



**MINUTES OF THE REGULAR RATON CITY COMMISSION
MEETING HELD ON TUESDAY, MARCH 14, 2023 AT 6 PM**

I. CALL TO ORDER:

Mayor Pro-tem Linde' Schuster called the meeting of the Raton City Commission to order at 6:00 p.m.

II. ROLL CALL/ATTENDANCE:

Answering roll call was: Mayor Neil Segotta (via conference call) and Mayor Pro-tem Linde' Schuster. Commissioners: Ronald Chavez, Donald Giacomo and Lori Chatterley. Also present were City Manager Scott Berry, Deputy Clerk Desire'e Trujillo, Public Works Director Jason Phillips, and 10 visitors.

III. MAYOR PRO-TEM LINDE' SCHUSTER LED EVERYONE IN THE PLEDGE OF ALLEGIANCE:

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

- Next Regular Commission Meeting Tuesday, March 28, 2023 at 6:00 p.m.

V. Items from Citizens Present:

None

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:

A. DELIBERATE AND ACT on Approval of February 28, 2023 Regular Meeting Minutes

A motion was made by Commissioner Ronald Chavez to approve the February 28, 2023 Regular Meeting Minutes. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

B. DELIBERATE AND ACT on Memorandum of Understanding between the City of Raton and the Raton Little League for 2023 Season

City Manager Scott Berry stated this is an annual Memorandum of Understanding that is brought to the Commission for approval. In addition to the MOU the league is required to provide copies of the leagues nonprofit status, safety procedures, board members, and liability insurance. Deputy Clerk Trujillo noted that the league has provided all of the materials required and has been approved for the insurance naming the City of Raton as an

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additional insured and will get the certificate of liability to the city as soon as it is received. Public Works Director Jason Phillips stated there has been great communication between himself, the little league and the high school coaches in regard to the use of the field. Little League President Dustin Walton thanked the city workers for their support for the 2023 season. The little league purchased a new score board for the Ragsdale Field which should be installed April 15th. Alpine Lumber Co. donated new siding for the announcers booth. President Walton asked if the city would be opposed to help with porta potties if the restrooms at the ballfields aren't in working order by start of the season. The Commission, City Manager and Public Works Director all agreed that the city could help with payment if needed. A motion was made by Commissioner Lori Chatterley to approve the Memorandum of Understanding between the City of Raton and the Raton Little League for 2023 Season. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

C. DELIBERATE AND ACT on Bid Award for Sugarite Avenue Project

City Manager Scott Berry stated an invitation for bids was advertised by Engineering Analytics, Inc. on January 31, 2023 and the bid opening took place on March 7, 2023. Two bids were received with the low bid from Magnum Welding & Construction of \$870,580.20 excluding NMGR. Project Engineer Karen Stearns recommended approval. The grant agreement for this project is between the City of Raton and the New Mexico Department of Transportation, with the NMDOT share being 95% and the City of Raton's share being 5%. The contract can be executed fifteen days after approval if there are no protests. A motion was made by Commissioner Lori Chatterley to approve the Bid Award for the Sugarite Avenue Project. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

D. DELIBERATE AND ACT on Award of RFP for Metropolitan Redevelopment Project Coors Building Infrastructure

City Manager Scott Berry stated the City of Raton advertised a Request for Proposals (RFP) on December 8, 2022 with a due date of January 31, 2023. The purpose of the proposal is to establish goals of downtown revitalization, pursuing public/private partnerships to rehabilitate and redevelop vacant, abandoned or underutilized downtown properties and incentivizing development that brings more activity, businesses and housing to the designated metropolitan redevelopment area. Four proposals were received and scored by a proposal committee consisting of City of Raton staff, Raton MainStreet staff and GrowRaton staff. The review process included a presentation and interview of the top two scoring proposers. The committee believes that the Moss Adventures proposal provided a strong opportunity to meet the projects objectives and unanimously recommended to award the agreement for implementation of the project. After some discussion, a motion was made by Mayor Neil Segotta to Award the RFP for the Metropolitan Redevelopment Project Coors Building Structure. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

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E. DELIBERATE AND ACT on Purchase of Two Ford Explorers Utilizing Phil Long Ford CES Price Agreement #2020-31A-101C-ALL

City Manager Scott Berry stated one of the vehicles would be for the Raton Police Department and the other would be for the Raton Public Works Department. He noted that the payment of the vehicles would be paid from two separate line items utilizing the state contract CES pricing. Public Works Director Jason Phillips stated this is a great opportunity due to the difficulty in procuring vehicles at this time. A motion was made by Commissioner Ronald Chavez to approve the Purchase of Two Ford Explorers Utilizing Phil Long CES Price Agreement #2020-31A-101C-ALL. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

F. DELIBERATE AND ACT on Extension of Annual Street Maintenance Contract

City Manager Scott Berry stated this is an annual on-call contract used towards maintenance of curb and gutter, sidewalks, patching and other infrastructure maintenance and improvement work needed. The agreement is also utilized for the Property Owner Street Improvement 50/50 Cooperative Application. City Manager Berry noted that the contractor agreed to keep the same price agreement. A motion was made by Commissioner Donald Giacomo to approve the Extension of the Annual Street Maintenance Contract. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

G. DELIBERATE AND ACT on Utilizing Highland Enterprises CES Contract #2021-12-R2111-All for Chip Seal Project

City Manager Scott Berry stated this is in reference to the New Mexico Department of Transportation funding awarded to the City of Raton for the City-Wide Chip Seal Pavement Preservation Project of 7.5 miles of city streets. The City of Raton subsequently entered into agreement with the NMDOT for funding a project in the amount of \$1,000,000. The City of Raton's share of the project cost is 5% of the total project cost in an amount of no less than \$50,000 with the NMDOT's share being 95% of the total project amount not to exceed \$950,000. In regard to procurement of construction services City Manager Berry recommended utilizing an existing allowable procurement mechanism through Cooperative Educational Services (CES) and requested a price proposal through qualified contract holder – Highland Enterprises. He recommended approval of the price proposal to the Raton City Commission. A motion was made by Commissioner Lori Chatterley to approve Utilizing Highland Enterprises CES Contract #2021-12-R2111-ALL for Chip Seal Project. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

H. DELIBERATE AND ACT on Parkhill Proposal for 2023 Landfill Environmental Monitoring Services Contract

Public Works Director Jason Phillips stated this is an annual contract with the same company providing the monitoring services for the last twelve years. The monitoring/reporting services are for the closed City of Raton landfill groundwater in order to obtain appropriate samples to comply with the New

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Mexico Environment Department. Parkhill has extensive knowledge of the Landfill's groundwater monitoring system, sample history, water quality database, and hydrogeology. The contract is for a lump sum fee of \$30,000 excluding NMGRT, with monthly invoicing of approximately \$7,700. A motion was made by Commissioner Lori Chatterley to approve the Parkhill Proposal for 2023 Landfill Environmental Monitoring Services Contract. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

I. *DELIBERATE AND ACT on Amendment No. 2 Direct Youth Services JJAC-Sub- Contract Agreement between the City of Raton*

City Manager Scott Berry stated the requested amendment is made by the City of Raton and the subcontractor, Northeastern New Mexico Educational Foundation, Inc. (NENMEF) dba The Center for Community Innovation, the parties to the Subcontract Agreement dated July 28, 2022. The amendment would reflect budget adjustment #1 and a short cycle funding increase for Restorative Justice. A motion was made by Commissioner Lori Chatterley to approve Amendment No. 2 Direct Youth Services JJAC-Sub-Contract Agreement between the City of Raton. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

J. *DELIBERATE AND ACT on Resolution 2023-10: Budget Adjustment #11 FY23*

City Manager Scott Berry went over the budget adjustment requests in the general fund and the solid waste fund. After a brief discussion a motion was made by Commissioner Lori Chatterley to approve Resolution 2023-10: Budget Adjustment #11 FY23. The motion was seconded by Donald Giacomo and carried 5-0 with all voting "aye".

K. *DELIBERATE AND ACT on Ratification of Union Contract Between the City of Raton and Raton Police Officers Association (RPOA)*

City Manager Scott Berry stated this is being brought to the Commission for consideration due to the challenges associated with recruitment and retention of qualified staff in the Raton Police Department. The RPD is currently understaffed with limited prospects for meeting staffing requirements. City Manager Berry noted that one of the mitigating circumstances resulting in the loss of staff at RPD is a pattern of aggressive recruitment of RPD officers and staff by the Colfax County Sheriff's Office. In discussion with Colfax County officials, the Sheriff's Office has contacted officers with recruitment offers that include higher wages, on-call pay benefits and signing bonuses. Colfax County has indicated that they obtained grant funding to implement their recruitment strategy and intend to continue obtaining staff from RPD and other local agencies unabated. City Manager Berry reviewed the current wage salary schedules for a number of local law enforcement agencies and is focused on improving RPD's ability to recruit and also retain current officers and staff. The recommendation was for an increase to RPD officers represented by the Raton Police Officer's Association of 14% from the wage schedule under the currently effective Collective Bargaining Agreement. With this increase, the RPD wage range would increase to \$24.67 to \$29.90. Additionally, the recommendation is for a 14% increase to telecommunicators

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and non-represented officers and staff. A motion was made by Commissioner Donald Giacomo to approve the Ratification of Union Contract between the City of Raton and the Raton Police Officers Association. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

L. CITY MANAGER REPORT

- City Manager Berry reported the Legislative Session will adjourn March 18th, and that the Governor must act on all the legislation within twenty days or it's pocket vetoed. Following the NMML will provide a legislative summary and evaluate the impact on local government.
- City Manager Berry reported HB-505 Capital Outlay Bill has reached the Senate Floor. The bill includes the Bartlett Mesa Acquisition \$564,000 request and a Public Works Equipment \$60,000 request.
- City Manager Berry reported HB-547 has over twenty changes to it. The most significant is the decrease in the state GRT rate, from 5.0% to 4.50% which would go into effect on July 1, 2023, and will reach 4.375% in FY27 if approved. The rate reduction will not impact local governments, municipalities will still receive the 1.225% state share distribution of GRT.
- City Manager Berry reported he submitted the Cooperative Funding request and the Municipal Arterial request to the New Mexico Department of Transportation on behalf of the City of Raton.
- City Manager Berry reported he has submitted Congressional Directed Funding Requests to Senator Heinrich & Representative Leger-Fernandez for a couple of qualifying projects.
- City Manager Berry reported he will be submitting some additional requests to Senator Lujan's office and that the deadline to submit is by close of business tomorrow.
- City Manager Berry reported he will be submitting a Congressionally Directed Spending Request to the NM Delegation for activities involving I-27 for project definition, alternative identification and screening, detailed alternative analysis, environmental documentation and preliminary design. The total appropriation requested is \$2,000,000.

VII. ADJOURNMENT:

The meeting adjourned at 7:05 p.m.

CITY OF RATON


James Neil Segotta Jr., Mayor

ATTEST:

Michael Anne Antonucci, City Clerk