project.

The pre-construction meeting was held January 19 on the water re-use project and the construction began on the 23rd with the new pond. Tomorrow, the 27th, the NMED and the EPA will be here to look at the Sands Dorsey building. There may be funds available to remediate the situation. On the 25th, Mr. Powers traveled to Clovis to meet with the gun consignment shop regarding sale of the excess firearms. The sale will be advertised after the shop owner inspects the weapons and values them.

Mr. Powers also reported on Mr. Apodaca's inquiry from the last meeting on the Campbell Street project. Mr. Powers stated that the bids will be advertised on February 12 for the project.

Mr. Powers stated that the NM Highway Department will hold a public meeting on February 7 at the Logan Civic Center at 6 pm regarding the Highway 54 bridge between Logan and Tucumcari.

Mr. Powers also reported that the City has been awarded \$500,000 for lighting at the highway interchanges. Mr. Powers will travel to Las Vegas on February 2 to discuss the project. Mr. Powers wants to discuss the type of light heads that will be used as the high mast lights have

been difficult to maintain. Mr. Powers also explained that he would like to find a way to stretch the funds to provide lighting at both the First Street and the Highway 54 interchanges.

Mr. Powers then asked Mr. Dysart to give the mid-year financial report. Mr. Dysart began with the year-to-date summary which depicts a \$1.1 million deficit. Mr. Dysart explained that we began the year with \$5.587 million cash and the deficit leaves a difference of \$4.416. Mr. Dysart explained that so far this year, there is a \$561,000 deficit which is mostly reimbursable through capital projects.

Mr. Dysart then went on to report on the projected risk factors to the budget. First, Mr. Dysart predicts that gross receipts tax will be short \$121,000 of projections. The utility departments are projected at \$161,000 short. Mr. Dysart also explained that when the budget was created, the new rates were used but in actuality, the new rates were not charged until September, thus three months of new revenues were not gleaned.

Finally, Mr. Dysart offered some places where the budget may be able to recover. In the general fund, \$413,000 cash is budget for the end of the year. Of that, a \$200,000 balance is required by the DFA. There is also a \$400,000 reserve.

The water utility is \$76,000 short but there is a \$160,000 reserve that could be tapped. In the sewer department, the projected shortfall is \$85,000 but reserves and capital outlay could be used to cover expenses.

In the other departments, Mr. Dysart predicts a possible shortfall of \$138,000. He added that the supervisors need to analyze their own budgets and come up with ways to recover.

Mayor Pro Tem Apodaca asked if these figures are only projections. Mr. Dysart responded in the positive explaining that he will have hard figures next month.

Mayor Witcher explained that these figures do not mean the City has lost or gained anything, it is simply a way of checking our figures. When created, the budget was a guess. Mr. Witcher stated that we are looking before it is too late.

Mr. Powers said he agrees with Mr. Dysart that the rates have changed again and a few months down the road we will have a better picture of what is going to happen with the budget. Mr. Powers said the departments are going to have to cut spending and tighten their belts.

Mayor Pro Tem Apodaca asked if Breen Pond is still slated for discharge from the Waste Water Plant. Mr. Powers responded in the positive explaining that 100 acre feet has been planned for discharge annually at Breen Pond.

Mayor Pro Tem Apodaca asked if Mr. Powers has been contacted by tenants of the Mountain View Apartments regarding lighting. Mr. Powers responded in the negative. Mr. Apodaca said that he will look at the lighting this evening as he believes the dark area is bordered by City property.

Mr. Powers said that options for lighting from the Convention Center to the exit on the East end of town have been discussed. Mr. Powers suggested that security lights could be used if Xcel still uses those lights. Mr. Powers said that lighting is a big concern and wiring has been a problem.

Mr. Apodaca asked Mr. Powers to look at the south side of the Mountain View Apartments. Mr. Powers explained that proposed street light additions have to come before the City Commission.

Mayor Witcher added that Xcel Energy used to install guardian lights where a citizen requested as long as the citizen was willing to pay the electricity bill. Xcel does not do this anymore and lights have to be installed at the expense of the City.

Commissioner Curnutt thanked Mr. Dysart for his report and insights. Mr. Curnutt added that he does not like budget surprises.

Commissioners Sandoval and Lumpkin also thanked Mr. Dysart for his report.

Old Business

Mayor Witcher acknowledged reading the December 15, 2011 minutes of the Cemetery Advisory Board.

Mayor Pro Tem Apodaca then made a motion to appoint the City Manager as an alternate voting member of the Tukumcari Quay County Regional Water Authority and Commissioner Lumpkin seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Apodaca	Lumpkin
Yes	Yes	Yes	Yes	Yes

New Business

Mayor Pro Tem Apodaca made a motion to appoint Laura Naylor to the Senior Programs Advisory Board and Commissioner Curnutt seconded the motion. Roll Call:

Curnutt	Witcher	Apodaca	Lumpkin	Sandoval
Yes	Yes	Yes	Yes	Yes

Mayor Pro Tem Apodaca made a motion to appoint the slate of precinct board members for the upcoming municipal election, give notice of the names of the candidates, designate the polling place, and notice of election school and Commissioner Curnutt seconded the motion. Roll Call:

Witcher	Apodaca	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes	Yes

Items From Commissioners

Commissioner Sandoval stated he was glad to see so many people at the meeting.

Commissioner Curnutt thanked everyone for coming.

Mayor Pro Tem Apodaca said it was lonely while Mayor Witcher was away and welcomed him back.

Commissioner Lumpkin said he attended a luncheon with Johnny Meier, who owns a collection of Route 66 memorabilia and is looking for a museum location to house the collection and he gave a good presentation. Mr. Meier is looking for a 10,000 square foot building and therefore the Convention Center is no longer an option. Mr. Lumpkin said that a good group of volunteers is working on this project. Mr. Lumpkin apologized for missing the Cemetery Advisory Board meeting. He added that he reviewed the minutes and they are making good progress. Mr. Lumpkin also thanked those in attendance for coming to the meeting.

Mayor Witcher thanked those in attendance for coming and invited them to come back. He also encouraged everyone to vote for their candidate of choice in the March 6 election.

Adjournment

Commissioner Lumpkin made a motion to adjourn the meeting and Commissioner Curnutt seconded the motion. Time noted: 6:47 p.m. Roll Call:

Apodaca	Lumpkin	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes	Yes

James L. Witcher, Sr., Mayor

ATTEST:

Christine Dougherty, City Clerk