

**CITY OF TUCUMCARI
MINUTES
March 25, 2010**

The Tucumcari City Commission met for their Regular Meeting on Thursday, March 25, 2010, at 6:00 p.m. in the City Commission Chambers. Members present constituting a quorum were Amiel Curnutt, Robert Lumpkin, Jimmy Sandoval, and Jim Witcher. Antonio Apodaca was absent.

City staff members present were Bobbye Rose, City Manager; Mike Cherry, Assistant City Manager; Christine Dougherty, City Clerk; Clara Rey, Human Resources Director; Alex Madrid, Streets and Sanitation Director; Jason Braziel, Police Department Interim Operations Commander; Cathy Estrada, Code Enforcement Officer; Sergeant Russell Shaffer; Misty Vick, Grant Writer; and Doug Powers, Community Development Director.

Jim Witcher, Reverend of the First Christian Church gave the invocation and Commissioner Curnutt led the group in the Pledge of Allegiance.

Roll Call

Mayor Witcher asked for Roll Call:

Sandoval	Curnutt	Witcher	Lumpkin	Apodaca
Yes	Yes	Yes	Yes	No

Consideration of Changes or Deletions to Agenda

Mayor Witcher asked if there were any suggested changes or deletions to the agenda. Ms. Rose stated that Item VIII, A, Resolution 2010-10 needed to be removed from the agenda.

Items from Commissioners

Commissioner Lumpkin thanked all those in attendance.

Commissioner Sandoval had no comments.

Commissioner Curnutt had no comments.

Mayor Witcher explained that he gave the invocation because the scheduled pastor did not make it to the meeting.

Approval of Minutes

Commissioner Lumpkin made a motion to approve the minutes of the March 11, 2010 Regular Commission Meeting. Commissioner Curnutt seconded the motion. Roll Call:

Curnutt	Witcher	Lumpkin	Sandoval
Yes	Yes	Yes	Yes

Approval of Vouchers

Commissioner Lumpkin made a motion to approve the vouchers for payment. Commissioner Curnutt seconded the motion. Roll Call:

Witcher	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes

Items from Citizens

Christina Fleming approached the podium and stated that she was in attendance to give a six month report of the animal rescue efforts she and many other volunteers have been involved in within the City. Ms. Fleming asked the volunteers in the audience to stand and be recognized for providing foster homes for pets.

Ms. Fleming went on to say that her organization has completed 80 adoptions saving the City over \$3000 in euthanasia costs. Additionally, Ms. Fleming stated that \$3000 has gone back to the City in vaccination and sterilization fees.

Ms. Fleming stated that partnerships have been formed with Animal Protection, Pet Sense and Pet Co. Ms. Fleming stated that she and her volunteers are doing good work and they have successfully adopted dogs all over the country.

Ordinances and Resolutions

Mayor Witcher called on Misty Vick, Grant Writer to present the series of Community Development Block Grant (CDBG) resolutions.

Ms. Vick presented Resolution 2010-11 Amending Resolution 2009-05 regarding the procurement process of the municipality pursuant to the requirements of the procurement code, 13-1-66.1 and 13-1-1235 NMSA. Ms. Vick explained that this resolution is required in order for the City to apply for CDBG funds and simply affirms the procurement code followed by the City.

Commissioner Curnutt made a motion to approve Resolution 2010-11 Amending Resolution 2009-05 regarding procurement process of the municipality pursuant to the requirements of the procurement code, 13-1-66.1 and 13-1-1235 NMSA and Commissioner Lumpkin seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Lumpkin
No	Yes	Yes	Yes

Ms. Vick then presented Resolution 2010-12 Adopting a Section Three Plan and Certification Whereby Complying with the City of Tucumcari's CDBG Program.

Commissioner Lumpkin made a motion to approve Resolution 2010-12 Adopting a Section Three Plan and Certification Whereby Complying with the City of Tucumcari's CDBG Program and Commissioner Curnutt seconded the motion. Roll Call:

Sandoval	Curnutt	Witcher	Lumpkin
Yes	Yes	Yes	Yes

Ms. Vick then presented Resolution 2010-13 adopting a residential antidisplacement and relocation assistance plan and certification whereby complying with the City of Tucumcari's CDBG program.

Commissioner Lumpkin made a motion to approve Resolution 2010-13 adopting a residential antidisplacement and relocation assistance plan and certification whereby complying with the City of Tucumcari's CDBG program and Commissioner Curnutt seconded the motion. Roll Call:

Curnutt	Witcher	Lumpkin	Sandoval
Yes	Yes	Yes	Yes

Ms. Vick then presented Resolution 2010-14 adopting a citizens participation plan and certification whereby complying with the City's CDBG program.

Commissioner Lumpkin made a motion to approve Resolution 2010-14 adopting a citizen's participation plan and certification whereby complying with the City's CDBG program and Commissioner Curnutt seconded the motion. Roll Call:

Witcher	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes

Ms. Vick then presented Resolution 2010-15 Establishing a Fair Housing Policy within the City Limits.

Commissioner Lumpkin made a motion to approve Resolution 2010-14 Establishing a Fair Housing Policy within the City Limits and Commissioner Curnutt seconded the motion. Roll Call:

Lumpkin	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes

City Manager's Report

Ms. Rose called on Mr. Jason Braziel to give the Police Department and Animal Control reports.

Mr. Braziel told the Commissioners that the statistics for the month of February were included in their packets. Mr. Braziel mentioned that the number of animals that have been euthanized has decreased and that is saving the department money. He also stated that the department is working as efficiently as possible. Mr. Braziel also informed the

Commission that a grant was received today in the amount of \$21,000 to assist the department in conforming to the new animal euthanasia laws.

Mr. Braziel stated that the police department is running very smoothly and that the officers are now working eight hour shifts. He explained that there are more officers on the streets and that employees have commented that the police department is a nice place to work now.

Commissioner Lumpkin asked why there were so many more officers out now. Mr. Braziel responded that there are now four officers per shift. Commissioner Lumpkin stated that he would like to compliment Mr. Braziel on the changes he has implemented at the department.

Ms. Rose explained that she will be meeting with the animal rescue groups regarding the Memorandum of Understanding with their organizations and hopes to have that memorandum on the next agenda for approval.

Mr. Braziel stated that a police dog from San Jon has been given to the City and Officer Dennis Garcia will be the dog's handler.

Ms. Rose then called on Mr. Marty Garcia to give the Financial Report. Mr. Garcia stated that he provided the Commission with a snapshot of the Gross Receipts Tax. Mr. Garcia explained that overall for January, business activity was down 13.17 percent. Mr. Garcia went on to say that almost across the board, GRT is down in every category. Mr. Garcia said that he is noticing a fluctuation from month to month. He went on to explain that retail is flat which is promising.

Mr. Garcia explained to the Commission that the legislature passed a bill in the recent session to hold cities harmless for the time being on the reinstated food and medical expenses tax. Mr. Garcia speculated that the City may experience an increase because of the compensating tax.

Mr. Garcia referenced the cash report included in the Commissioners packets as well as the monthly budget report ending on February 28, 2010. Mr. Garcia commented that most departments look to be within budget. Mr. Garcia mentioned that the City has yet to receive the small cities assistance grant.

Mr. Garcia also stated that sewer and sanitation revenues are below projections.

Mr. Garcia stated that he anticipates more budget amendment requests will be submitted. He also explained that the budget calendar is being followed and public hearings on the budget will be held in May. Mr. Garcia informed the Commission that regular meetings are being held to correct the audit findings.

Mr. Garcia also informed the Commission that Triadic, the financial software used by the City has provided training in many areas recently proving to be very useful.

Mayor Witcher asked if there were any plans for the money in the narcotics fund. Mr. Braziel stated that there are no plans for the funds at this time. Mr. Witcher suggested that the funds could be used for training the police dog.

Ms. Rose stated that at the next meeting, she would like the Commission to conduct her annual review.

Ms. Rose reported that there will be no increase in health insurance.

Ms. Rose stated that she finally heard from Mr. Martin who lives adjacent to the landfill and he agreed to let the City remove the fence and this has been done.

Ms. Rose stated that the City parks will be closing at 10:30 p.m. and the Police Department will be monitoring the parks. This will be advertised on the radio.

Ms. Rose reported that an eight inch cast iron line is leaking at the Wastewater Treatment Plant in the digester. The cost for the emergency repairs was \$9500 and Ms. Rose approved an emergency change order to get the repairs done.

Ms. Rose reported that she has formed a committee that will meet on Monday with the purpose of interviewing and hiring a Police Chief.

Ms. Rose will provide the revised Main Street Master plan to the Commission at the next meeting.

Ms. Rose reported that Gordon Environmental will proceed with the bid process for the landfill.

Ms. Rose also informed the Commission about broken equipment at the Sanitation Department in the amount of \$12,216.

Ms. Rose also explained that she is monitoring vacation to ensure that there will be no roll over this year.

Ms. Rose explained that Earth Day will be celebrated April 22 at the outdoor classroom. Over 700 students will be in Tucumcari that day from around the state.

Bids and Contracts

Ms. Rose presented the legal services agreement with Mr. Harwood for legal advice regarding water issues. Ms. Rose explained that Mr. Harwood is a water attorney and the agreement is for \$200 per hour not to exceed \$20,000. Mr. Harwood will be used on an as needed basis.

Commissioner Lumpkin made a motion to approve the legal services agreement with Mr. Harwood for legal advice regarding water issues. Commissioner Curnutt seconded the motion. Roll Call:

Sandoval Curnutt Witcher Lumpkin

Yes Yes Yes Yes

Ms. Fazekas then presented the Governmental Services Agreement Contract Number 10-522-0150-0143 with the Youth Conservation Corps. Ms. Fazekas explained that the project for this summer will be the baseball fields dug outs and seating. Ms. Fazekas went on to explain that six youth will be employed in the summer for ten weeks and the majority of the funding will be utilized to pay the youths wages.

Commissioner Lumpkin made a motion to approve the Governmental Services Agreement Contract Number 10-522-0150-0143 with the Youth Conservation Corps and Commissioner Curnutt seconded the motion. Roll Call:

Sandoval Curnutt Witcher Lumpkin
Yes Yes Yes Yes

Old Business

Mayor Witcher acknowledged reading the minutes of the Library Advisory Board for December 18, 2009 and January 15, 2010.

Ms. Christine Dougherty then presented a request to accept and set minimum bids on foreclosed properties. Ms. Dougherty explained that the Commission previously approved numerous properties for sale by bid process. There are several lots that have not yet sold and Ms. Dougherty requested that the Commission set minimum bids and approve for her to advertise the bid process.

Commissioner Sandoval made a motion to approve advertising of foreclosed properties for bid and to set minimum bids at the appraised values. Commissioner Sandoval then amended his motion to accept \$1000 for each lot if the minimum bid is not received. Commissioner Curnutt seconded the motion. Roll Call:

Curnutt Witcher Lumpkin Sandoval
Yes Yes Yes Yes

New Business

Mayor Witcher made the following appointments to standing committees:

- Planning and Zoning Advisory Board – Jim Witcher
- Community Development Advisory Board – Antonio Apodaca
- Recreation Advisory Board – Amiel Curnutt
- Museum Advisory Board – Amiel Curnutt
- Library Advisory Board – Jimmy Sandoval
- Lodgers Tax Advisory Board – Amiel Curnutt
- Keep Tucumcari Beautiful Advisory Board – Jim Witcher
- Senior Citizens Advisory Board – Jimmy Sandoval
- Economic Development Commission – Jim Witcher
- Spirit Board – Pat Vanderpool, EDC Executive Director
- Finance Committee – Antonio Apodaca and Jim Witcher

Audit – Antonio Apodaca and Jim Witcher
Eastern Plain Regional Planning Organization – Doug Powers
El Llano Estacado – Doug Powers
Golf Advisory Board – Amiel Curnutt
Ute Lake Water Advisory Board - Jim Witcher
Eastern Plains Counsel of Governments (EPCOG) – Bobbye Rose,
Mike Cherry, Alternate
Energy Conference – Robert Lumpkin
Ute Lake Water Board – Bobbye Rose, Jim Witcher alternate

Ms. Cathy Estrada informed the Commission that she will be holding the Great American Cleanup on May 1 and in conjunction with this effort is requesting the Commission approve a free dumping day at the landfill.

Commissioner Lumpkin made a motion to approve free landfill dumping on May 7 and 8 in conjunction with the Great American Cleanup for residential customers presenting a paid water bill. Commissioner Curnutt seconded the motion. Roll Call:

Witcher	Lumpkin	Sandoval	Curnutt
Yes	Yes	Yes	Yes

Items From Commissioners

Commissioner Sandoval had no comments.

Commissioner Curnutt stated that he felt the free dumping was a good idea and that the possibility of having one to help assist in property cleanup was a good idea as well. Mr. Curnutt also thanked those in attendance for coming to the meeting.

Commissioner Lumpkin thanked those that have volunteered their time and efforts in the animal rescue project. Mr. Lumpkin also asked Mr. Braziel if the spay and neuter clinics that have been sponsored by the City in the past were of help to the efforts. Mr. Braziel stated that the clinics have been fully booked in the past and huge successes. Mr. Lumpkin asked that this be looked into again.

Mr. Lumpkin also stated that organizing a committee to assist in hiring a Police Chief was a good idea. He also stated that the shift change at the Police Department was a good idea. Mr. Lumpkin also stated that he was pleased to hear that the audit findings were being corrected.

Mayor Witcher thanked all those in attendance for coming to the meeting. Mr. Witcher went on to explain that he has read numerous emails and blog posts recently regarding the City. He explained that he served in the military and worked as a construction contractor and will fight to the death for freedom of speech. However, he explained that when someone does not use their name in these forums, he does not pay attention to them. Mr. Witcher went on to say that if someone wants to communicate with the Commission, he would prefer something addressed to him and he will read their comments.

Adjournment

Commissioner Lumpkin made a motion to adjourn and Commissioner Curnutt seconded the motion. Time noted 6:45 pm. Roll Call:

Lumpkin	Sandoval	Curnutt	Witcher
Yes	Yes	Yes	Yes

James L. Witcher, Sr., Mayor

ATTEST:

Christine Dougherty, City Clerk