

**City of Tukumcari  
City Commission Meeting Minutes  
March 28, 2013**

The Tukumcari City Commission met in a regular meeting on Thursday, March 28, 2013 at 6:00 p.m. in the City Commission Chambers, Members present constituting a quorum were: Amiel Curnutt, Robert Lumpkin, Jimmy Sandoval and Dora Salinas-McTigue.

City Staff members present were; Doug Powers, City Manager; Pete Rivera, Assistant Chief of Police; Jessica Elebario, Seniors Program Director; Vicki Strand, HR Director; Dennis Dysart, Financial Director; Buddy Rogers, Landfill; Lisa Cooper, Senior Program; and Angelica Gray, City Clerk.

Pastor Rick Haymaker from Agape West Church led the invocation and Doug Powers led the group in the Pledge of Allegiance.

**SWEARING IN**

Mr. Ernest Dominguez, Jr. was sworn in by Angelica M. Gray, City Clerk.

**Items from Commissioners**

Ms. Salinas McTigue congratulated Mr. Dominguez and welcomed him aboard.

Mr. Lumpkin stated that he attended the cemetery board meeting and Betty Cooper-Coslett was appointed Chairperson. He stated the junior class teachers will volunteer at the cemetery on Earth Day, April 18<sup>th</sup>.

He would like to thank Lenny for coming to the meeting. Also he thanked BJ Molinas for making maps of the cemetery.

Mr. Sandoval thanked everyone for being here and thanked Ernie Dominguez for his appointment.

Mr. Dominguez thanked everyone for being here. He also thanked the commission and the city manager for their confidence in him. He will be available for the entire community to share their thoughts and suggestions.

Mayor Curnutt thanked everyone for coming.

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

Ms. Salinas-McTigue asked if the date for the work session notes could be changed to March 14, 2013.

Mr. Lumpkin made the motion to approve the agenda as written and Mr. Dominguez seconded the motion. Roll Call:

Lumpkin	Sandoval	Dominguez	Curnutt	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

## Approval of Minutes

Mr. Lumpkin made the motion to approve the March 6, 2013, Special Commission Minutes as written and Ms. Salinas-McTigue seconded the motion. Roll Call:

Curnutt	Dominguez	Lumpkin	Sandoval	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

Ms. Salinas-McTigue asked if the work session notes could be changed to March 14, 2013. Ms. Salinas-McTigue the motion to approve the March 14, 2013, regular commission minutes and Mr. Lumpkin seconded the motion. Roll Call:

Sandoval	Curnutt	Dominguez	Lumpkin	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

Mr. Lumpkin made a motion to approve the March 14, 2013 work session notes and Mr. Lumpkin seconded the motion. Roll Call:

Dominguez	Lumpkin	Sandoval	Curnutt	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

## Items from Citizens

George Aragon – Mr. Aragon addressed the commission and informed them that 2 weeks ago he dropped his check in the box and the check disappeared. He left a message for Ms. Salinas-McTigue and Mr. Powers to call him. Although it's an inconvenience for him he is now on direct deposit. He was informed that \$100.00 deposit could be returned to him however, he would then be obligated to put down a \$200.00 deposit.

Mayor Curnutt apologized on behalf of the City.

Mr. Aragon stated he is still waiting on the phone calls.

Noreen Hendrickson – Ms. Hendrickson stated that for the past 6 weeks they have been planning an event called “Welcome Home Vietnam Veterans”. She contacted the acting Fire Chief approximately 6 weeks ago to ask if they could have a fire truck with flag. She followed up 2 weeks ago and she contacted him again today and he stated that he could not find anyone who could do that for our veterans. She invited the commission to the event set for March 29<sup>th</sup>. The Mayor stated he will check into the possibility of having a truck present at this rally.

Jim Lafferty – He welcomed Ernest Dominguez. He wants to thank the commission and the staff for their work with the Rte. 66 Museum.

He also stated that as a member of District 5 he has a history with the Ute Water issue. He heard that TQCWRA had decided to continue fighting a legal battle that Logan started and has been dismissed by 3 judges. Although he does feel the need to continue the Ute Lake matter, his concern is that 100% of the funding will come from the City's budget. He feels that if we are going to spend money, the group should do it as a whole. He does not feel that it needs to come from the taxpayers' money.

Mr. Lumpkin commented that it is called Tucumcari Quay County Regional Water Authority. He stated we have joined into a joint power agreement with Tucumcari, Quay County, Logan

and San Jon. One of the aspects of the lawsuit was the environmental assessment made on the intake structure at Ute Lake. The environmental assessment is an assessment that is used when moving a fence. However, for a large project as this, an environmental impact study should have been conducted. They asked the judge to make a judgment and he ruled that the environmental assessment is plenty for this project. He continued to state that Tucumcari set aside ¼ of a cent gross receipts tax, which was set up several years ago. This fund is earmarked to receive Ute Lake water to Tucumcari, if needed. There is \$1.7 million in this fund. Out of the \$1.7 million dollars the commission decided to file an appeal with the District 10 Circuit in Denver for a reconsideration of the New Mexico decision. There is a chance if we win the lawsuit it would stop the progress on the intake structure until a study is done and we would be able to see the full impact on our area. If the lake is pumped below a usable point, then the money will not be used. At this point, we have pledged \$200,000 to help with the appeal. If the appeal is successful then it will be worth it.

Mr. Lumpkin further stated that he agrees that we don't have many chances in this federal lawsuit. When this money is used, there will be \$1.5 million remaining in the fund.

Mr. Lumpkin stated that we met with Janelle Fredericks who is the field representative for Senator Martin Heinrich. He has lent a sympathetic ear to our side of the situation.

### **Proclamations, Memorials, or Petitions**

Mayor's Day of Recognition for National Service -Mayor Curnutt proclaims April 9, 2013 Mayor's Day of Recognition for National Service, which is accepted by Jessica Elebario, Seniors Director

Jessica Elebario recognized several of her volunteers.

### **Ordinances and Resolutions**

**Resolution 2013-07** – Amending Landfill Fees – Mr. Powers stated that a work session was conducted and it was agreed that tipping fee at the landfill should be raised from \$36.00 to \$46.00.

A motion was made by Mr. Lumpkin to approve Resolution 2013-07 and Ms. Salinas-McTigue seconded the motion. Roll Call:

Lumpkin	Sandoval	Curnutt	Dominguez	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

### **Bids and Contracts**

**One Time Financial Assistance for Home Delivered Tray**– Ms. Elebario approached the podium and stated this contract is between the City Seniors Program and Non-Metro Area Agency on Aging. Each year they receive a one-time reimbursement for home delivered trays for \$1,500.00. It is a non-matched fund.

A motion was made by Ms. Salinas-McTigue to approve the Home Delivered Tray and the motion was seconded by Ernest Dominguez. Roll Call:

Dominguez	Lumpkin	Curnutt	Sandoval	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

**Contract Amendment #1 Non Metro Area Agency on Aging** - Ms. Elebario stated that she has to estimate the amount of units she serves. If she does not serve a meal she does not get reimbursed for that unit. Each year the Non Metro looks at finances and unit totals. They have reduced her homebound units by 902 and transportation units by 1032. This comes out to a reduction of homebound units by \$4400 and \$4400 for transportation units.

A motion was made by Mr. Lumpkin to approve the Contract Amendment #1 Service Agreement and the motion was seconded by Ms. Salinas-McTigue. Roll Call:

Curnutt	Lumpkin	Sandoval	Dominguez	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

**Law Enforcement Protection Fund** – Pete Rivera approached the podium. He presented a summary of the protection fund. It is used to assist police agencies to purchase a vehicle and advanced training.

Mr. Lumpkin made the motion to approve the Law Enforcement Protection Fund and the motion was seconded by Ms. Salinas-McTigue. Roll Call:

Dominguez	Sandoval	Curnutt	Lumpkin	Salinas-McTigue
Yes	Yes	Yes	Yes	

**Airport Improvement AIP Project No. 3-35-0043-015-2013** – Mr. Powers stated the grant application is to redo the perimeter road. It will remark runway 321. The estimated cost for this project is \$438,837.00 and the City’s share will be \$21,942.00, which is approximately a 5% match. Mr. Lumpkin clarified this is an application for the grant.

A motion was made by Mr. Lumpkin to approve the Agreement from Forsgren Associates for Professional Service and the motion was seconded by Ms. Salinas-McTigue. Roll Call:

Lumpkin	Dominguez	Sandoval	Curnutt	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

**Task Order for Airport AIP Project** – Mr. Powers stated this is a Task Order for WHPacific which is for the engineering costs associated with the perimeter road. He stated the total cost is \$53,435 and 5% cost will be the City’s share.

A motion was made by Mr. Lumpkin to approve the Task Order for Airport AIP Project and the motion was seconded by Ms. Salinas-McTigue. Roll Call:

Lumpkin	Sandoval	Curnutt	Dominguez	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

**Old Business**

Mayor Curnutt acknowledged minutes from Senior Board Minutes from January 2013 – March 2013.

**New Business**

**Appointment of Mayor Pro Tem** – Mr. Lumpkin made the motion to appoint Ms. Dora Salinas-McTigue as our new Mayor Pro Tem. Mr. Lumpkin’s motion dies for lack of a second.

Mr. Dominguez made the motion to appoint Jimmy Sandoval as our new Mayor Pro Tem and the motion was seconded by Dora Salinas-McTigue. Roll Call:

Curnutt	Dominguez	Lumpkin	Sandoval	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

**Items from Commissioners**

Mr. Sandoval thanked everyone for coming tonight.

Mr. Dominguez congratulated Mr. Sandoval and he thanked everyone for coming to the meeting tonight.

Mr. Lumpkin thanked everyone for coming and thanked the volunteers.

Ms. Salinas-McTigue thanked everyone for coming tonight and also congratulated Mr. Dominguez.

Mayor Curnutt thanked everyone for coming and also thanked the volunteers.

**Adjournment**

Mayor Curnutt asked for a motion to Adjourn. Mr. Lumpkin made a motion to adjourn and M.s Salinas-McTigue seconded the motion. Roll Call:

Dominguez	Sandoval	Curnutt	Lumpkin	Salinas-McTigue
Yes	Yes	Yes	Yes	Yes

Meeting adjourned at 6:44 p.m.

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Amiel Curnutt, Mayor

ATTEST:

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Angelica M. Gray, City Clerk