

**City of Tucumcari**  
**City Commission Meeting Minutes**  
**August 23, 2012**

The Tucumcari City Commission met in a regular meeting on Thursday, August 23, 2012 at 6:00 p.m. in the City Commission Chambers, Members present constituting a quorum were; Amiel Curnett, Daniel Lopez, Dora Salinas-McTigue, Jimmy Sandoval and Robert Lumpkin.

City Staff members present were; Doug Powers, City Manager; Dennis Dysart, Finance Director; Angelica M. Gray, City Clerk, Vicki Strand, HR Director; Jason Braziel, Chief of Police,

Mr. Greg Caton, Pastor of Divine Connection Church gave the invocation.

Doug Powers led the group in the Pledge of Allegiance.

**Consideration of Changes for Deletions to the Agenda**

Mr. Doug Powers asked that item 11 and item ABC be moved after item 5.

Mr. Robert Lumpkin motioned that items ABC of item 11 be moved right after item 5 and to approve the rest of the agenda as amended and Ms. Dora Salinas McTigue seconded the motion. Roll call:

Sandoval	Curnutt	Lopez	Lumpkin	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

**Items from Commissioners**

Mr. Sandoval it's nice to see a big crowd would like to thank those in attendance.

Mr. Lopez welcomes everyone in attendance.

Mr. Lumpkin stated that at the last meeting he thanked everyone who worked on the Rattler Reunion. They start during the September meeting and it takes a year to put it together. We had well over 400 participants. He wants to thank the people that work on the Rattler reunion and he feels it is the most successful reunion in New Mexico. Mr. Lumpkin also mentioned we have Fired Up coming on September 29, 2012. Now that's another activity in Tucumcari and he thinks it is good to have it going and a lot of participation and it's at the Tucumcari Train Depot from 5:00 p.m. – 9:00 p.m. Mr. Lumpkin would like to thank everyone from Tucumcari who worked on the County Fair. It was a great success. They had a carnival and a lot of the kids enjoyed that. There was a lot of participation in all aspects of the fair. We also have an activity going on in San Jon Community Center there is a family there have been diagnosed with a type of cancer and they are having a fundraiser for Tommy Thompson and his family on August 25, 2012 and there will be auction, meals, dance and they are going to have lots of items for sale to help with the fundraiser. And I would like to thank everybody for coming.

Ms. Salinas McTigue would like to everyone for coming to our meeting. I also want to share that last Friday I had lunch with the boys of summer, the youth group that was working on the train depot. They have done a wonderful job, they worked very hard. These are great young

men. They have good plans for their future, they are going to college, and they also have wonderful grade point averages. I wanted to share that with you and hope that next year when some of them are back we all can get to show them our appreciation for them being a part of our community.

Mr. Amiel Curnutt would like to thank everybody for being here tonight and see if we can get this done.

### **Approval of Minutes**

A motion was made by Commissioner Lumpkin to approve the minutes as written of Regular Commission meeting and the motion was seconded by Commissioner Salinas-McTigue. Roll Call:

Lumpkin	Sandoval	Curnutt	Lopez	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

Mr. Lumpkin made the motion to approve the Work Session for August 9, 2012 and Salinas-McTigue seconded the motion. Roll Call:

Lumpkin	Lopez	Sandoval	Curnutt	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

### **Items from Citizens**

Patsy Gresham states that she wants to state the commissions a brief statement to make. I know I have spoke to you all before and I want to speak briefly and ask the commissioners to consider an additional comments relative to the request of the Lodges Tax Board for funding for the Chamber. We don't know exactly what the lodges tax recommendations say because we have been unsuccessful in getting a copy of it. But we do believe and understand that their primary concern in granting our request is not due to the fact that funds are not available but due to the lack of the unaccountability in the past couple years. Where the money previous receipt were being spent and perhaps due to the lodges tax board having other expenditures in line for the funds. The lodger's tax has not stated their intent to expend the funds somewhere. She regrets that due to the staff change in the City Hall and the Chambers there have not been periodical reports sent to the City and apologize for that. Although the reports were not being shared with the City they were reports done on a monthly basis to the board and I assure you there has not been any misuse of the funds that were previously assigned to Lodgers Tax tourism promotion at the Chamber. Although she cannot change what happened in the past she can go forward and create timely reports for the future. The other thing she wanted to do was ask that you keep in mind that this is not a speedy process and that they have been working on this since May. She understands that part of what the Lodgers Tax wants them to do is to submit individual requests for individual expenditures. She can say that is not a practical solution. They have given them a list of exactly where the monies spent. Her board is a nine member board of duly elected business people of the business community who routinely run their businesses and run their own advertising campaign and with 38 years of business experience in the business community. I do not have a doubt that we have the experience and ability to utilize the Lodgers Tax funds for advertising in a prudent way and for the best possible use of the Lodgers Tax funds and the betterment of the county. She does not see the need to in fact; she can not operate not knowing

what to count on with their budget. We can't negotiate with magazines or negotiate what they plan and commitment when we have to wait a potential 6 weeks for lodger's tax board meeting and a city commission meeting to meet to give them approval at an individual expense level. She hopes that the commission understands realizes there will be dire consequences to our chamber if they do not receive funding this year. Even if we agree that we need to seek other avenues we cannot turn our budget in a month. They are already one month into the fiscal year for 2013 and we have already spent \$1500.00 of monies that haven't been paid to us for the residuals for advertising that we agreed to last year. When you sign a contract with magazines you really sign a year contracts because that's how you get the best pricing and that's how you are able to update events and you have those magazines be current all the time. We really need the leeway to be able to that. We ask that you grant the chambers request and to pay us in monthly installments from the city as you all did in the past. WE have 10 months left in this fiscal year and we hope you play catch up and help us catch up our budget or disseminate the money over 10 months or whatever works for the commission. I know you all realize that the city and county will need every willing worker on every board and every committee when we get the okay for a casino and the okay for the museum. The chamber can play a vital role for in making the most of these opportunities. Now is not the time for the city to diminish advertising for Tucumcari as a tourist destination and definitely not to reduce the visibility of Tucumcari at the state level as a result of some really hard work on the part of many of the people who are here tonight. We are at the crossroads of better day ahead. And working together as a community is essential to continue success. The chamber wants to be a catalyst to continue cooperation on groups throughout the county including the lodger's tax board, the city commission and the county commission, but we need your support because we will not be a full-time entity without your help this year it is impossible with our budget and without lodger's tax.

Danford Cross states that he is the only new business in seven (7) years. He has seen businesses start up and go. If it had not been for the chamber of commerce advertisement when I did not have any money for my own advertisement I would not have had the success or met some of the people that I have. I am here to tell you that the advertisement is absolutely essential for our major industry in this city and that's the hospitality industry. Some of the people from Europe don't spend much money in my store but they come here from Europe and a lot of people from Germany based on the advertisement and the concern of them among other cities that advertise in Europe on Rte. 66. In fact there is a magazine in German, comes from Germany its called De Rte. 66. He was featured in a full page ad in there from Germans who came to my store. I have people from Germany I've even had Russians, not many but I have seen them on this highway coming through this town and they stop and eat here. I've had people from Germany, Switzerland, Sweden, France, Norway and England that I have made friends with and they come see me every time they come. I've had people form Australia and Israel come and that's because of the Chamber of Commerce. I don't sell these people much but they come to see the train depot, they see me and they discover me there. So some will buy some things and because they were there, Its' pictures, conversations that I have with them and when they say like this, this is freedom, I am proud to be part of America, they are coming to my town, our town. They come over here they fill their gas tanks up, they eat here and they stay here. I passed out business cards to my friends that have motels and they stay there and sometimes they are booked in advance and sometimes they're not. But as in business people and we need people to pass it around. But they will not stop here if it's not continually in their magazines as a place to stop because some other city is going to suck it right up. There is a lot of competition on this highway in 66 but I think its one of the finest watering holes on the whole darn strip and they tell me so. I have some friends from Germany that come every year now. They are doing tours they fill up a

van and the guy stops every year in Tucumcari and he advertises in the same magazine the Chamber of Commerce advertises in. I think that's remarkable and to pull those kind of funds out of there it will be a blank space they will drive right by. They have big tanks and they can go Santa Rosa or the next stop. But I do believe without those funds it will be dry up and we need it. We have 2 museums now and one on its way we need to promote those as well to keep those afloat. I think a Route 66 Museum is a fantastic idea but its not going to happen overnight when they are so many others that are so magnificent it will take over \$1,000.000 to compete with them. Until that time we can't lose the revenue from Europe. This is the god's to honest truth, you can ask any motel here, and they stay on that strip. They don't go to the big ones they don't go on 1<sup>st</sup> and stay, they want to stay on that strip. And they come by motorcycle, by car they even rent campers and stay here. I've had campers stay at my place because it was so windy. I met them at the grocery store they were loading up their grocery store they were loading their groceries. They were from Europe come by down by the train depot. I threw them an extension cord they will stop next year. I didn't sell them anything but I was ambassador them and made friends with them and they spend grocery money and gas money or whatever they needed to buy. We need that dollars spend in Europe and that's a true story and I am sticking to it.

Don Schutte states that he is a member of the Chamber of Commerce. Just a follow up on what Dan was talking about that the Lodger's Tax Board has recommended to the City Commission that zero funding for the Chamber of Commerce. Like Ms. Gresham said it would be a death blow to the Chamber. The Chamber would not be continuing its functions. The comments Dan made into this is that the Chamber wears many hats. It deals with businesses, it deals with people who come into town, and it advertises in magazines, it discusses future projects. They had Mr. Chalmers here on the race course and the banquet. So it is almost impossible for the Chamber to segregate that items that deal solely with tourism with times that deal with businesses in town. Because the truth be told businesses and tourism in this town are so intertwined that you couldn't separate one from the other. So the recommendation that is being made to the City commission that funding be made to the Chamber solely on individual projects does not adequately complete and control what the Chamber does. There is no way the Chamber can do that on a daily basis. When someone comes in and goes to the Chamber office there needs to be someone there to tell them where you can bring their business or this is where you should go eat. Or this is where you should go stay or handout the brochures for the many attractions in the County. Because the Chamber not only serves Rte 66 the Boulevard, it serves the whole town. In fact, the Chamber is the Quay County Chamber of Commerce, so it services the entire county, which by the way, this contained within the hospitality act that the lodger's tax is to be used for the best benefit of the municipality and the county that is procreated. So I would just urge the city commission to continue the chamber funding of the chamber as it has in the past. So that we may get projects like the racetrack and the museum, the chamber has played a vital role in Santa Fe trying to maintain those contacts with the tourism, economic development. So it plays a vital role and as a business owner in this town I do not want to see the Chamber go away.

Yvonne Braziel owner of Rockin' Ys, Del's and Kix, spoke on her support to the Chamber it plays a real important part in mine. We get a lot of business from the chamber. We probably service 150 bus tours a year, motorcycle groups and they call the chamber and the chamber will say and they asked where they can eat, Pow Wow, Del's, Kix, K-Bobs or wherever and we get recommendations out of that and they chouse where they want to go. I haven't looked at the tax roles but sometimes you people tend to forget how much the hospitality and the service industry puts into this community and we need help back who is in that and the chamber does that. And I

agree it was flat for a couple of years but since Patsy has been in there I can see a remarkable difference of what she has done by the information she has given us and what she is trying to build things. I don't understand the logic in the lodger's tax board wanting to piece mill funds. It makes no business sense whatsoever. It's like a child coming to you every 30 minutes wanting a quarter a dime, a nickel after a while you're like here's a dollar make it last a week. You have to give them money to let them run the business. And that's what I'm asking you to do. We need the chamber. Tucumcari has gone down the tube far enough lets not see it go anymore. Think about it. Dan was right, talking about foreigners. WE get a lot of them. There are so many, they love this place, they love Rte. 66 taking pictures everywhere, they love it. And we need that. Without your tourist without that industry, without gas stations, hotel and restaurants there's nothing left. So I urge you to support the Chamber.

Richard Primrose, Chairman for Tucumcari Quay Regional Emergency Communication Center. He stated that several years ago DFA would not fund a 911 individually like they did in the past so they consolidated dispatch. They have several entities that contribute every year to the budget. City of Tucumcari, Quay County Logan, San Jon, House, Harding County Conchas Dam, and State Parks. They all contribute to the dispatch so they can get to the emergency management to the places they need to be. It's an important function at Tucumcari Police Department. We asked at the last meeting about getting the funds into a separate fund and not into the department in general funds because the budget mainly because they can fill the positions, all the entities last year paid their portion based on a budget for \$303,000. The county pays 45% and the rest of these pay a portion this. Last year we are paying on a budget for \$303,000 the budget was reduced to \$297,000 and the actual expenses were \$269,000. He stated the other entities are paying based on one number and the city's general fund is absorbing one number is not expended. If it was is in a separate fund and if they do not spend all the budget then the cash will be carried over for emergency or equipment and have something to fall back on without going back to the entities and asking for additional monies we would have some in reserve. Further stated, the way it is now the department into the general fund it gets absorbed into the general fund. I ask that the dispatch fund be placed in a separate fund and if there is any carry over then we can save it for a rainy day.

Doug Powers stated that we have trouble getting people to take these dispatch positions. Starting is \$7.50 and I talked to Mr. Cherry who represents us on the board and asked him to come up with some options. Possibly increase salary. I spoke to Cindy and she said that she could get by with one position less possibly giving the employees a \$1 raise. Mr. Powers asked Mr. Primrose if we would have to take that back to your board for their approval before we bring it back to the commission. Mr. Primrose states the budget has already approved the budget for the year. He further states that we get a separate fund so it's on its own. If they are able to use only seven dispatchers then they can use that position for wages and distribute it amongst the other dispatchers. They make recommendations to the City commission and they have to approve it because the city is the fiscal agent. Mr. Daniel Lopez made a motion to establish a separate fund for that Mr. Primrose is asking \$303,000 and my assumption we're going to have to make it right. We owe the fund some money in addition to what our 45% contribution is. Doug Powers added that he looked at Mr. Cherry's involvement in that and no portion of his salary comes out of that fund and we receive absolutely no rent on the building. Per Mr. Primrose there are some expenses for IT administration, carpentry, janitorial. Just like all the other funds. They pay a portion of that to the other departments so dispatch does pay their portion. Mr. Lopez asked if we can present that in two motions, one to establish the separate fund and second we can address at a future time if we owe any money to that fund. Mr. Lumpkin states that there are few things

he doesn't understand about it but if we owe them and we don't have it budgeted where are we going to get the money? Also he stated that if make this motion we are approving the change and work out the specifics of it. What if the specifics aren't worked out and it isn't feasible after we look at all the specifics? Richard Primrose states that by it being placed in a separate fund it will be a governmental transfer from the general fund to the separate fund but they would be making sure that everyone is paying the same amount based on the original budget. Dennis Dysart stated if we are talking making a fund a business sort of speak then you expect for that business to carry its own weight. There are some allocations, there is no rent, no supervision cost to maintain that. I don't have a problem making a separate business you just have to consider those issues as well. Mr. Lopez states that rent and supervision should have been worked out long before when the agreement was made. Mr. Powers states that the City funding through NM Financial Authority we are making \$43,000 a year payments on a note that we owe. Richard Primrose states that they are asking for the budget that has been approved for the dispatch department to be put in a separate fund. Mr. Lumpkin stated that \$34,000 went into Tucumcari's budget that won't go there anymore if we change this. Richard Primrose stated that what is amounts to is it's supposed to 45% which would be \$136,000 and they paid \$103,000 instead. Mayor Cumutt asked for someone to second the motion. The motion dies for lack of second.

Discussion of Rte. 66 Museum – Warren Frost addresses the commissioners to discuss a creation of a Rte. 66 Museum. He wants to acknowledge the board who have been working for nearly a year who are Bob Ballew, Keith Bowen, Richard Talley, Vicki Watson, Andi Baum, Jim Lafferty and Eric Caldwell. It took some people coming from out of town to buy these hotels and fixing them up and bringing a sense of nostalgia back to our community. Bob Billiott's crazy idea to paint these old gas stations. In the last three years we can see the asset we have on Rte. 66. He stated that basically as part of this effort and talking about the Rte. 66 Museum and they are working on that and exploring alternatives. It occurred to Mr. Frost that why can't incorporate to the approach to the racino. Mr. Frost got a hold of Don Chalmers and the powers at be and they thought it would be a great idea. They are actually looking at the possibility of making the Rte 66 Museum part of the presentation to the racing commission. First as the application to the racing commission it shows that we are not relying simply upon the racetrack/casino but we have an overall plan for our area that includes this museum. This is about culture. It makes sense from an application perspective. Second he states that from Chalmers perspective the more people that can be associated with this the better off everyone is and more likely to come eat at the casino/restaurant, play on the slots and bet on a few races. They were so enthusiastic that they put a space in. Mr. Frost explains the plan. He further states it will be paid for by the racetrack group. Mr. Frost states that the problem is Mr. Chalmers will not build a 10,000 - 15,000 sq. foot building based upon a promise that some of us have a great idea to build a Rte. 66 Museum. We need to demonstrate to him we have the ability to that. Mr. Frost states the best place to do that is at the Convention Center in the Ft. Bascom room and the San Jon room which would make a temporary museum so we can get started. Warren Frost stated that he spoke to Jessica Elebario. They met with her 3-4 weeks ago, she was enthusiastic. Mr. Frost showed the plans for the Museum. He stated there would be no structural changes at all. He stated the reunion board unanimously agreed that they can do without the Ft. Bascom room for a period of 2-3 years. Ms. Crellin stated to Mr. Frost that it was not unanimous. AS far as the makeup of the board, we have a full board but we feel that if we are using City property and the city county taxes that we have a lot of input from the city and county. What we are proposing as part of a lease agreement that the board consist of the City Manager and County Manager and another representative from the board. We are proposing that we pay to the City 10% as rent of

the net proceeds of the museum. It's our hope that we have a museum with free admission. We are going to start out with all volunteers. They are incorporated as a 501(C) corporation and as part of the incorporation we have reserved the New Mexico Rte. 66 Museum. Warren Frost also stated that Mesalands will be an important part of this. We have also made a deal with UNM School of management. They will make us a project. They will come down and work on a business plan and work toward that we have our act together when it comes to management and budgeting regarding the museum. We are requesting that this commission pass a motion approving the plan for us to put the interim Museum in the Ft. Bascom and San Jon room, with the understanding that the city manager and city attorney to begin a lease agreement with the non-profit and the City of Tucumcari. Mr. Sandoval states that he doesn't mind helping with projects if they would come every 3 months or so to tell us what the progress is all about. Mr. Lumpkin stated that there are very valuable artifacts in the Convention Center. He stated he was talking to Richard Primrose and asked how they can use the restroom for the museum and still maintain security for the rest of the building. Mr. Lumpkin stated that they could put double doors and then box off the restrooms from the rest of the building. He also stated we need to guard the taxpayers buck as much as possible and we need to have an exit plan in case we want to get out of there, what would we do if we want to get out of there. Mr. Frost stated that no one thinks the Ft. Bascom is big enough space to have a future successful state of the art museum. This is getting our feet wet. Ms. Salinas McTigue asked if any improvements for this museum, the cost is going to be paid by Rte. 66 Museum. Mr. Frost's stated that the City will not be out of a penny for anything. Ms. Salinas McTigue stated that any damages or any construction or any changes will be on the lease saying that the Rte. 66 will be responsible with a bond and insurance in place. Mr. Frost states that they plan on going to the City's insurance carrier and whatever it costs the City the non profit will take that up. Kevin Maller stated that we already have public coming into see what is on the wall. Mr. Frost stated the City attorney and himself will negotiate that he will make sure the City is covered and the City attorney will make sure the City is not out of anything. Jessica Elebario stated she wanted to talk about the double doors about securing the rooms. If we can go through and ensure that the rooms that would not be accessible during museum business hours are lock and secured because we have the Rte. 66 photo museum through my hallways and lobby and it's a potential for us to display things for our hallway. She stated that since it's a temporary just put some locks on the door and we can secure those doors whenever we need to. Robert Lumpkin moves that we allow the museum committee to go forth with their efforts and Mr. Frost has mentioned. Mayor Curnutt we need a motion to approve them using Ft. Bascom and San Jon room. Ms. Salinas McTigue asked if we still have Mr. John Myers on board. Mr. Frost stated that he hadn't had much dealings with him. Mr. Frost further stated that they are approaching this without him being involved. Mr. Lopez stated if your motion could just include that we are correcting the city manager to move forward in creation of a lease agreement between the non – profit and the City with regards to that property. Mr. Lumpkin stated as so amended. Mr. Lopez second the motion. Roll call.

Curnutt	Lopez	Lumpkin	Sandoval	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

Approval of the Lodgers Tax Funding – Skylar addressed the Commission. The board wants to apologize for the turmoil this has caused. We wanted to remind tax budgets for this community. The funds that were requested by the organizations we made our decisions by viewing these organizations the same. We weren't asking the Commissioner or the City not to fund the Chamber of Commerce, what we were asking is that they follow a similar protocol or compliance that the other organizations are when they are requesting funds from the City that

they fall in line with how the other organizations are procuring their funds to the Lodgers Tax Board. This was not intended to cause any harm in any way to any of the organizations. Lodger's Tax Board asked that they look at the other very complication budgets in the community including the maintenance of the convention center because of Lodger's Tax Board there are approximately \$10,000 to \$30,000 that goes to the maintenance of the Convention Center and that needs to be looked at as well. Mr. Sandoval stated that if you give us a report every 3 months or so will that help you make sure they are doing what they are supposed to be doing. Ms. Salinas-McTigue asked what the amount they were seeking because she has three different figures. Skylar stated the original amount was \$60,000 and then percentage at \$35,000 and after meeting with Patsy the funding varies between \$21,000 and \$28,000 depending on what the Commission's final decision is. He believes that the Chamber provided you with information supporting both amounts. Ms. Salinas-McTigue stated that the funding is disbursed in a monthly; they get \$1,250 a month, \$21,000 in the month they would get \$1750 by month or by project. Patsy Gresham stated that the \$21,000 is an amendment to the original proposal. She stated that \$60,000 was presented incorrectly and it was not a realistic request. \$35,500 is a request that would give us a future research on related to creating audio CD's and things that go on with the brochures for mural maps. The critical amount that we need to go toward advertising, postage and internet and that type of tourism related activities at the chamber is the \$28,000 includes travels, telephone and postage and training. Mrs. Gresham further stated that her salary is \$22,000 so approximately the other \$5,000 is for taxes. Skylar stated they are asking for \$28,000. Mayor Curnutt asked if the Lodger's Tax Board is asking for the commission to approve not only the Chamber but also have the Bluegrass and the Train Depot. Warren Frost stated that it seems to him that the Lodger's Tax Board approach to this is what they admitted to that they treated the Chamber like everybody else. But the other entities are not the Chamber. The Chamber is working day in and day out everyday promoting our community and to suggest that the Chamber can operate by being micromanaged by the Lodger's Tax Board is ridiculous. It seems unfair to me especially to Patsy, she just started. She didn't know she had to go to Lodger's Tax Board. Let's give Patsy a year and see where we go from there. Mr. Lopez stated he agrees that the Chamber might have to seek some kind of alternative funding or at least work in that direction. Mr. Lopez motion's that they approve the Lodger's Tax proposal with the amendment that the Chamber gets \$35,500 instead of \$0. Mr. Sandoval asked Ms. Gresham how long she has worked with the Chamber. Patsy Gresham stated she started in April. She further states that the Chamber has a 62% penetration of membership in the community to the business licenses that are issued. Ms. Salinas McTigue asked Patsy if she has explored combining the advertisement and promotion with the Convention Center with other entities here so you can save more money. We can buy a ¼ ad for \$1,200 and that would be \$600.00 for each one us because the Dept. of Tourism is willing to underwrite that page. But we only have until the 29<sup>th</sup> to make that decision. A page in the NM Vacation guide costs \$13,000. Mr. Lumpkin discusses the lamp posts. Mr. Lumpkin asked Ms. Gresham would the Chamber take the \$28,000 that she mentioned and get the advertisement accomplished and then the LTB or other group work on the installed lampposts and neon signs. Mr. Lumpkin and asked Mr. Lopez if we can change it to \$28,000? Mr. Lopez stated that he would re-motion and it can die. Mr. Lopez motioned to amend that the LTB to show \$35,500 to the Chamber of Commerce. Jim Lafferty wanted that remind the Commissioner that they funded EDC funded in \$80,000 plus to do economic development. Recently sold the 66 Packing for \$25,000 less than what you paid for it to help with economic development in Tucumcari. You recently funded a water line to the experiment station along with the sprinkler system to help with economic development. You helped fund a feed yard \$325,000 to \$350,000 to help with economic development. We have a core group that has been here through the tough times and through the good times, they roll with

the punches. If we can afford to buy sprinklers, give land away for half price, fund EDC at \$80,000, why would we be back away from \$35,000 for the core of all of that. Mr. Lopez states that the land was sold for \$30,000 less than we paid for it. Mr. Sandoval seconds the motion. Mr. Sandoval stated asked for how much? Ms. Salinas McTigue stated that Mr. Sandoval thought it was \$28,000. Roll call:

Sandoval	Curnutt	Lopez	Lumpkin	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

**Ordinances and Resolutions**

Resolution 2012-30- Approval of Fixed Assets: Dennis Dysart states that this resolution is a required resolution through the DFA and the State. It is to keep the commission informed of the assets that we maintain our assets on. It is okay for me to add things but I can't take them off. Today our auditor mentioned stated that this is a high risk area with the fixed assets. It's so high that from 2009 5 of 7 audits failed. 2009 failed because of fixed assets itself. July 1, 2010 the year was over. I was able to get an inventory started which was state law and requirement and because of that we were able to convince the auditors unqualified opinion that year. He explained to the commissioners the Asset Deletion List 2011-2012. Mr. Lopez stated he had a question about page 4.

Mr. Lumpkin made the motion to approve the Resolution 2012-30 and Salinas-McTigue seconded the motion. Roll Call:

Lumpkin	Sandoval	Curnutt	Lopez	Salinas-McTigue
Yes	Yes	Yes	No	Yes

Resolution 2012-33 – Supplement of FAA Grant Agreement Application – Doug Powers presented this resolution to the Commission. Authorized there extension to an application for the airport project, it comes in at 90% federal grants, State makes up 5% of the remaining 10% and allows the City to make the 5% of the total cost. This is a resolution to submit the application.

Mr. Lumpkin made the motion to approve the Resolution 2012-33 and Salinas-McTigue seconded the motion. Roll Call:

Lumpkin	Lopez	Sandoval	Curnutt	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

Resolution 2012-34 – Accepts participation in 2012-13 Municipal Arterial Program Project No. MAP 7637(906) was presented by Doug Powers presents this resolution to the Commission. This is for the Resolution for our Whitmore project. This is for the application we did a year ago. With this is will cost \$261,397 75% of that will be made up by the DOT. The city share will be 25% and some of that in time will be engineering cost and then our street crew will do milling and utilizing that funding the remainder of in kind management.

Mr. Lumpkin made the motion to approve the Resolution 2012-34 and Salinas-McTigue seconded the motion. Roll Call:

Lopez	Lumpkin	Curnutt	Sandoval	Salinas-McTigue
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Yes                      Yes                      Yes                      Yes                      Yes

Resolution 2012-35 – Approval of signatory agent concerning 66 Packing property was presented by Doug Powers presented this resolution to the Commission. The commissioners approved the sale of this property. First Titles underwriter is requesting that we do a resolution where the Mayor is allowed to sign off on the sale of this property.

Mr. Lumpkin made the motion to pass the Resolution 2012-35 and Salinas-McTigue seconded the motion. Roll call:

Curnutt	Lopez	Lumpkin	Sandoval	Salinas-McTigue
Yes	No	Yes	Yes	Yes

**City Managers Report**

Mr. Doug Powers stated he attended Ute Lake Water meeting with Commissioner Lumpkin in Elida last week again he thanked Mr. Lumpkin for representing Tucumcari and Quay County. The new John Deere dozer arrived yesterday if you all get a chance to go out to the landfill it will really come in handy. Last week we talked with the Drinking Water Bureau. Earlier in the year they approved our \$1.5 million application for the radio reading meters. We had concerns with the finance authority, the situation there but they assured us that there is no problem with the funding and they want us to proceed with this project. It's the meters for the water system and also the ½ million gallon water tank at the Metropolitan Park or 5 Mile Park. Last week we went to Las Vegas and met with DOT in closing out the 2<sup>nd</sup> street project and it looks like we are getting close to wrapping that up. Last Friday was the last day with the YCC boys and he thanks the commission and the Ms. Salinas McTigue for taking the boys out to lunch. He also gave an update on Sands Dorsey that they approved our work plan with the Air Quality Bureau basically came back and said that they are ready to work with us. I contacted the Solid Waste Bureau for the waiver they want us to present a report showing the difference in the situation of the building in the last five years and what is current is going on right now. I contacted our engineers, WH Pacific who did a lot of reports on the preliminary. They will be here next week and do a little comparison, before and after, and state why the building is in a worse situation now than it ever has been and we will submit that and ask for the solid waste waiver to demolish that building and dispose of it at our new landfill. I think if we come with a solid case to them it will put us on a better solid ground. The only way we will be able to afford this is if they let us dispose of it here, it's been the transportation cost is the big item on that. Update on the web page is we have some prices. I hope we can get something together and present it to the commissioners in the next week or two and start getting a website that represents the community. He thanked the commissioners for their time.

**Bids and Contracts**

Change Authorization for ServiceElite for Computer Services was presented by Dennis Dysart. He stated this is an IBM contract and years ago we were on a contract with IBM and when we went on a year to year contract they used this to insure that we will have a maintenance agreement with then it service their equipment.

Mr. Lumpkin made the motion to approve the Contract and Salinas-McTigue seconded the motion. Roll Call:

Sandoval	Curnutt	Lopez	Lumpkin	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

2012-13 Map Agreement with New Mexico Department of Transportation was presented by Doug Powers. He stated that this agreement went along with Resolution 2012-34.

Mr. Lumpkin made the motion to approve 2012-13 MAP Agreement with NMDOT and Salinas-McTigue seconded the motion. Roll Call:

Sandoval	Lumpkin	Curnutt	Lopez	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

Approval of Sealed Bids for Used Vehicles was presented by Doug Powers. These are vehicles the commission had previously declared as being surplus or obsolete or no value. We advertised and up them up for bids. . He explained the spreadsheet. The total comes out to over \$11,000.

Mr. Lopez asked where the front loader was at. Mr. Powers explained that it is still at the waste water treatment plan. WE would have to put two tires on it and it wasn't worthwhile.

Mr. Lumpkin made the motion for the approval of Sealed Bids and Salinas-McTigue seconded the motion. Roll Call:

Lumpkin	Lopez	Sandoval	Curnutt	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

Approval of Bid Recommendation for Tucumcari Municipal Airport Improvements 2012 for Runway 8-26 Pavement Maintenance was presented by Mr. Doug Powers. In July 24 we opened bids and the bid exceeded our engineers estimate on this project. We contacted FAA and negotiated the biggest bid to be reduced to \$165,000 and FAA has given approval of this amount.

Mr. Sandoval asked if Mr. Powers needed the approval on the bid.

Mr. Lumpkin made the motion for the approval of the Bid and Salinas-McTigue seconded the motion. Roll Call:

Lopez	Lumpkin	Curnutt	Sandoval	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

Approval of Task Order 2012-01 and 2012-02 between CDM Smith & City of Tucumcari was presented by Mr. Lumpkin. He asked that they be approved together due to them both being with the same engineering firm and the task orders have the same objectives. What we have is CDM Smith is an engineering firm that the County and the City has been working with on the pipeline project for Ute Lake and at our last meeting the pipeline people or Eastern New Mexico water authority is working with a drought management plan. The Drought Management plan is based on a model that starts 1965 and goes to 2047. In that model the minimum flow coming into the lake is 7,000 acre feet. The average flow is 50,000 acre feet. The trigger at elevation 3766 will reduce their pumping by 30% and 30% of 16,000 plus acre feet is approximately

11,000 acre feet out of the lake all the way down to the minimum pool which is at 50,000 acre feet which is just about mud. In the last 10 years Ute Lake has lost over 28,000 acre feet, their average losing 2800 acre feet per year. Those are their facts from 2001 until 2011. We would like to use CDM Smith to construct our own model based on drought conditions to show the effect of that activity and evaporation would be on the lake level themselves. If we want to argue that their model will drain the lake if their conditions don't change because of the low levels in the first place. In the past 10 years they have changed and they have gotten worse. It would be something we can help with the project. The cost to the Task was estimated by CDM to be \$24,000 to \$36,000. The second task has money available to have CDM to go to the meeting with us and present our part of the arguments. The money we would use for this we have 1.5 million dollars in GRT funds for Ute Lake Water. It's generated between \$200,000 to \$250,000 per year. The money that is already in there is earmarked. It has to go to UL water issues. Mr. Lumpkin moves that we approve Task Order 2012-01 and 2012-02.

Mr. Lopez on the second order we are not going to write a blank check. Mr. Lumpkin's stated that the last approval was when Mrs. Rose was our manager and it was for \$150,000 and that's been awhile ago and were almost at the end of that. It's an expensive proposition but if we don't the losses could be greater than what we would spend this money on this engineering firm. I would just have to tell you that we have been very frugal by spending this money on the engineering firm and we try not to spend one penny on frivolous expenditures but that money would be there if we needed the engineer from CDM Smith to attend the meeting with us to present our side of the argument for us when they do go. Mr. Lumpkin stated that the last time this was done it was \$150,000. The 1<sup>st</sup> Task was \$37,000 maximum it could be \$24,000. The 2<sup>nd</sup> Task, what if we put \$75,000 or \$100,000 limitation before we go back. Mr. Lopez stated he thinks it should be \$75,000. Mr. Lumpkin stated he is not sure what it will be cost hen we could put that Motion to limit both tasks at \$75,000.00.

Mr. Lumpkin made the motion to approve Task Order 2012-01 and 2012-02 with a limit on both Tasks of \$75,000.00 and Mr. Lopez seconded the motion. Roll Call:

Curnutt	Lopez	Lumpkin	Sandoval	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

### **Items from Commissioners**

Mr. Lumpkin addressed Richard Primrose and told him that he is for the project. We would like to thank everyone for coming.

Ms. Salinas-McTigue thanked Jim Lafferty for the information of the turbine, the feedlot and all the other property we have given away.

Mr. Sandoval thanked everyone for coming.

Mr. Lopez stated for everyone to have a good evening.

Mayor Curnutt thanked everyone for showing up and stated that he hates that things got to where they got to with two entities that really should be working together all the time instead of getting cross with each other. He also stated that it should be their job to coordinate with each agency and each of our boards so we all know what we are doing and where the money is being spent. He will pledge to make it better.

**Adjournment**

Daniel Lopez asked for a motion to adjourn and Mr. Lumpkin made the motion to adjourn and Salinas-McTigue seconded the motion. Roll Call:

Sandoval	Curnutt	Lopez	Lumpkin	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

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Amiel Curnutt, Mayor

ATTEST:

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Angelica M. Gray, City Clerk