



**MINUTES OF THE SPECIAL RATON CITY COMMISSION  
MEETING HELD ON MONDAY, AUGUST 28, 2023 AT 6 PM**

**I. CALL TO ORDER:**

Commissioner Lori Chatterley called the special meeting of the Raton City Commission to order at 6:00 p.m.

**II. ROLL CALL/ATTENDANCE:**

Answering roll call was: Commissioners: Lori Chatterley, Ron Chavez and Don Giacomo. Mayor Neil Segotta participated via phone. Mayor Pro-tem Schuster joined via phone after roll call was taken. Also present were City Manager Scott Berry, Public Works Director Jason Phillips and Deputy Clerk/Treasurer Michael Anne Antonucci and Marty Mayfield with KRTN.

**III. 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. CLOSED EXECUTIVE SESSION Pursuant to Section 10-15-1 H(2)  
Personnel – City Manager**

A motion was made at 6:03 p.m. by Commissioner Ron Chavez to go into Closed Executive Session Pursuant to 10-15-1 H(2) Personnel – City Manager. The motion was seconded by Commissioner Don Giacomo and carried 4-0 with a unanimous roll call vote of “yes” by each commissioner.

**B. CERTIFICATION OF CLOSED SESSION**

The City Commission returned from Closed Session at 6:39 p.m. and Deputy Clerk Antonucci read the certification of closed session stating that the only business discussed was Personnel – City Manager and no action was taken. Mayor Neil Segotta, Mayor Pro-tem Linde Schuster, Commissioner Lori Chatterley, Commissioner Ron Chavez and Commissioner Don Giacomo all agreed with the statement by signifying “yes”.

**C. DELIBERATE AND ACT on Purchase of CAT Backhoe Utilizing State  
Price Agreement #20-00000-22-00066**

Public Works Director Jason Phillips reviewed the quote received from Wagner CAT noting that the City of Raton included \$125,000 in the FY24 budget for the purchase of a new backhoe to replace the 1999 John Deere. Mr. Phillips recommended approval of the purchase due to the short supply and availability of heavy equipment. He further noted that with the approval of DFA, the City of Raton would trade in a CAT D6 Dozer previously used at the landfill and no longer needed for sanitation operations. The total amount of the purchase less the trade, contingent upon DFA approval, would be \$72,160.00. A motion was made by Commissioner Ron Chavez to approve the purchase of the CAT Backhoe Utilizing State Price Agreement#20-00000-22-00066. The motion

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

**D. DELIBERATE AND ACT on Resolution 2023-55 Disposal of Surplus Property – CAT D6 Dozer**

Public Works Director Jason Phillips stated the resolution was prepared to send to DFA for approval of the disposal/trade of the 1993 Caterpillar D6 Dozer to be used towards the purchase of the new CAT Backhoe Loader. A motion was made by Commissioner Don Giacomo to approve Resolution 2023-55 Disposal of Surplus Property – CAT D6 Dozer. The motion was seconded by Mayor Pro-tem Linde' Schuster and carried 5-0 with all voting "aye".

**E. DELIBERATE AND ACT on Purchase of Ford Explorer and Ford F-150 Utilizing Phil Long Ford CES Contract # 2020-31A-101C-ALL**

Public Works Director Jason Phillips stated that the City included the purchase of a new truck for public works in the FY24 budget and that the City is also looking to use General Fund reserves to purchase another Ford Explorer due to the hiring of additional admin staff. He also noted this was an opportunity to purchase the vehicles utilizing a CES Contract with a local vendor. A motion was made by Commissioner Don Giacomo for Purchase of Ford Explorer and Ford F-150 Utilizing Phil Long Ford CES Contract #2020-31A-101C-ALL. The motion was seconded by Commissioner Ron Chavez and carried 5-0 with all voting "aye".

**F. DELIBERATE AND ACT on Change Order #2 – Sugarite Avenue Reconstruction Project**

City Manager Scott Berry stated that the City was awarded NMDOT TPF funds for the \$1.2 million dollar project that is funded 95% NMDOT and 5% City. He then explained the request for approval of Change Order #2 due to negotiation with the contractor for a revised cost of modified pavement patch in most areas, which matched the existing pavement thickness rather than being to the full replacement depth of 18-inches. The change order also includes other quantity adjustments to bid items such as additional radar speed sign, additional crack sealant and patching, and signage and stripping modifications. The change order includes the additional cost of \$74,000 plus NMGRT, funded by Gas Tax funds, to extend the design life of micro-surfacing material and for adjustments to the intersection and bike lane areas. City Manager Berry further explained that the plans were reviewed and it was determined they were vague but that the situation was also a lack of general contractor project management. He also noted that the sub-contractor gave a price for a single penetration only and that the City is paying part of the cost for double penetration and that the general contractor will absorb some of the cost as part of the negotiation. City Manager Berry stated this is a bargain for the City since it would have cost more if the double penetration price had been included in the bid. A brief discussion followed. A motion was made by Commissioner Ron Chavez to approve Change Order #2 – Sugarite Avenue Reconstruction Project. The motion was

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seconded by Commissioner Don Giacomo and carried 4-0 with all voting "aye". Mayor Pro-tem Schuster's call dropped prior to the vote.

**G. DELIBERATE AND ACT on Resolution 2023-56 FY24 Budget Adjustment #1**

Deputy Clerk Antonucci reported that the City of Raton has received DFA approval of the FY24 Budget. She then reviewed budget adjustment #1 which included adjustments for the purchase of the new vehicles, computer equipment and AutoCad license for the City Engineer and for Sugarite Avenue Change Order #2. A motion was made by Commissioner Don Giacomo to approve Resolution 2023-56 FY24 Budget Adjustment #1. The motion was seconded by Mayor Segotta and carried 4-0 with all voting "aye".

**ADJOURNMENT:**

The meeting adjourned at 6:59 p.m.

**CITY OF RATON**

**ATTEST:**

  
Michael Anne Antonucci, Deputy Clerk

  
James Neil Segotta Jr., Mayor

