



MINUTES OF THE REGULAR RATON CITY COMMISSION
MEETING HELD ON TUESDAY, APRIL 11, 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, City Clerk Michael Anne Antonucci, and 18 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:

- **All City Offices will be Closed Friday, April 7th in Honor of Good Friday**
- **Public Notice:** A potential Quorum of the City Commission may attend the City of Raton Town Hall Meeting on April 20, 2023 at 6:00 p.m. at the Raton Convention Center
- **Next Regular Commission Meeting Tuesday, April 25, 2023 at 6:00 p.m.**
- **Proclamation: Telecommunicators Week, April 9-15, 2023**

V. Items from Citizens Present:

Public citizen Amber Sintas addressed the Commission regarding the Raton High School senior banners that are hung in the Raton downtown area. Her son lives in Raton but attends school in Maxwell. She feels she should be able to purchase a banner in recognition of his accomplishment and have it hung with the Raton High School senior banners. Jason Phillips, President of the Raton School Board, stated it is a Raton High School tradition and he feels it should remain strictly for the Raton High School seniors. The Commission expressed having understating on both viewpoints. No action was taken.

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. PRESENTATION FY22 Approved Audit Reports by SJT Group, LLC

Michael Anne Antonucci stated this is the first year working with SJT Group, LLC and that she is wanting to start the FY23 Audit sooner, which she feels

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will be a better process. She noted that the public may access the final audit report on the City of Raton website at ratonnm.gov or on the State Auditor's website at www.saonm.org. SJT Group, LLC Engagement Team Leader, Jeremiah Armijo, CPA went over the FY22 audits for the City of Raton and Raton Public Service Company. He went over the Service Team, Management Responsibilities, Auditor's Responsibilities, Required Communications, and the Audit Results. No action was taken.

B. *DELIBERATE AND ACT on Resolution 2023-14: Acknowledgement of FY22 Audit*

A motion was made by Commissioner Ronald Chavez to approve Resolution 2023-14: Acknowledgement of FY22 Audit. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

C. *DELIBERATE AND ACT on Approval of March 28, 2023 Regular Meeting Minutes*

A motion was made by Commissioner Lori Chatterley to approve the March 28, 2023 Regular Meeting Minutes with one minor correction. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

D. *DELIBERATE AND ACT on SkillSharp – Continuum Coordinator, Danielle Vanderpool*

Continuum Coordinator Danielle Vanderpool stated the Pilot Project was started in 2021 and has advanced to Career Pathways, which can be accessed on any device and can be done in the comfort of your own home. The Metrix Learning program offers over 6,000 free courses and Individual Assessments, Certifications, Classes in Specific Fields, Support and Help, Pre-Tests/Post Tests, Individual Courses and Career Pathways. The Commission commended Continuum Coordinator Vanderpool on her success with the SkillSharp program. No action was taken.

E. *INTRODUCTION OF ORDINANCE No. 1022 Authorizing the Lease of the Coors Building Real Estate to Moss Adventures, LLC as Authorized by the New Mexico Metropolitan Redevelopment Code; NMSA Chapter 3, Article 60A, 1 through 48 (inclusive), and the 2015 Raton Downtown Master Plan / MRA Designation Report*

City Manager Scott Berry stated this has been discussed at a previous meeting and the RFP was issued under the Metropolitan Redevelopment Code. He noted that this is the first MRA Project the City of Raton has had. Moss Adventures, LLC proposed a multi-purpose adventure center, screen-printing shop and a hostel-style accommodation and were selected unanimously by the proposal committee. A motion was made by Commissioner Lori Chatterley to approve the Introduction of Ordinance No. 1022 Authorizing the Lease of the Coors Building Real Estate to Moss Adventures, LLC as Authorized by the New Mexico Metropolitan Redevelopment Code; NMSA Chapter 3, Article 60A, 1 through 48 (inclusive), and the 2015 Raton Downtown Master

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Plan/MRA Designation Report. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting “aye”.

F. DELIBERATE AND ACT on Board Appointments – Extraterritorial Zoning Commission

City Manager Scott Berry stated there is a Joint Powers Agreement between the City of Raton and Colfax County. The agreement states that the City of Raton and Colfax County are to appoint two board members each to the ETZ board and those four board members are to appoint the fifth member. City Manager Berry stated due to the passing of long-time board member Mr. Charles Hyde, the board has recommended Mr. Michael S. Pais. A motion was made by Mayor Neil Segotta to approve the Board Appointment – Extraterritorial Zoning Commission. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting “aye”.

G. DELIBERATE AND ACT on Award of RFP for On-Call Civil Engineering Services

City Manager Scott Berry stated the City of Raton received and opened four proposals on March 6, 2023 regarding the On-Call Engineering services contract. The proposals were evaluated and scored by an evaluation committee who unanimously selected Engineering Analytics, Inc as the highest-ranking responding firm. City Manager Berry noted that this is a master service agreement and that any scope of work would be brought to the Commission for approval. After a brief discussion, a motion was made by Commissioner Lori Chatterley to approve the Award of RFP for On-Call Civil Engineering services. The motion was seconded by Mayor Neil Segotta and carried 5-0 with all voting “aye”.

H. DELIBERATE AND ACT on Resolution 2023-16: Grant of Easements to InBank; adjacent to Lots 10, 11, & 12, Block 10 of the Original Townsite

City Manager Scott Berry stated this resolution is related to encroachments identified by a recent title search of the Yucca Hotel Bank Sign that extends over the City Right of Way and HVAC structure in alley. It was determined that the encroachments have existed for an extended period, are not hazardous, offensive or obstructive, and are supportive of public efforts related to economic development and downtown revitalization. A motion was made by Commissioner Ronald Chavez to approve Resolution 2023-16: Grant of Easements to InBank; adjacent to Lots 10, 11 & 12, Block 10 of the Original Townsite. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting “aye”.

I. DELIBERATE AND ACT on Construction Contract between the City of Raton and H.O. Construction for the I-25 East Frontage Road Reconstruction Project

City Manager Scott Berry stated the City Commission had previously awarded the construction contract to H.O. Construction and that the bid received was over budget and that some negotiations would be required to stay within the \$1,442,000 budget. The contract presented exceeds the budget amount by about \$78,000 due to the need for concrete light bases, electrical conduit, and

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thicker asphalt. The Raton Public Service Co. has agreed to fund the light bases, electrical conduit, and some additional work to the lighting system in the amount of \$50,400. After deliberating and reviewing the project, City Manager Berry requested additional funding in order to increase the thickness of the asphalt to 3” for an additional amount of \$28,000 from the street fund. A motion was made by Commissioner Lori Chatterley to approve the Construction Contract between the City of Raton and H.O. Construction for the I-25 East Frontage Road Reconstruction Project. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting “aye”.

**J. *DELIBERATE AND ACT on NMDOT Grant Agreement No. RTN-23-02
New Electric Vault Design***

City Manager Scott Berry stated this is regarding a grant offer from NMDOT Aviation Division for the engineering design of the Raton Municipal Airport new electric vault, due to safety and reliability issues. City Manager Berry noted that the City of Raton is anticipating funding for 90% of the project from the Federal Aviation Administration. The grant offer from the NMDOT Aviation Division states that the City of Raton would be responsible for \$822 (from the general fund), the NMDOT Aviation Division would be responsible for \$7,399 and the Federal Aviation Administration would be responsible for \$73,988. A motion was made by Commissioner Donald Giacomo to approve NMDOT Grant Agreement No. RTN-23-02 New Electrical Vault Design Authorizing City Manager Berry to execute using DocuSign. The motion was seconded by Mayor Neil Segotta and carried 5-0 with all voting “aye”.

**K. *DELIBERATE AND ACT on NMDOT Grant Agreement No. RTN-23-03
Taxiway B Reconstruction Design Services***

City Manager Scott Berry stated this is regarding a grant offer from NMDOT Aviation Division for the reconstruction design of Taxiway Bravo which is a current priority. City Manager Berry noted that the City of Raton is anticipating funding for 90% of the project from the Federal Aviation Administration. The grant offer from the NMDOT Aviation Division states that the City of Raton would be responsible for \$1,221, NMDOT Aviation Division would be responsible for \$10,994 and the Federal Aviation Administration would be responsible for \$109,933. A motion was made by Commissioner Ronald Chavez to approve the NMDOT Grant Agreement No. RTN-23-03 Taxiway B Reconstruction Design Services authorizing City Manager Berry to execute using DocuSign. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting “aye”.

**L. *DELIBERATE AND ACT on Resolution 2023-17: Transportation Project
Fund Application for Second Street Improvement Project***

City Manager Scott Berry stated this is the time of year when several grant applications are submitted to the Transportation Project Fund. Public Works Director Jason Phillips stated the request is for the Second Street Improvement Project which is the entire North/South Second Street which is designated DOT Highway. The application is for wheelchair ramps, heaving pavement, roadway milling and replacement, crack sealing, and routine

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maintenance. The total cost of the project will be \$900,523.48. The New Mexico Department of Transportation's share would be \$855,497.31 and the City of Raton's share would be \$45,026.17. A motion was made by Commissioner Lori Chatterley to approve Resolution 2023-17: Transportation Project Fund Application for Second Street Improvement Project. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

M. DELIBERATE AND ACT on Resolution 2023-18: Match Waiver Request for Second Street Improvement Project

Public Works Director Jason Phillips stated this is a request for a match waiver from the Transportation Project Fund for the Second Street Improvement Project which would provide the City of Raton's proportional match share of \$45,026.17 if approved. A motion was made by Commissioner Lori Chatterley to approve Resolution 2023-18: Match Waiver Request for Second Street Improvement Project. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

N. DELIBERATE AND ACT on Resolution 2023-19: Transportation Project Fund Application for SAD 18 Street Reconstruction Project

Public Works Director Jason Phillips stated this application is for the Special Assistant District consisting of Turnesa Street, Hogan Street and Arnold Street which are all requiring reconstruction. The total cost of the project will be \$1,200,000. The New Mexico Department of Transportation's share would be \$1,140,000 and the City of Raton's share would be \$60,000. A motion was made by Commissioner Lori Chatterley to approve Resolution 2023-19: Transportation Project Fund Application for SAD 18 Street Reconstruction Project. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

O. DELIBERATE AND ACT on Resolution 2023-20: Match Waiver Request for SAD 18 Street Reconstruction Project

Public Works Director Jason stated this is a request for a match waiver from the Transportation Project Fund for the SAD 18 Street Reconstruction Project which would provide the City of Raton's proportional match share of \$60,000 if approved. A motion was made by Commissioner Lori Chatterley to approve Resolution 2023-20: Match Waiver Request for SAD 18 Street Reconstruction Project. The motion was seconded by Commissioner Neil Segotta and carried 5-0 with all voting "aye".

P. DELIBERATE AND ACT on Resolution 2023-21: Transportation Projects Fund Application for Small Bridge Replacement Project

Public Works Director Jason Phillips stated this application is for two bridges on Railroad Avenue and a third bridge on Shuler Street which were all built around the same time frame and are passed their useful life. The total cost of the project will be \$531,325.25. The New Mexico Department of Transportation's share would be \$505,758.99 and the City of Raton's share would be \$26,566.26. A motion was made by Commissioner Lori Chatterley

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to approve Resolution 2023-21: Transportation Projects Fund Application for Small Bridge Replacement Project. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

Q. *DELIBERATE AND ACT on Resolution 2023-22: Match Waiver Request for Small Bridge Replacement Project*

Public Works Director Jason stated this is a request for a match waiver from the Transportation Project Fund for the Small Bridge Replacement Project which would provide the City of Raton's proportional match share of \$26,566.26 if approved. A motion was made by Commissioner Ronald Chavez to approve Resolution 2023-22: Match Waiver Request for Small Bridge Replacement Project. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

R. *DELIBERATE AND ACT on Amendment of Juvenile Justice Grant Budget Adjustment Request No. 2*

City Clerk Michael Anne Antonucci stated the City of Raton Continuum Advisory Board met on March 14, 2023 and approved an increase of \$475 for the Youth Expenditure line item and a decrease to the Coordinator Travel line item due to no required travel remaining in Fiscal Year 2023. The Boys Council Program timeline suggests that 60 groups need to be served by June 2023 requiring an increase to ensure the groups may be fulfilled successfully. An amount of \$475 from the Coordinator Travel line item and \$9,900 from the Girls Circle line item, a total of \$10,375 will be decreased, adding \$475 to the Youth Sub Committee and \$9,900 to the Boys Council which balances the funding for the second budget adjustment request in Fiscal Year 2023. A motion was made by Mayor Neil Segotta to approve the Amendment of Juvenile Justice Grant Budget Adjustment Request No. 2. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

S. *DELIBERATE AND ACT on Resolution 2023-23: Budget Adjustment #13 FY23*

City Clerk Michael Anne Antonucci went over the budget adjustment requests in the General Fund line item, Street Improvement Fund line item, Juvenile Justice Grant line item, NMDOT Capital Projects line item, NMED Debt Service line item and the Sanitation Fund line item. After a brief discussion, a motion was made by Commissioner Lori Chatterley to approve Resolution 2023-23: Budget Adjustment #13 FY23. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

T. *CITY MANAGER REPORT*

- City Manager Berry reported there was a zoom conference today with the NMML giving a summary of this year's Sixty-Day Legislative Session and bills passed. HB2 appropriated 55 million dollars for Airport Projects, and it also appropriated 100 million for Law Enforcement and the City of Raton will be looking into some of that funding available. HB505 was signed by the Governor for the

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\$564,000 for the Bartlett Mesa Acquisition and the \$60,000 for Public Works Equipment purchase which should be available in the new Fiscal Year.

- City Manager Berry reported the Sugarite Avenue Project construction has commenced and will continue through the summer. He asked the public to exercise caution when in that area.
- City Manager Berry reported there is a Town Hall meeting at the Raton Convention Center on April 20th at 6:00 p.m. and urged the public to attend and present any questions, recommendations, or concerns.
- City Manager Berry reported it is Fire Season yet again and cautioned the public to be mindful due to the current dry conditions.
- Commissioner Lori Chatterley reported she will be attending the New Mexico Municipal League District Meeting on Monday and is needing a voting delegate. It was decided City Manager Berry will be the voting delegate.

VII. ADJOURNMENT:

The meeting adjourned at 8:11 p.m.

CITY OF RATON


James Neil Segotta Jr., Mayor

ATTEST:

Michael Anne Antonucci, City Clerk