

**CITY OF TUCUMCARI
CITY COMMISSION MEETING MINUTES
March 22, 2012**

The Tucumcari City Commission met in a regular meeting on Thursday, March 22, 2012, at 6:00 p.m. in the City Commission Chambers. Members present constituting a quorum were; Amiel Curnutt, Daniel Lopez, Dora Salinas-McTigue, and Jimmy Sandoval.

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; Jason Braziel, Chief of Police; Mike Cherry Fire Chief/Assistant Manager; and Alex Madrid, Streets and Sanitation Superintendent.

Mr. Curnutt led the group in the Pledge of Allegiance.

Consideration of Changes or Deletions to the Agenda

Mr. Powers asked that item 11, A under Old Business be removed from the agenda.

Commissioner Lopez made a motion to approve the agenda with the changes recommended by Mr. Powers and Commissioner Salinas-McTigue seconded the motion. Roll Call:

Sandoval	Curnutt	Lopez	Salinas-McTigue
Yes	Yes	Yes	Yes

Items from Commissioners

Commissioner Sandoval had no comments.

Commissioner Lopez had no comments.

Commissioner Salinas-McTigue asked where we are on the announcement for the City Manager position and stated that she would like Mr. Powers to apply. Mr. Powers stated that will be addressed in item 11, E.

Mayor Curnutt stated that representatives of the NM DOT were in town last week for a meeting. He said that they have funded over \$18 million in Tucumcari street projects and he thanked them for their investment in Tucumcari. Mayor Curnutt also thanked everyone in attendance for coming to the meeting.

Approval of Minutes

A motion was made by Commissioner Sandoval to approve the minutes of the March 8, 2012 Regular Commission meeting and the motion was seconded by Commissioner Lopez. Roll Call:

Salinas-McTigue	Sandoval	Curnutt	Lopez
Yes	Yes	Yes	Yes

Commissioner Salinas-McTigue made a motion to approve the minutes of the Special Commission meeting held on March 14, 2012 and Commissioner Lopez seconded the motion. Roll Call:

Salinas-McTigue	Sandoval	Curnutt	Lopez
Yes	Yes	Yes	Yes

Approval of Vouchers

A motion was made by Commissioner Lopez and seconded by Commissioner Salinas-McTigue to approve the City vouchers for payment. Roll Call:

Lopez	Salinas-McTigue	Sandoval	Curnutt
Yes	Yes	Yes	Yes

Items from Citizens

Mayor Curnutt asked if anyone in the audience would like to address the Commission. Being none, the meeting continued.

Proclamations, Memorials, or Petitions

Mayor Curnutt read a proclamation which designated April 12, 2012 as Arbor Day in Tucumcari.

Ms. Fazekas accepted the proclamation on behalf of Ms. Sandy stating that on April 11 at 11 am a tree planting will be held at the Community Development office in honor of Arbor Day.

Ordinances and Resolutions

Mr. Warren Frost presented Ordinance 1102 for the first reading. Mr. Frost explained that this ordinance was generated from the Quay County Gaming Authority. Mr. Frost went on to say that this is our communities second stab at the track and it is going well. He said the litigation surrounding La Mesa Park has been moved out of the Raton Courts and the two cases are now in the Court of Appeals. One case surrounds the revocation of the gaming license and the other regarding the racing license.

Mr. Frost stated that a respectable Albuquerque law firm has been hired to represent the Quay County Gaming Authority and Mr. Chalmers is paying for the legal representation. Mr. Frost predicted that a conclusion should be realized in 60-90 days. Mr. Frost said he feels good about our legal position and thinks the stars may be aligned.

Mr. Frost went on to explain that four and a half years ago the Gaming Authority asked for funds from each of the entities in Quay County that will be involved. At that time the Authority had about \$50,000 for the effort and now the Gaming Authority is in the same position. Mr. Frost said that funds are needed for this purpose. Mr. Frost said that the EDC fund has around \$400,000 in it and they have approved the application from the Gaming Authority for \$50,000. Mr. Frost said the funds will be used to educate the Governors office and the Racing Commission on the value of putting the track in Tucumcari.

Mr. Frost explained that Mr. Chalmers is out his money twice in this effort. Mr. Frost said this application is an effort to help out with the other expenses to make sure we are in good shape to get the track. Mr. Frost said he does not want to have any regrets in this effort. Mr. Frost requested that the ordinance be approved granting the funds to the Gaming Authority so that we can press on with the effort.

Mr. Frost added that there are two representatives from each entity on the Gaming Authority and asked that Tucumcari appoint two representatives as well.

Commissioner Lopez made a motion to approve the first reading of Ordinance 1102, Approving a Project for the GTEDC and the Quay County Gaming Authority. Commissioner Salinas-McTigue seconded the motion. Roll Call:

Curnutt	Lopez	Salinas-McTigue	Sandoval
Yes	Yes	Yes	Yes

Mr. Dysart presented Resolution 2012-11 Designating Banking Signatories. Mr. Dysart stated that due to the changes in the Commission, new signatories need to be designated. Mr. Dysart explained that the Mayor, Mayor Pro-Tem and the City Manager are designated as banking signatories.

Mr. Powers asked if two signatures are required on all checks. Mr. Dysart responded in the positive.

Commissioner Lopez made a motion to approve Resolution 2012-11 Designating Banking Signatories and Commissioner Sandoval seconded the motion. Roll Call:

Sandoval	Curnutt	Lopez	Salinas-McTigue
Yes	Yes	Yes	Yes

Mr. Dysart then presented Resolution 2012-12, a Budget Amendment Request. Mr. Dysart explained that as the year progresses, the BAR's will become more complex. Mr. Dysart said that grants sometimes span over two fiscal years and have to be moved from budget year to budget year. Mr. Dysart explained that the budget is a legal document with the state and the City cannot overspend the budget.

Mr. Dysart stated that the first page is a summary showing that the year started with a deficit of \$1.07 million and with the BAR's approved so far we have recovered \$122,000 cutting the deficit to \$1.048 million.

Mr. Dysart explained that on page seven, the Commission will find the amount \$78,566 from the BAR Resolution 2012-12. This is due to the Department Heads managing their budgets and keeping them balanced.

Mr. Dysart explained that the small cities assistance funds were received in the amount of \$191,000 and \$150,000 was conservatively budgeted. The difference of \$41,721 needs to be added to the budget. Another \$36,000 in revenue needs to be added from various sources including a donation from Comcast, increased lab services, a refund from CAT and insurance claims.

Commissioner Sandoval said he would like to talk to Mr. Dysart and Mr. Powers about the budget. Mr. Powers said they are available.

Commissioner Lopez made a motion to approve Resolution 2012-12, a Budget Amendment Request and Commissioner Salinas-McTigue seconded the motion. Roll Call:

Salinas-McTigue	Sandoval	Curnutt	Lopez
Yes	Yes	Yes	Yes

City Manager's Report

Mr. Powers said it is nice to see the budget and the Department Heads not over-spending. Mr. Powers asked what Mr. Dysart anticipated the budget picture to look like at the end of the fiscal year. Mr. Dysart said that he anticipates being between \$125,000 and \$130,000 short.

Mr. Powers introduced David Williams from Senator Udall's office and said he is here to meet our Commission. Mr. Williams said he covers the East and North East side of the state for Mr. Udall. He said he looks forward to working with the new Commissioners. Mr. Williams said that he has been involved in the Ute Pipeline Project and is working to establish minimum pool in the lake. Mr. Williams said that the Commissioners should feel free to send their constituents to him.

Mr. Powers reported that he met with Mark Lake today and reported that the railroad was so impressed with our grand opening of the depot that they have asked the City of Tucumcari to apply to be the first "Train Town" in New Mexico. Mr. Powers thanked Mr. Lake for his hard work and stated that he continues to develop the museum. Mr. Powers said that a lease will be developed for the Main Street office to locate in the depot as an empty building invites vandalism.

Mr. Powers thanked all those involved in the DOT meeting for their hard work. Mr. Powers thanked Mr. Vanderpool for providing the luncheon and the Convention Center staff for hosting. Mr. Powers said that our hospitality was enjoyed by all that attended. Mr. Powers reported receiving hand written thank you notes from several that attended.

Mr. Powers reported that our application has been submitted and our project for a water storage tank at Five Mile Park and radio read water meters is rated number one with the Drinking Water Bureau.

Mr. Powers also reported that the application to the NMFA has been submitted for 5 ½ miles of line, a tank and wells to be replaced. Mr. Powers said that application hearings will be held March 28.

Mr. Powers also reported that he and Commissioner Salinas-McTigue attended the master plan meeting for the Airport. Mr. Powers explained that the plan is for 40 years of improvement at the Airport.

Bids and Contracts

Mr. Alex Madrid presented the landfill monitoring contract with Gordon Environmental. Mr. Madrid explained that this is an environmental requirement at the old landfill. Mr. Madrid stated that Gordon has been doing the water testing and the monitoring at the old landfill and submitting the semi-annual report to the Environmental Department and the Solid Waste Bureau. Mr. Madrid explained that the engineering costs are \$23,000 and they bill us monthly.

Mr. Powers reported that two months ago he and Commissioner Sandoval went to Gordon Environmental to get an overview of the landfill issues. Mr. Powers explained that the requirements are the same but Gordon is moving to reduce the sampling at the old landfill in an effort to reduce costs. Mr. Powers said that he hopes someday the sampling can be handled by City staff. Mr. Powers added that it is required that we monitor the landfill for 30 years after closure.

Mr. Madrid said that the funds are budgeted for this effort but it is continuing requirement at the new landfill as well.

Commissioner Salinas-McTigue asked if the price includes the old and new landfill monitoring. Mr. Madrid responded in the negative stating it is only for the old landfill. Ms. Salinas-McTigue asked how much the monitoring cost is at the new landfill. Mr. Powers stated he believes it is \$32,000.

Commissioner Lopez made a motion to approve the contract with Gordon Environmental for landfill monitoring and reporting and Commissioner Salinas-McTigue seconded the motion. Roll Call:

Salinas-McTigue	Sandoval	Curnutt	Lopez
Yes	Yes	Yes	Yes

Old Business

Mr. Powers called on Mr. Vanderpool to give the EDC Update. Mr. Vanderpool began by explaining that there is a concern in the National Wind Industry as congress has been unable to

extend the wind production tax credit. The tax credit was 2.2 cents per kilowatt hour for a ten year period which ends December 2012. Most companies in the wind industry are curtailing their activity after January 2013. The American Wind Energy Association and the Heartland Association continue to fight for the tax credit to be extended.

Mr. Vanderpool also reported that Tres Amigas announced that they will begin construction this summer. Their project will capture wind and solar energy and transmit it to the grid. Mr. Vanderpool said this is a positive sign.

Mr. Vanderpool also reported that Six Shooter LLC has returned the lease agreement for land at the industrial park. Mr. Vanderpool said initially this was a research and development project and cost was not a factor but now it is commercially viable and concerns are being driven by the cost of components, shipping and construction.

Mr. Vanderpool has looked into putting together a coalition of major energy users to purchase from Six Shooter but they are not looking towards that option. Mr. Vanderpool also stated that he is looking for incentives from the State to assist them.

As many already know, Mr. Vanderpool said EQ Solaris has moved to town and is soliciting investment capital. Mr. Vanderpool said they have some unique projects in the works.

Mr. Vanderpool reported that a successful Quay Day was held and legislative attention was gleaned.

Mr. Vanderpool reported that the 2012 New Mexico Rural Economic Development Forum will be held in Las Vegas, NM April 18-20.

Mr. Vanderpool said he would like to echo the comments from Mr. Powers on the State DOT meeting in Tucumcari. Mr. Vanderpool said it carries weight when they come to us instead of us going to them. Mr. Vanderpool gave kudos to Mr. Powers for his hospitality.

Commissioner Salinas-McTigue asked where the Tres Amigas transmission project would be located. Mr. Vanderpool responded that it will be south of Broadview on Highway 209 and the project will be a driver for transmission lines in the eastern side of the state.

Mayor Curnutt asked if a collaboration between Tres Amigas and Six Shooter would be helpful and if it had been investigated. Mr. Vanderpool said that might be worth investigating.

Commissioner Lopez asked Mr. Vanderpool if all the issues regarding the Gaming Authority proposal had been addressed. Mr. Vanderpool responded in the positive.

Mr. Powers asked if there is a lease with Six Shooter and have they committed to spend money here. Mr. Vanderpool stated that a cost/benefit analysis has been done and he will go over it with Mr. Powers.

Mayor Curnutt acknowledged reading the Library Advisory Board Minutes of February 17, 2012.

Mr. Powers called on the Route 66 Association to give an update on the Route 66 Museum. Mr. Bob Beaulieu reported that Santa Rosa received \$325,000 in capital outlay from the Governor which makes the race even tighter to get the Route 66 Museum. Mr. Beaulieu said a liaison from the Commission would be helpful. Commissioner Lopez volunteered for the position. Mayor Curnutt appointed Mr. Lopez to serve on the Route 66 Association.

Mr. Beaulieu asked if the new Commissioners are in support of the museum being in Tucumcari. Commissioners Lopez and Salinas-McTigue both responded in the positive.

Mayor Curnutt stated that the position announcement for City Manager needs to be fine tuned. Commissioner Salinas-McTigue said she has spoken to the Municipal League and they will provide some examples of ads for Managers. Ms. Salinas-McTigue suggested that perhaps by the work session something in draft form could be ready for review.

New Business

Ms. Dougherty explained that due to several vacancies, six slots need to be filled on the Recreation Board. Five applications have been received from Yvette Fazekas, Artie Molinas, BJ Molinas, Lawrence Shawn Martinez, and Raymond Scott Marquart.

Commissioner Salinas-McTigue made a motion to appoint the five applicants to the Recreation Advisory Board and Commissioner Sandoval seconded the motion. Roll Call:

Lopez	Salinas-McTigue	Sandoval	Curnutt
Yes	Yes	Yes	Yes

Ms. Fazekas explained that the Code Enforcement Officer could not be at the meeting so she was presenting. Ms. Fazekas stated that the Great American Cleanup will be held in Tucumcari in April and in conjunction, she is requesting free dumping at the landfill April 13 from 8-4 and April 14 from 8-12 with a current paid utility bill.

Mr. Powers said we have done this before and it is good for our community. However, Mr. Powers said that space at the new landfill is very expensive. Mr. Powers added that when the dozer went down compaction could not occur and it cost us space at the landfill. Mr. Powers suggested that perhaps the space at the old landfill could be used instead.

Mr. Madrid stated that metal and cardboard can go into the recycling bins. He added that yard trash and furniture will be accepted but not household trash. Commissioner Salinas-McTigue asked if citizens can get rid of junk cars. Mr. Madrid said they should be taken to Garza Recycling. Mr. Powers added that there is approximately one year of space left in the first cell at the new landfill before a new cell will have to be opened.

Commissioner Lopez said he hates to discourage cleaning and he thinks using the old landfill is a good idea.

Commissioner Salinas-McTigue made a motion to approve free residential dumping at the old landfill on April 13 from 8-4 and April 14 from 8-12 with a current paid utility bill and Commissioner Lopez seconded the motion. Roll Call:

Curnutt	Lopez	Salinas-McTigue	Sandoval
Yes	Yes	Yes	Yes

Executive Session

Commissioner Lopez made a motion to convene in closed session to discuss matters as provided for under New Mexico Statutes 1978 Pertaining to Open Meetings Referencing Section 10-15-1 H (8) for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body and Section 10-15-1 H(2) limited personnel matters and Commissioner Sandoval seconded the motion. Roll Call:

Sandoval	Curnutt	Lopez	Salinas-McTigue
Yes	Yes	Yes	Yes

Time noted was 7:13 p.m.

Commissioner Salinas-McTigue made a motion to re-convene in open session after executive session where the only matters discussed were as provided for under New Mexico Statutes 1978 Pertaining to Open Meetings Referencing Section 10-15-1 H (8) for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body and Section 10-15-1 H(2) limited personnel matters and Commissioner Lopez seconded the motion. Roll Call:

Salinas-McTigue	Sandoval	Curnutt	Lopez
Yes	Yes	Yes	Yes

Time noted was 8:10 p.m.

Items From Commissioners

None of the Commissioners had any comments.

Adjournment

Commissioner Salinas-McTigue made a motion to adjourn the meeting and Commissioner Sandoval seconded the motion. Time noted: 8:10 p.m. Roll Call:

Salinas-McTigue	Sandoval	Curnutt	Lopez
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Yes

Yes

Yes

Yes

ATTEST:

Amiel Curnutt, Mayor

Christine Dougherty, City Clerk