



**MINUTES OF THE REGULAR RATON CITY COMMISSION
MEETING HELD ON TUESDAY, FEBRUARY 12, 2019 AT 6PM**

I. CALL TO ORDER:

Mayor Segotta called the meeting of the Raton City Commission to order at 6:00 p.m.

II. ROLL CALL/ATTENDANCE:

Answering roll call was: Mayor James Neil Segotta, Jr., Mayor Pro-tem Linde' Schuster, Commissioners: Lori Chatterley, Ron Chavez and Don Giacomo. Also present were City Manager Scott Berry, Clerk/Treasurer Michael Anne Antonucci and 16 visitors.

III. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

IV. RECOGNITION OF VISITORS, CITIZEN OF THE MONTH AND/OR PRESENTATION OF PROCLAMATION, SERVICE AWARD, CONGRATULATIONS, CONDOLENCES, HOLIDAY SCHEDULES AND CITY/MUNICIPAL EVENTS:

- All City Offices will be closed on Monday, February 18, 2019 in observance of President's Day.
- A potential quorum of the Raton City Commission may attend the 30th Annual Municipal Day to be held in Santa Fe at the La Fonda Hotel located at 100 E. San Francisco Street. There will be a reception Tuesday, February 19, 2019 at 5:30 p.m. and a legislative update session and luncheon on Wednesday, February 20, 2019 from 10 a.m. – 12 p.m. City Commissioners will then meet with legislators at the Capitol Building following the luncheon.
- Next Regular Commission Meeting Tuesday, February 26, 2019 at 6pm
- A potential quorum of the City Commission may attend a Solar Energy Presentation at the RPS Meeting to be held on Wednesday, February 27th at 5:30 p.m. in the City Commission Chambers.
- You Rock Awards – Mayor Pro-tem Schuster presented the You Rock Awards to Tonya Menapace and Frank Ferri for their outstanding service to the community

V. COMMENTS FROM THE GENERAL PUBLIC: No Comments.

VI. ACTION ITEMS/ PUBLIC HEARINGS/ORDINANCES/ RESOLUTIONS/ CITY MANAGER'S REPORT- The City Commission may discuss and/or take actions on the following agenda items:

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A. *Approval of the January 22, 2019 Regular Commission Meeting Minutes.*

Commissioner Chatterley pointed out a few minor typos for correction. Mayor Pro-tem Schuster made a motion to approve minutes for the January 22, 2019 Regular Commission Meeting as corrected. Commissioner Chatterley seconded the motion. No further discussion took place and the motion passed 5-0 with all voting "aye".

B. *Department Presentation by Jared Chatterley, Parks & Rec Director.*

City Manager Berry stated that Mr. Chatterley was not feeling well and that his presentation would be rescheduled for the March 12th City Commission meeting.

C. *Public Hearing on 2019-2021 DBE Goals for Crews Field Municipal Airport.*

City Manager Berry introduced the item and noted that the City of Raton has planned several projects at the airport which will be funded 90% FAA, 5% State and 5% City. He also explained that there are a number of requirements for federal funding and that the City is required to establish the DBE Goals for 2019-2021. He then explained how the Disadvantaged Business Enterprise (DBE) percentage is determined and stated that this would be the percentage of the project that must go to a disadvantaged business during the construction phase. He also reported that City staff have reviewed the DBE goals and agree with the findings of our consultant. City Manager Berry then gave an overview of the Apron Reconstruction Project for FY2019 which will cost approximately \$563,273. The projects anticipated for FY2020 and FY2021 will include Runway 2-20 PAPI's and the Runway 7-25 MIRL Replacement with LED's Design which are both estimated under \$250,000. Mayor Segotta stated that this was a public hearing and asked for comments from the public. Dusty Longwill with Express Aviation was present and asked if the DBE requirement applies to the FBO. City Manager Berry stated that Express Aviation's operations are not affected. There was no further questions or discussion.

D. *Deliberate and Act on 2019-2021 DBE Goals for Crews Field Municipal Airport.*

Clerk/Treasurer Antonucci stated that the 2019-2021 DBE Goals would be posted on the website and would remain there until the City was required to establish new goals again in 3 years. There was no further comment. A motion was made by Commissioner Chatterley to approve the 2019-2021 DBE Goals for Crews Field Municipal Airport. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with all voting "aye".

E. *Deliberate and Act on Memorandum of Understanding (MOU) between the U.S. Department of Veterans Affairs Police and the Raton Police Department.*

City Manager Berry introduced the MOU and explained that if there was a

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need for response at the VA Clinic the Raton Police Department would respond and would abide by the terms of the MOU with the Department of Veterans Affairs depending on the situation. A motion was made by Mayor Pro-tem Schuster to approve the Memorandum of Understanding (MOU) between the U.S. Department of Veterans Affairs Police and the Raton Police Department and authorize Chief John Garcia to sign the MOU. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

F. Deliberate and Act on Raton Your Pass Brand Partnership Agreement.

City Manager Berry deferred this item to Commissioner Chatterley who explained the agreement which is for anyone that wants to use the logo, tagline, photos etc. for marketing purposes. She also noted that it is modeled from the NM True Agreement. Commissioner Chatterley also stated that video would need to be pre-approved by the City of Raton and also the purchase of merchandise with the brand. A brief discussion followed. A motion was made by Commissioner Chavez to approve the Raton Your Pass Brand Partnership Agreement. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

G. Deliberate and Act on Lease Agreement between the City of Raton and Mastec North America, Inc. to Lease Space for Storage of Materials and Equipment.

City Manager Berry introduced the agreement and noted that the contractor approached the City to lease space for storage of materials and equipment that will be used to run a high speed fiber optic line from Denver to El Paso. He stated that the agreement will be \$1,000 per month to lease space at the East Hereford Yard and that he recommended approval with one exception to the insurance provision. City Manager Berry stated that NM Self Insurers' Fund can't name them as an additional insured but could cover the equipment and materials designating them as a loss payee or option two would require the City of Raton to purchase separate insurance coverage that would be added to the monthly lease amount to be paid by the contractor. A brief discussion followed regarding the item on page 8 for assignment or sublet. City Manger Berry stated he did not see that to be an issue and recommended approval of the agreement contingent upon working out the insurance. A motion was made by Mayor Pro-tem Schuster to approve the Lease Agreement between the City of Raton and Mastec North America, Inc. contingent upon working out the insurance and to also authorize the City Manager to sign the contract. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

H. Deliberate and Act on Award for New Four Wheel Drive Sport Utility Vehicles.

City Manager Berry reviewed the memo provided by Clerk/Treasurer Antonucci recommending award for two (2) new four wheel drive sport utility vehicles in the amount of \$108,620 to Phil Long Ford of Raton who was the only bidder. He also noted that authorization was received from the State Fire

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Marshal to use Fire Protection Fund monies for the purchase of the two command units. A motion was made by Commissioner Giacomo to award the Two (2) New Four Wheel Drive Sport Utility Vehicles to Phil Long Ford of Raton. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

I. Deliberate and Act on Authorization to Purchase Fire Department Bunker Gear Utilizing an Existing Master Price Agreement with Municipal Emergency Services Inc./Lawmen Supply Company (MES).

City Manager Berry stated that Chief Espinoza was out of town and unable to attend the meeting but explained that the department needs to replace obsolete bunker gear which would be purchased using Fire Protection Funds utilizing an existing Master Price Agreement with Municipal Emergency Services, Inc./Lawmen Supply Company (MES). Clerk/Treasurer Antonucci stated that she contacted the sales rep to confirm the pricing and the City's eligibility to purchase from the price agreement which is an extremely discounted price and savings to the City. A motion was made by Commissioner Chatterley for Authorization to Purchase Fire Department Bunker Gear Utilizing an Existing Master Price Agreement with Municipal Emergency Services Inc./Lawmen Supply Company (MES). The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with all voting "aye".

J. Deliberate and Act on RFP Award and Professional Services Agreement with Raton Country Club for Lease of Governmental Liquor License.

City Manager Berry stated that the City of Raton applied for a Governmental Liquor License in 2015 and sought services from a contractor to serve liquor under the City's license which has been a good relationship with the Raton Country Club. He noted that an RFP was recently solicited and that the Raton Country Club was the only entity to respond and that he recommended approve to award the professional services agreement again to the Raton Country Club. The agreement is for a one year term with the option of renewal for 3 additional one year terms, subject to Commission approval, not to exceed a total of four years. Clerk/Treasurer Antonucci stated that the current license expires February 28, 2019 and that once the agreement was approved she would forward it to Alcohol and Gaming for review and issuance of the new Governmental Liquor License. Joe Pobar, the new General Manager for the Raton Country Club, was also present at the meeting and stated that they look forward to working with the City of Raton again. A motion was made by Commissioner Chavez to award the RFP and Professional Services Agreement to Raton Country Club for Lease of Governmental Liquor License. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with all voting "aye".

K. Deliberate and Act on Resolution 2019-08: 2019-2020 LGRF Cooperative Application.

City Manager Berry introduced the resolution and reviewed the program for road funding. He stated that he has prepared an evaluation of projects and is recommending submission of a request for \$150,000 to reconstruct a portion

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of Kearney Avenue with a cold milling and hot mix overlay. Project funding for this program is 75% NMDOT and 25% City therefore the match would be \$37,500 funded from Gas Tax. City Manager Berry explained that the deadline to submit the application would be in March and that funds are typically awarded in June or July and agreements signed in October. A motion was made by Commissioner Giacomo to approve Resolution 2019-08: 2019-2020 LGRF Cooperative Application. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

L. *Deliberate and Act on Resolution 2019-09: 2019/2020 NMDOT MAP Application.*

City Manager Berry introduced the resolution noting that this program was more limited on what qualifies and is usually funded for a much larger project. He recommended submission of an application for \$300,000 for 5th Street from Tiger Drive to Moulton which was formerly designated as NM State Highway 476. City Manager Berry stated that the City would also be required to match \$75,000 (25%) funded from Gas Tax. A motion was made by Commissioner Giacomo to approve Resolution 2019-09: 2019/2020 NMDOT MAP Application. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with all voting "aye".

M. *Deliberate and Act on Economic Development Services Contracts with GrowRaton!, Hi-Bay Enterprises and The Center for Community Innovation.*

City Manager Berry stated that the contracts were being submitted to the Commission for approval as a result of the RFP solicitation for Economic Development Services and that the contracts are a follow up to the action that was already taken at a previous meeting to award funds to the various entities.

GrowRaton!

City Manager Berry stated that GrowRaton! was awarded \$10,000 and would be paid in 5 monthly installments from February to June to assist with the Community Coordinator position that was recently filled. He also noted that he consulted with NMED and that the contract conforms with LEDA. A motion was made by Mayor Pro-tem Schuster to approve the Economic Development Services Contract with GrowRaton!. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

Hi-Bay Enterprises

City Manager Berry stated that he prepared a rough draft of the agreement and provided a copy to Joe Rodman to review. He also noted that because this is a for profit entity the requirements under LEDA are different and must have claw back and security provisions. City Manager Berry recommended postponing action until the February 26th meeting to allow more time for review. A motion was made by Commissioner Chatterley to postpone action until the February 26th meeting. The motion was seconded by both Commissioner Giacomo and Mayor Pro-tem Schuster and carried 5-0 with all voting "aye".

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The Center for Community Innovation

City Manager Berry stated that this agreement was only for the Creative Startups/Entrepreneur Boot Camp approved for \$21,000 and that he would be doing a separate agreement for the \$10,000 at the next meeting. Geoff Peterson was present and stated that they will be kicking off the project tomorrow with local partners in Raton. He also described the application process for local entrepreneurs noting that it would be a 4 week program. He then introduced Dr. Alice Loy, founder of Creative Start-ups and Julia Young who were both present at the meeting. A motion was made by Commissioner Chatterley to approve \$21,000 for the Creative Startups/Entrepreneur Boot Camp. The motion was seconded by both Commissioner Chavez and Mayor Pro-tem Schuster and carried 5-0 with all voting "aye".

N. *Deliberate and Act on Municipal Advisory Agreement between the City of Raton and RBC Capital Markets, LLC.*

City Manager Berry stated that he proposes financing the Transfer Station through a commercial bank and that Modrall Sperling, the City's bond counsel, advised that the City must obtain a financial advisor to assist in getting the best deal on the financing. He stated that he is proposing to finance \$750,000 and pledge the 1/16 Environmental GRT for 15 years. He noted that the RBC Capital Markets, LLC fee would be \$20,000. A motion was made by Commissioner Chatterley to approve the Municipal Advisory agreement between the City of Raton and RBC Capital Markets, LLC. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with all voting "aye".

O. *Deliberate and act on Financial Advisory Services Proposal from RBC Capital Markets, LLC for Solid Waste Transfer Station Financing.*

City Manager Berry stated that the project construction time is anticipated to be 6-8 months and recommended approval of the RBC Capital Markets, LLC proposal. A motion was made by Mayor Pro-tem Schuster to approve the Financial Advisory Services Proposal from RBC Capital Markets, LLC for Solid Waste Transfer Station Financing. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

P. *Deliberate and Act on Resolution 2019-10: Records Retention Schedules.*

Clerk/Treasurer Antonucci stated that the previous records retention schedules have been repealed and that the new schedules must be adopted before the City of Raton can begin any records destruction. She also noted that the City of Raton will also move forward with a plan to address how records are stored and handled and schedule training with departments to implement the new policy to ensure compliance with the NM retention requirements for all City of Raton records. She also noted that this resolution will rescind all previously adopted retention schedules and email policies. A motion was made by Commissioner Giacomo to approve Resolution 2019-10: Records Retention Schedules. The motion was seconded by Commissioner Chatterley and carried 5-0 with all voting "aye".

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Q. *Deliberate and Act on Resolution 2019-11: City of Raton FY19 Budget Adjustment #9.*

Clerk/Treasurer Antonucci reviewed the budget adjustment request and noted that the election costs would be \$1,250 payable annually to the Secretary of State. The budget adjustment also included line item adjustments to judicial salaries, insurance, office expense and T-1 service. Economic Development contracts awarded to GrowRaton!, Better Cities, Center for Community Innovation and Hi-Bay Enterprises were also included in the budget adjustment in addition to line item adjustments for the Shuler Theater renovations recently approved. A motion was made by Mayor Pro-tem Schuster to approve Resolution 2019-11: City of Raton FY19 Budget Adjustment #9. The motion was seconded by Commissioner Giacomo and carried 5-0 with all voting "aye".

R. *City Manager's Report.*

- City Manager Berry reported that Raton Water Works had a construction coordinator meeting today with RMCI prior to commencement of the Filter Plant Project. He also noted that the project should start in March and will be challenging because they can't shut the plant down during construction.
- City Manager Berry reported that Lake Maloya is steadily rising and is currently 4 ½ feet below the spillway and will continue to rise slowly.
- City Manager Berry reported that Raton Water Works has also had several incidents of frozen pipes and meters.
- City Manager Berry reported that Raton Public Works is busy patching potholes and will be working on Price Street this week on a chronic drainage problem.
- City Manager Berry reported that the Solid Waste Department is also working on a project for disposal of tires and is currently advertising bids.
- City Manager Berry reported that he attended a communications meeting with the Trust for Public Lands and Nature Conservancy regarding the proposed purchase of 20,000 acres in Colorado for recreation purposes. He stated that this will be beneficial to Raton and Trinidad and will be a long term project. He also reported that he has a meeting scheduled in Santa Fe on Friday with the Director of the NM State Parks.

VII. ADJOURNMENT:

The meeting adjourned at 7:18 p.m.

ATTEST:


Michael Anne Antonucci, City Clerk

CITY OF RATON


James Neil Segotta Jr., Mayor