



**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, MARCH 24, 2020 AT 6 PM**

**I. CALL TO ORDER:**

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

**II. ROLL CALL/ATTENDANCE:**

Answering roll call was: Mayor Neil Segotta, Mayor Pro-tem Schuster and Commissioners: Lori Chatterley, Ron Chavez and Don Giacomo. Also present were City Manager Berry, Clerk/Treasurer Michael Anne Antonucci, Jessica Barfield, Jason Phillips and Dan Campbell. There were no visitors due to the COVID -19 restrictions on mass gatherings. The following RPS Board Members were present via conference call: Kathy McQueary, David Swanson and Frank Ferri. Also participating via conference call was AJ Bowers with Carr, Riggs and Ingram accounting firm.

**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 April 10, 2020 in Observance of Good Friday
- Next Regular Commission Meeting Tuesday, April 14, 2020 at 6 p.m.

**V. COMMITTEE REPORTS FROM COMMISSIONERS:**

Commissioner Lori Chatterley reported that the Outdoor Recreation Task Force met on February 27<sup>th</sup> and reported they are working on a google doc with ideas to pass along to the City. She also attended the Senior Center AAA site assessment meeting held on March 3<sup>rd</sup> and the Lodgers' Tax Advisory Board marketing plan presentation. Commissioner Chatterley reported that she attended the Comprehensive Plan meeting at the Convention Center on March 6<sup>th</sup>. She also attended the Senior Citizens Board meeting on March 24<sup>th</sup> and reported that a new board member was appointed from Cimarron and they received federal funding that was promised from last year. She also reported that Senior Centers have been mandated to be closed until April 30<sup>th</sup> as a result of the COVID-19 emergency but will still provide home delivered and drive thru meals along with limited transportation and other essential services. They are also anticipating state budget changes that will trickle down and reflect as possible local budget cuts next fiscal year. She reported that only 21% of people over 60 are taking advantage of senior services and recommended that seniors call their local centers to register.

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, MARCH 24, 2020 (Cont.)**

Commissioner Chatterley reported that she will participate in a NCNMEDD zoom video conference on March 26<sup>th</sup>.

Commissioner Giacomo attended the Library Board meeting held on March 17<sup>th</sup> and reported on the January and February statistics. He also attended the RPS Board meeting held on February 26<sup>th</sup> and reported that they reviewed the financials and approved the Burro Canyon Line Inspection Proposal. He also noted that Business Office Manager Jessica Gonzales was leaving and that the position was advertised. Commissioner Giacomo reported that 205 new meters have been installed and that Unit #4 run time was limited.

Commissioner Chavez attended the Water Board meeting held on March 23<sup>rd</sup> and reported that the board reviewed the financials, passed a resolution waiving convenience fees on credit card utility payments and extended the disconnect deadline during the COVID-19 emergency. They also went into closed session under limited personnel matters for the General Manager evaluation. The board returned to open session and approved taking General Manager Terry Sykes off of probationary status after being with Raton Water Works 6 months.

Mayor Pro-tem Schuster reported that she was unable to attend the Water Board meeting but attended the Housing Authority Board meeting. She reported that the Housing Authority, as a result of COVID-19, will close their office to public access. She then read a statement issued by the Raton Housing Authority and reported that they will be serving free breakfast and lunch for kids that are no longer in school during the crisis. Mayor Pro-tem Schuster reported that the Raton Chamber sent out a notice to members that the current board members will be stepping down at the end of the month and that the Chamber will become inactive.

Mayor Segotta reported that he attended the National League of Cities conference recently in Washington D.C. and met with the New Mexico delegation to discuss moving the boundary for the opportunity zone, rural broadband, infrastructure needs and senior citizen services.

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

***A. Approval of March 10, 2020 Regular Commission Meeting Minutes***

A motion was made by Mayor Pro-tem Schuster to approve the March 10, 2020 Regular Commission Meeting Minutes. The motion was seconded by Commissioner Chavez and carried 5-0 with a roll call vote of "yes" from each Commissioner.

***B. Presentation of FY19 Final Audit Reports by Carr, Riggs and Ingram.***

AJ Bowers with Carr, Riggs and Ingram was unable to attend the meeting in person due to the COVID-19 restrictions but presented the final approved audit report via telephone which is allowable as a result of changes that were made to the State Audit Rule this year. Mr. Bowers provided the Commission with a PowerPoint presentation and reported that an unmodified opinion was issued for the City of Raton and Raton Public Service FY19 audit reports which is the best opinion available. He noted that there were no findings under the yellow

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, MARCH 24, 2020 (Cont.)**

book and that the City had four (4) findings and RPS two (2) findings which are considered other matters or other non-compliance which are not reported in other states; however, New Mexico requires that all findings must be reported. Mr. Bowers also reported that there were no federal single audit findings. He then reviewed the statement of net position, assets, liabilities and net pension liabilities and reported that the Income Statement revenues and expenses were consistent with a 5-year trend and that cash balances showed consistent growth over a 5-year period with revenues outpacing expenditures. Mr. Bowers also gave an overview of upcoming standards under GASB No. 84 Fiduciary Funds and GASB No. 87 which will account for all leases as capital leases. Mr. Bowers thanked the City Staff and stated that it had been a pleasure working with the City of Raton. The audit rule only allows a firm to do a City's audit for 6 consecutive years. As a result, the City of Raton will have to seek services from another firm for the FY20 audit.

***C. Deliberate and Act on Resolution 2020-16: Acceptance and Approval of the FY19 Audits for the City of Raton/Raton Water Works and Raton Public Service Company.***

A motion was made by Commissioner Chatterley to approve Resolution 2020-16 Accepting and Approving the FY19 Audits for the City of Raton/Raton Water Works and Raton Public Service Company. The motion was seconded by Commissioner Giacomo and carried 5-0 with a roll call vote of "yes" from each Commissioner.

***D. Deliberate and Act on Proposal/MOU between the City of Raton and The Center for Community Innovation for Tourism Coordinator.***

City Manager Berry reported that the Raton Chamber issued a notice that they will become inactive as of March 31<sup>st</sup>. He thanked the Chamber of Commerce for maintaining the visitor center and providing services to the visitors. City Manager Berry reported that the City Economic Development Director's office is located at the Visitor Information Center. He then presented a proposal from The Center for Community Innovation and a MOU to pay them \$2,500 per month for tourism promotion services. City Manager Berry stated that the VIC still has a very solid foundation of about 27 volunteers and that he is confident that Caleb and Penny Sue can keep the operations going. He also stated that he sees the collaboration with other groups growing. A motion was made by Commissioner Chatterley to approve the MOU between the City of Raton and The Center for Community Innovation for Tourism Coordinator. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with a roll call vote of "yes" from each Commissioner.

***E. Deliberate and Act on Lodgers' Tax Non-Promo Fund Request to Cover Expenses for Visitor Information Center Re-Branding and Marketing Materials.***

Economic Development Director Jessica Barfield gave an overview of visitors per calendar year. She also reported that they are looking to bring in passive income to assist with the operational expenses by adding vending machines and will create ad packages, vinyl displays and rebrand the marketing materials. She stated that she is requesting \$5,000 from the Lodgers' Tax

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, MARCH 24, 2020 (Cont.)**

Non-Promo fund for these expenses. She also noted that the long-term goal would be to request a recommendation from the Lodgers' Tax Advisory Board for an annual print budget from the Promotional Fund. A motion was made by Commissioner Chatterley to award \$5,000 for Expenses for Visitor Information Center Re-Branding and Marketing Materials. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with a roll call vote of "yes" from each Commissioner.

**F. *Deliberate and Act on Memorandum of Understanding Between the City of Raton and Grow Raton for Office Space at the Visitor Center.***

City Manager Berry stated that he has had contact with GrowRaton and that they have received a grant for staff and that they are requesting office space at the Visitor Information Center. He also noted that the MOU would be for a one-year term 4/1/202 – 3/31/2021 and outlines the services that they would provide to the community. Economic Development Director Jessica Barfield provided history of the idea for shared space with multiple organizations and stated that she sees it as a way to collaborate and coordinate economic development efforts in one location. Discussion followed regarding the possibility of doing an addendum to the MOU with The Center for Community Innovation to allow them to sublease space to GrowRaton. City Manager Berry stated that he would do additional work on this and bring back an addendum at the next meeting for approval. A motion was made by Mayor Pro-tem Schuster to approve the City Manager to prepare an addendum to the MOU with The Center for Community Innovation. The motion was seconded by Commissioner Chatterley and carried 5-0 with a roll call vote of "yes" from each Commissioner. Mayor Segotta then stated that they still needed to address action on item F. A motion was made by Commissioner Chatterley to table item F. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with a roll call vote of "yes" from each Commissioner.

**G. *Discussion on Chamber of Commerce Billboard Contract with Lindmark.***

City Manager Berry introduced the item for discussion and explained that the Chamber is requesting that the City of Raton assume the remainder of the term of the contract for their billboard located in Capulin and that he is asking the Commission for direction. The billboard currently advertises the Raton Visitor Center and is about \$315 a month plus tax. The current contract ends May 2, 2020. City Manager Berry stated that he has not spoken to Lindmark yet but would bring a proposal back to the Commission for consideration if there is interest in doing so. Commissioner Chatterley stated that she feels this is a great billboard in a good location and that it could easily be rebranded. She also questioned whether this would need to go before the Lodgers' Tax Advisory Board first. Jessica Barfield stated that the Lodgers' Tax Board had not met for a while and that this was brought directly to the Commission because of the timing needed for approval. City Manager Berry stated that typically the City would seek recommendation from the board when it is promotional funds but also noted that the board currently has 2 vacancies and that the city is seeking to fill those as quickly as possible since it is difficult to insure a quorum at this time if one of the three members is unable to attend. A brief discussion followed with interest expressed by the

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, MARCH 24, 2020 (Cont.)**

Commission for City Manager to bring back a proposal for rebranding and the costs for a 1, 2 or 3 year contract.

**H. *Deliberate and Act on Engineering Contract Between the City of Raton and Engineering Analytics for CDBG Downtown Infrastructure Project***

City Manager Berry reported that DFA visited Raton recently and were very complimentary of the City's management of previous projects. Public Works Director Jason Phillips reviewed the proposed Engineering contract for the amount of \$92,000 plus NMGRT and noted that Engineering Analytics was selected by the evaluation committee. A motion was made by Commissioner Chatterley to approve the contract contingent upon DFA concurrence. The motion was seconded by Commissioner Giacomo and carried 5-0 with a roll call vote of "yes" from each Commissioner.

**I. *Deliberate and Act on Great Blocks Task Order for Engineering Analytics On-Call Contract.***

Public Works Director Jason Phillips presented the task order for \$80,600 plus NMGRT awarded under the on-call engineering contract and further noted that the proposal was less than 10% of the total cost of the project. City Manager Berry stated that Engineering Analytics would be using the same team as the previous phases of the project and that he is not sure how many bids will be received. He also commented on the strength of the partnership with Raton MainStreet. A motion was made by Mayor Pro-tem Schuster to approve the Great Blocks Task Order for Engineering Analytics On-Call Contract. The motion was seconded by Commissioner Giacomo and carried 5-0 with a roll call vote of "yes" from each Commissioner.

**J. *Deliberate and Act on Gordon Environmental Proposal for 2020 Environmental Monitoring/Reporting Services.***

City Manager Berry stated that the services provided were related to the closure phase of the landfill and the required monitoring for 30 years. Public Works Director Jason Phillips stated that this is a post closure requirement and that the proposal is for the amount of \$28,900 plus NMGRT. A motion was made by Commissioner Chavez to approve the Gordon Environmental Proposal. The motion was seconded by Mayor Pro-tem Schuster and carried 5-0 with a roll call vote of "yes" from each Commissioner.

**K. *Deliberate and Act on Mechanical Engineering Services for Convention Center Heating System***

City Manager Berry introduced the item and stated that the City has had known issues with the boiler at the Convention Center for several years and that the pipes and pumps are about 30 years old. City Manager Berry stated that they are looking to package this into a larger project that could cost around \$100,000 to be paid from the Lodgers' Tax Non-Promo Fund. City Manager Berry also noted that they are currently unable to regulate the heat and cooling in the building and that the system needs to be replaced for energy efficiency and reliability. City Manager Berry recommended approval of the proposal from HIGHTECH E&D LLC for Mechanical Engineering

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, MARCH 24, 2020 (Cont.)**

Services in the amount of \$13,900 plus NMGR. A motion was made by Commissioner Giacomo to approve the proposal for Mechanical Engineering Services for the Convention Center Heating System. The motion was seconded by Commissioner Chatterley and carried 5-0 with a roll call vote of "yes" from each Commissioner.

***L. Deliberate and Act on Resolution 2020-17 to Waive Convenience Fees on Credit Card Utility Payments and by Telephone and extend Disconnections during COVID-19 Emergency.***

City Manager Berry stated that businesses and residents have both been impacted as a result of the COVID-19 situation. As a result, Raton Water Works approved a similar resolution and RPS will adopt one at their next meeting to waive convenience fees on credit card utility payments and by telephone and extend the disconnect deadline during the COVID-19 emergency. Dan Campbell with Raton Water Works was present and stated that the resolution will be put in place to encourage citizens to pay via credit card since both office windows are currently closed to the public and that this action will temporarily waive convenience fees applicable to refuse, electric and water. Commissioner Chatterley suggested that the word quarantines in the last paragraph should be changed to orders. A motion was made by Mayor Pro-tem Schuster to approve Resolution 2020-17 as revised to Waive Convenience Fees on Credit Card Utility Payments and by Telephone and Extend Disconnections during COVID-19 Emergency. The motion was seconded by Commissioner Giacomo and carried 5-0 with a roll call vote of "yes" from each Commissioner.

***M. Deliberate and Act on Resolution 2020-18: Creating a Business Micro Loan Emergency Fund due to COVID-19.***

City Manager Berry stated that his personal observation of local businesses when he was young was more national retailers and less mom and pop but now the national retail chains are leaving. City Manager Berry stated that so far, Raton has not had a case but that he is concerned that the restrictions will impact businesses in Raton and that many of them can't sustain for very long. He also stated that the City is looking to provide information on state and federal resources in addition to creating a local micro loan emergency fund. City Manager Berry stated that he is asking the Commission for direction to formulate a targeted disaster assistance loan program for affected businesses and noted that due diligence will need to be taken to have a legal review of the proposed funding. He noted that the resolution would authorize and establish a budget of \$20,000 and also cautioned that there is risk associated with lending out the funds. Discussion followed regarding the impact the health emergency could have on local businesses and that some may never open again. Economic Development Director Jessica Barfield was present and stated that her efforts have shifted from recruiting businesses to retention of our local businesses. She also stated that she spoke to Mark Roper with NMEDD and that he said the City could offer micro loans but that it could not be a grant program which would be considered anti-donation. She also noted the suggested repayment term would be 2-4 years with a monthly payment close to \$100 a month and a 1% interest rate. Local businesses can also apply for an SBA loan, however the criteria will be more restrictive based on the

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, MARCH 24, 2020 (Cont.)**

number of employees. A motion was made by Mayor Pro-tem Schuster to approve Resolution 2020-18: Creating a Business Micro Loan Emergency Fund Due to COVID-19. The motion was seconded by Commissioner Chatterley and carried 5-0 with a roll call vote of "yes" from each Commissioner.

**N. Deliberate and Act on Resolution 2020-19: FY20 Budget Adjustment #10**

Clerk/Treasurer Antonucci presented the budget adjustment and reported that Small Cities Assistance received was \$124,203 more than was budgeted which will luckily help offset a decline in gross receipts. She also noted that the budget adjustment included a transfer from the General Fund to fund the micro-loan program and an increase in the firework show Lodgers' Tax Non-promo line item to cover the increased costs of contracting with a vendor to do the show. Clerk/Treasurer Antonucci also stated that the budget adjustment included the funds approved for the Raton Visitor Center rebranding and a line item adjustment to cover the costs to upgrade the Code Enforcement software. A motion was made by Commissioner Chatterley to approve Resolution 2020-19: FY20 Budget Adjustment #10. The motion was seconded by Commissioner Giacomo and carried 5-0 with a roll call vote of "yes" from each Commissioner.

The City Commission took a 3-minute recess and the meeting reconvened at 8:09 p.m.

**O. City Manager's Report.**

- Reported that he appointed Fire Chief Chris Espinoza to serve as the Chief Public Information Officer during the COVID-19 Health Emergency with assistance from Anthony Burk and Dusty Russell.
- Reported that the Library is closed and that the windows at City Hall, RPS and Raton Water Works are closed to the public but that office staff are still working. The Recreation Center, Convention Center and Shuler are closed until further notice.
- Announced that the City is available for whatever the needs of the community are. He also noted that City personnel are considered essential and that he does not anticipate any interruption in critical City services.
- City Manager Berry stated that the City has identified economic recovery as a priority.
- Announced that Deputy Clerk Robyn Osborn has taken a position with Raton Public Service and expressed thanks for her dedicated service. He also noted that she was an important member of the City team and will be missed.
- Reported that the Water Quality Control Board met on March 10, 2020 and gave approval to the proposed temporary standard for Raton Water Works and that it will now go to the U.S. EPA for approval.
- Reported that he recently attended the Affordable Housing Plan meeting.
- Announced that the deadline for the Comprehensive Plan surveys is March 25th.
- Reported that Pat Walsh may attend a future meeting regarding the recent pit bull attack and that he invited her and other citizens to meet with him to discuss their concerns. He also noted that the City is evaluating the dog attack internally.

**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, MARCH 24, 2020 (Cont.)**

Commissioner Chatterley read a message of positivity and told citizens that it is still ok to be outside and that the public health orders are available online. She also cautioned citizens to avoid rumors, shop locally and to reach out with technology. Mayor Pro-tem Schuster urged citizens to wash their hands and not to hoard. City Manager Berry also urged citizens to support our local businesses.

**VII. ADJOURNMENT:** The meeting adjourned at 8:28 p.m.

**ATTEST:**

  
Michael Anne Antonucci, City Clerk

**CITY OF RATON**

  
James Neil Segotta Jr., Mayor