



**MINUTES OF THE REGULAR RATON CITY COMMISSION**  
**MEETING HELD ON TUESDAY, JUNE 27, 2023 AT 6 PM**

**I. CALL TO ORDER:**

Mayor Neil 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 Neil Segotta and Mayor Pro-tem Linde' Schuster. Commissioners: Ronald Chavez, Donald Giacomo and Lori Chatterley. Also present were City Manager Scott Berry, City Clerk Desire'e Trujillo, City Treasurer Michael Anne Antonucci, and about 40 visitors.

**III. MAYOR SEGOTTA 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, July 11, 2023 at 6:00 p.m.
- All City Offices will be Closed Tuesday, July 4<sup>th</sup> in Honor of Independence Day

**V. ITEMS FROM CITIZENS PRESENT:** Several citizens showed up in support of the Raton Fire & Emergency Services employees and their pay wages. Elizabeth Hampl, Ed Herbold, and NMPFFA Eutimis Ortiz were selected to speak on behalf of the Raton Fire & Emergency Services and the citizens present. They all addressed the fact that they feel the Raton Fire & Emergency employees aren't compensated enough through their pay and benefits for the dangerous risks they take in their line of work in comparison to other Fire & Emergency Services. City Manager Scott Berry stated the City of Raton has compared the pay wages with other Fire & Emergency Services and that the wages are competitive. He noted that the Raton Fire & Emergency Services are a union represented group and that their wages are decided under a Collective Bargaining Agreement and that they are directly involved in the decision making process. He also noted that they don't have a regular forty-hour per week work schedule, but actually have a Kelly Shift Schedule which is specific to emergency workers. He cautioned the Commission on entering into discussion on the matter, due to the wages being agreed upon under a Collective Bargaining Agreement. No action was taken.

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**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 June 13, 2023 Regular Meeting Minutes***

A motion was made by Commissioner Lori Chatterley to approve the June 13, 2023 Regular Meeting Minutes. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

**B. *DELIBERATE AND ACT on Lodgers' Tax Advisory Board Recommendations***

City Manager Scott Berry stated the Lodgers' Tax Advisory Board met on June 21<sup>st</sup> and recommended to the City Commission that \$19,050 be awarded to the Run to Raton for music bands, security, sanitation, radio ads, insurance, a print ad in Visitors Guide, raffle tickets and online ads from the Contingency Fund. A motion was made by Commissioner Ronald Chavez to approve the Run to Raton Lodgers' Tax Recommendation. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

They recommended \$5,007 be awarded to Discovery Map International for 10,500 City of Raton Discovery Maps for the Tourist Information Center from the Print Advertisement Fund. A motion was made by Commissioner Lori Chatterley to approve the Discovery Map International Lodgers' Tax Recommendation. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with all voting "aye".

They Recommended \$7,890 be awarded to Phillips Broadcasting for 1,052 City of Raton Event Ads on three (3) radio stations, app ads, website ads, and social media ads for FY24 from the Radio Ads Fund. A motion was made by Commissioner Ronald Chavez to approve the Phillips Broadcasting Recommendation. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

They recommended \$11,876 be awarded to the Center for Community Innovation for a Pledge of Matching Funds for the NM True Coop Marketing Grant from the Contingency Fund. A motion was made by Commissioner Donald Giacomo to approve the Center for Community Innovation Lodgers' Tax Recommendation. The motion was seconded by Commissioner Lori Chatterley and carried 4-0 with all voting "aye". Mayor Pro-tem Linde' Schuster abstained from the vote due to sitting on the Center for Community Innovation Board.

**C. *DELIBERATE AND ACT on Agreement Between the City of Raton and GrowRaton***

City Manager Scott Berry stated the City Commission heard GrowRaton's request for Economic Development Funding in April during the budget discussion. The request has been included in the FY24 Budget in the amount of \$25,000 from the Economic Development Increment. The proposed agreement is for a monthly payment of \$2,083.33 to GrowRaton for economic

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development services upon submission of an invoice, not to exceed \$25,000. A motion was made by Commissioner Ronald Chavez to approve the Agreement Between the City of Raton and GrowRaton. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

**D. *DELIBERATE AND ACT on Award of RFP for Girls Circle/Boys Council Youth Services***

City Treasurer Michael Anne Antonucci stated it was recommended to split the Restorative Justice and the Girls Circle/Boys Council Services into two separate RFP's. Proposals were solicited for interested parties to provide direct youth services for these programs and were due by 5:00 p.m. on June 20, 2023. The Restorative Justice RFP didn't receive any proposals and will be solicited again beginning on Thursday, June 29<sup>th</sup>. The Girls Circle/Boys Council RFP received one proposal from Youth Heartline. The proposal was reviewed by the Chief Procurement Officer and reviewed by a committee consisting of Continuum Advisory Board members. It was determined that Youth Heartline meets all criteria to be considered a responsive proposer. Based on the proposal City Treasurer Antonucci recommended award of the \$110,385 sub-contract to Youth Heartline. The award of the sub-contract is also contingent upon receiving written approval from CYFD per grant agreement 21-690-200-20841-5. A motion was made by Mayor Pro-tem Linde' Schuster to approve the Award of RFP for Girls Circle/Boys Council Youth Services. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

**E. *DELIBERATE AND ACT on BID Award for Giordano Building Demolition Project***

City Manager Scott Berry stated this building is south of InBank, next to the old JCPenney building. The property trustees gave the property to the City of Raton with the intent of cleaning it up. Upon inspection of the building it was decided it is beyond repair. The asbestos abatement was completed by Keers Remediation, Inc. in April of 2020, and the City of Raton has been given authorization to tear it down. The project is solely funded from the City of Raton General Fund and will consist of demolition, removal, loading, hauling, and legal and approved disposal of two designated commercial structures located at 220 South Second Street. Sealed bids were solicited, and a public bid opening was held on June 20, 2023. Four bids were received with Rocky Road Gravel & Well Drilling, LLC being the low bidder at \$75,400 excluding NMGRT. It was recommended that the contract be awarded to Rocky Road Gravel & Well Drilling, LLC for a total amount of \$81,626.75 including NMGRT. A motion was made by Commissioner Donald Giacomo to approve the BID Award for the Giordano Building Demolition Project. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

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**F. *DELIBERATE AND ACT on Amendment to Arthur Regional Landfill/GGH Wagon Mound, LLC Agreement for Increase in Tipping Fees per Contract***

City Manager Scott Berry stated that in accordance with the Arthur Regional Landfill/GGH Wagon Mound, LLC contract dated July 1, 2021, the contract can be extended one calendar year upon both parties mutually agreeing. The extension would cover the term of July 1, 2023 through June 30, 2024. In accordance with section 3.3 of the contract the price per ton will increase by the C.P.I. figure for water, sewer and trash. The C.P.I. Adjustment for the previous annual average is an increase of 5.7% over the 2022 adjusted price of \$28.56 per ton. This will increase the tipping fee from the original bid price of \$27.50 per ton to a new unit value of \$30.19 per ton. A motion was made by Commissioner Ronald Chavez to approve the Amendment to Arthur Regional Landfill/GGH Wagon Mound, LLC Agreement for Increase in Tipping Fees per Contract. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

**G. *DELIBERATE AND ACT on FY24 Dispatch Agreement Between the City of Raton and Colfax County***

City Manager Scott Berry stated this is a renewal of an existing agreement that is due to expire in July of 2023. City Manager Berry reviewed the number of calls received by the Raton Police Department's Dispatch in FY23 and stated that 19% of the calls were related to Colfax County. The agreement states that Colfax County is to pay the City of Raton the sum of \$75,000 per year for dispatch services provided 24 hours per day including weekends and holidays. The said sum shall be paid in advance in equal monthly installments of \$6,250 on the fifteenth day of each month during the term of this agreement. A motion was made by Commissioner Lori Chatterley to approve the FY24 Dispatch Agreement Between the City of Raton and Colfax County. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

**H. *DELIBERATE AND ACT on FY24 E-911 Grant Agreement Project No. 24-E-10***

City Manager Scott Berry stated this Grant Agreement is for the Raton Police Department Dispatch to keep their emergency service equipment current and up to date. The State of New Mexico Department of Finance and Administration Local Government Division Enhanced 911 Act Grant Program funds Public Safety Answering Points (PSAP's) at the City of Raton, which also provides E-911 related services to Colfax County, as well as E-911 related reimbursements for travel, training, and Geographic Information Systems (GIS) software and hardware in the amount of \$207,552 from July 1, 2023 through June 30, 2024. A motion was made by Mayor Pro-tem Linde' Schuster to approve the FY24 E-911 Grant Agreement Project No. 24-E-10. The motion was seconded by Commissioner Lori Chatterley and carried 5-0 with all voting "aye".

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**I. *DELIBERATE AND ACT on Contracts Between the City of Raton and Envision IT Solutions to Provide Managed IT Services***

City Manager Scott Berry stated Envision IT Solutions has contracted with the City for a couple years and has done a fantastic job protecting the system. City Treasurer Michael Anne Antonucci stated due to there being three (3) servers there are three (3) agreements. She also noted that there was a \$5 increase last year per workstation to add Malware Cyber Security, which has already proven to be a good investment. It is a renewal of existing agreements which cost about \$87,000 per year for all three (3) servers. A motion was made by Mayor Pro-tem Linde' Schuster to approve the Contracts Between the City of Raton and Envision IT Solutions to Provide Managed IT Services. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

**J. *DELIBERATE AND ACT on Resolution 2023-37: Authorization for the City of Raton to be a Named Party in Potential Litigation Led by the NM Municipal League***

City Manager Scott Berry stated the NM General Services Department recently sent out invoices for retroactive employee health care benefits costs with the City of Raton being one of the local governments invoiced, along with a threat of termination of coverage. These retroactive assessments are a result of language included in the 2023 General Appropriation Act (House Bill 2) that directed GSD to implement an assessment on local governments and other entities in order to offset prior year shortfalls in the state's employee group health benefits fund. The NM Municipal League doesn't believe that GSD has the legal authority to invoice local governments for services already paid for and received, and is hoping the Governor would direct them to refrain from invoicing local governments and other plan participants. The NM Municipal League has retained council and has asked the City of Raton to join the litigation to halt the retroactive cost assessments caused by poor management at GSD. A motion was made by Commissioner Lori Chatterley to approve Resolution 2023-37: Authorization for the City of Raton to be a named Party in Potential Litigation Led by the NM Municipal League. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with a unanimous roll call vote of "yes".

**K. *DELIBERATE AND ACT on Resolution 2023-38: Kearney Film Production and Workforce Facility Support of Grant Funding Application to Economic Development Administration***

City Manager Scott Berry stated the U.S. Economic Development Administration is accepting applications through the Fiscal Year 2023 Disaster Supplemental Funding Notice of Funding Opportunity (NOFO). The awards are designed to support those regions impacted by Hurricanes Ian and Fiona, wildfires, flooding and other natural disasters in the Calendar years 2021 and 2022. The City of Raton has determined that the Kearny Film Production and Workforce Development Facility is a project eligible for funding under the Fiscal Year 2023 Disaster Supplemental Funding program to build local and regional economic resilience. The application request shall be prepared in the nominal amount of \$2,000,000 in federal funding with a 20% pledge of local matching funds of up to \$400,000 using the City of

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Raton's recently awarded capital outlay funds from the State of New Mexico to be applied to improvements to the Kearney School Building. A motion was made by Mayor Pro-tem Linde' Schuster to approve Resolution 2023-38: Kearney Film Production and Workforce Facility Support of Grant Funding Application to Economic Development Administration. The motion was seconded by Commissioner Ronald Chavez and carried 5-0 with a unanimous roll call vote of "yes".

**L. *DELIBERATE AND ACT on Resolution 2023-39: Authorizing the City of Raton to Utilize the Houston-Galveston Area Council (H-GAC) Contract for the Purchase of One (1) New Type I Ambulance***

City Manager Scott Berry stated the City of Raton put \$180,000 in the FY24 budget for a new ambulance unit and prior to signing the agreement the Raton Fire and Emergency Services were informed that the unit had been damaged by hail and can no longer be purchased. EMS Director Dusty Russell proposed the purchase of a new Chevrolet 3500 Type I Ambulance from Siddons-Martin Emergency Group, LLC which he would be able to take possession of by the end of August 2023. The purchase amount for this unit is \$238,750. EMS Director Russell requested a budget increase in the amount of \$28,909 noting that Colfax County has agreed to provide \$40,000 towards the purchase. A motion was made by Commissioner Lori Chatterley to approve Resolution 2023-39: Authorizing the City of Raton to Utilize the Houston-Galveston Area Council (H-GAC) Contract for the Purchase of One (1) New Type I Ambulance. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

**M. *DELIBERATE AND ACT on Resolution 2023-40: May Financial Report FY23***

City Treasurer Michael Anne Antonucci went over the financial summary as of May 31, 2023 in the General Fund, Special Revenue Fund, Capital Projects Fund, Debt Services Fund, Solid Waste Fund, Trust & Agency Fund, and the Landfill Trust Fund. She also went over the Cannabis Excise Tax, Gas Tax Comparison, Lodgers' Tax Comparison, and the Total Gross Year to Date GRT. The General Fund Gross Receipts Distribution year to date is 23.08% above the budget projection. City Treasurer Antonucci noted that she is currently working with the department heads to close out any remaining invoices for FY23. A motion was made by Mayor Pro-tem Linde' Schuster to approve Resolution 2023-40: May Financial Report FY23. The motion was seconded by Commissioner Donald Giacomo and carried 5-0 with all voting "aye".

**N. *DELIBERATE AND ACT on Resolution 2023-41: Budget Adjustment #18 FY23***

City Treasurer Michael Anne Antonucci went over the budget adjustment requests in the General Fund, Special Revenue Fund, Lodgers' Tax Promo Fund, Library Building Fund, Sanitation Fund, and the Trust and Agency Fund. She noted that the 4<sup>th</sup> Quarter Financial Report and the FY23 Final Budget Adjustment request will be brought to the City Commission for approval at the July 25<sup>th</sup> meeting. A motion was made by Commissioner Donald Giacomo to approve Resolution 2023-41: Budget Adjustment #18

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FY23. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

**O. *DELIBERATE AND ACT on Resolution 2023-42: Adopting a Lease Accounting Policy Per GASB 87 Guidelines***

City Treasurer Michael Anne Antonucci stated that GASB 87 Lease Accounting Policy was discussed when presenting the final FY22 audit, noting the audit reflects this rule in several sections. The City of Raton desires to follow recommended accounting procedures and remain compliant with the audit process and to enhance the transparency and understanding of financial reporting of the City to it's citizens. The City Commission agrees that it is in the best interests of the City of Raton and it's employees to adopt a written lease accounting policy to continue compliance with current accounting standards. A motion was made by Commissioner Donald Giacomo to approve Resolution 2023-42: Adopting a Lease Accounting Policy Per GASB 87 Guidelines. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

**P. *CITY MANAGER REPORT***

- City Manager Berry reported the work has commenced on the Frontage Road Project and is expected to continue throughout the calendar year with the intent to reconstruct to Commercial Arterial.
- City Manager Berry reported the current phase of the 8 Mile Chip Seal Project is complete and the fog seal portion will be done in early fall and that the city did perform some fog seal work on some previously paved streets.
- City Manager Berry reported the panels have been placed for the Photovoltaic Project and that they are currently working on the connection. He noted that the location of the project is on the South end of La Mesa Drive.
- City Manager Berry reported the New Mexico Game and Fish Department will be conducting their Regular Quarterly Meeting on August 25<sup>th</sup> in the City Commission Chambers.
- City Manager Berry reported he followed up with NM Department of Energy, Minerals, and Natural Resources Cabinet Secretary Propst and discussed possible funding for the acquisition of Bartlett Mesa Ranch.
- Commissioner Chatterley reported she will be unable to attend the July 11<sup>th</sup> Commission meeting.

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**VII. ADJOURNMENT:**


The meeting adjourned at 7:34 p.m.



**CITY OF RATON**

  
James Neil Segotta Jr., Mayor

**ATTEST:**

  
Desiree Trujillo, City Clerk