



# Clovis City Commission

Regular Meeting

~ Minutes ~

321 North Connelly St  
Clovis, NM 88101  
[www.cityofclovis.org](http://www.cityofclovis.org)

Vicki Reyes

Thursday, October 5, 2017

5:15 PM

North Annex, Clovis-Carver Library

## **I – PLEDGE OF ALLEGIANCE**

Mayor Lansford called the meeting to order. Mr. Louis Gordon offered the prayer, which was followed by the Pledge of Allegiance and the Salute to the New Mexico flag.

## **II – OFFICIAL SALUTE TO THE NEW MEXICO FLAG: "I salute the flag of the State of New Mexico, the Zia symbol of perfect friendship among united cultures."**

## **III – ROLL CALL**

Attendee Name	Title	Status	Arrived
Chris Bryant	Commissioner - District 4	Present	4:57 PM
Juan Garza	Mayor Pro Tempore	Present	5:05 PM
Fidel Madrid	Commissioner - District 3	Present	5:08 PM
David Lansford	Mayor	Present	5:09 PM
Sandra Taylor-Sawyer	Commissioner - District 2	Present	5:14 PM
Gary Elliott	Commissioner - District 2	Present	5:08 PM
Tom Martin	Commissioner - District 4	Present	5:10 PM
Ladona Clayton	Commissioner - District 1	Present	5:04 PM
Helen Casaus	Commissioner, District 3	Present	4:54 PM

## **IV. APPROVAL OF AGENDA**

**RESULT:** ADOPTED [UNANIMOUS]

**MOVER:** Juan Garza, Mayor Pro Tempore

**SECONDER:** Helen Casaus, Commissioner, District 3

**AYES:** Bryant, Garza, Madrid, Taylor-Sawyer, Elliott, Martin, Clayton, Casaus

## **V – APPROVAL OF MINUTES**

1. Thursday, September 21, 2017

**RESULT:** ACCEPTED [7 TO 0]

**MOVER:** Ladona Clayton, Commissioner - District 1

**SECONDER:** Chris Bryant, Commissioner - District 4

**AYES:** Bryant, Madrid, Taylor-Sawyer, Elliott, Martin, Clayton, Casaus

**ABSTAIN:** Juan Garza

## **VI – RECOGNITION OF VISITORS**

Mayor Lansford welcomed everyone to the meeting.

## **VII – PROCLAMATIONS, AWARDS AND PRESENTATIONS**

1. Yard of the Month August 2017, Commissioner Madrid

Ms. Burroughes thanked Lowes, Burns Do It All and Hamilton Nursery.

District 1

District 3

2405 Fairway

1009 Beta

600 Shae Marie

2000 Echols

Soapy Springs

District 2

District 4

1708 Cain

301 Sunland

303 E. 16th

501 John Doe

St. James Episcopal Church -1117 N. Main

A-Key Car Wash

**VIII – RECEIPTS OF PETITIONS AND COMMUNICATIONS**

Mr. Mondragon stated October 13<sup>th</sup> will be Military and First Responders appreciation night at Leon Williams Stadium during the Wildcat football game. He thanked the commission for their leadership.

**IX. CONSENT AGENDA**

This item is placed on the agenda so that the Commission, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any proposal does not meet with the approval of all Commission members, or if a citizen so requests, that item will be heard when reached under the regular agenda.

1. Motion to place indicated items on the consent agenda by unanimous vote

Commissioner Madrid made a motion to place indicated items on the consent agenda by unanimous vote; Mayor Pro Tem Garza seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

2. Request for Approval of Adoption of Resolution Number 2897-2017 DFA Budget Changes

These are the first quarter budget changes for the 2018 fiscal year from various departments that require City Commission approval and DFA (Department of Finance and Administration) approval.

**Fiscal Impact:** These budget changes lower the cash reserve in the following funds:

General (1) \$437,384; Sanitation (2) \$76,145; Wastewater (10) \$22,925; Worker’s Comp P & L (48) \$2,237; Civic Center (62) \$68,918; Lodger’s Tax Promotional (78) \$67,342. This item was approved under the consent agenda.

3. Request for Approval of Adoption of Resolution Number 2898-2017 to Submit an Application for Financial Assistance to the New Mexico Water Trust Board and Accept Grant Funds and Loan When Awarded

The project type falls under Water Conservation or Treatment, Recycling or Reuse and proposes to extend the City of Clovis Effluent Reuse Project with Phase 1C of the Project, that includes the following:

1. Extension of Reuse Transmission Line, From Yucca Junior High School at the intersection of Sycamore Street and 14th Street, to Clovis High School at the intersection of Thornton Street and 21 Street, including approximately 8,900 LF of 18" Pipeline and Fittings.

2. Extension of Reuse Distribution Lines to City Park, Parkview Elementary, Bell Park, Marshall Junior High School, Green Acres Park, Robbie Pierce Complex, James Bickley Elementary School, Clovis High School, Dennis Chavez Park, Cameo Elementary School, and Gattis Junior High School, including approximately 10,800 LF of 6" Pipeline and Fittings,

3. Installation Valves, Hydrants, End User Connection Points, and surfacing restoration for all the above.

The financial assistance requested is in the amount of \$1,900,000.00. This item was approved under the consent agenda.

4. Request for Approval of Adoption of Ordinance 2095-2017 Changing an RS Residential Single Family to NC-C Neighborhood Conservation Carport District (2904 La Fonda)

A public hearing was conducted before the Planning and Zoning Commission on September 13th 2017 at 3:00 p.m. The applicant and all witnesses were sworn in and were subject to cross examination. All required notices and publications were accomplished and there was zero (0) percent protest. The request meets the requirements of section 17.100.211 of the City of Clovis Comprehensive Zoning Regulations. There is an existing NC-C Neighborhood Conservation Carport District to the north of the proposed rezoning. There is no compelling evidence that there would be a threat to the public health, safety and welfare which is unique to the proposed request. This item was approved under the consent agenda.

5. Request for Approval of Airport Concession and Ground Lease Agreement

Cropdusters, Inc. (Mike Doshier) originally constructed a site at the Clovis Municipal Airport from which Cropdusters operated a spraying operation. The property was subsequently purchased by Ag Werx Aviation, Inc., and an assignment of the concession and ground lease agreement was approved in August, 2014. The property is currently being purchased by Bada Bing, LLC. (Jonathan Vanderdussen). It is proposed that a new Airport Concession and Ground Lease Agreement be approved. The Civil Aviation Board has recommended approval. This item was approved under the consent agenda.

6. Request for Approval of Introduction of an Ordinance Establishing the Compensation of the Municipal Judge, and Amending Existing Code Sections

State law requires that the City Commission establish the compensation of the municipal judge by ordinance. The existing ordinance, Section 2.16.020, fixes the compensation of the municipal judge at \$67,675.00 per year. It is proposed that the current code section be amended to establish the rate of compensation at 85% of the compensation of a magistrate judge. The amendment will avoid the necessity of amending the code and adopting an ordinance every time the municipal judge's salary is reviewed and considered. This item was approved under the consent agenda.

7. Request for Approval of Integrated Public Alert and Warning System (IPAWS)

In 2014, Emergency Management applied for and received grant funding to implement a public warning system in Clovis and Curry County. They received the grant and implemented the program through Nixel. This system allows them to send out, but is not limited, to emergency messages, weather alerts, and any other events that could affect public safety. Anyone is welcome to subscribe to the service at no cost. Currently they have 625 individual users signed up to receive alerts. National average for this type of service is 3%-5% of the population base.

The Integrated Public Alert and Warning System (IPAWS) will greatly expand their capability to reach the citizens of Curry County. This Memorandum of Agreement (MOA) will allow FEMA to grant them access to the national system. Once the MOA with FEMA is in place we will have the ability to send out messages to anyone with a cellular phone. This would be like an Amber Alert message.

In order for Emergency Management to effectively use the system and not violate and rules they must look at the following criteria prior to issuing an alert.

Taken from FEMA training course: **Criteria for Issuing IPAWS Messages**

When circumstances arise and the need for a public warning becomes necessary, the decision to send a message will ultimately be a matter of local judgment. To assist in the decision making process the following criteria can be applied:

- Does the hazardous situation require the public to take immediate action?

- Does the hazardous situation pose a serious threat to life or property?
- Is there a high degree of probability the hazardous situation will occur?
- Do other means of disseminating the alert ensure rapid delivery of urgent information?

Once the decision is made to go ahead with an alert, several additional steps must be completed to send the message out. The system has numerous designated event codes that are used to convey the type of alert being sent out. This item was approved under the consent agenda.

8. Request for Approval of Quarterly Lodger's Tax Disbursements

The Lodger's Tax Advisory Board meets October 3<sup>rd</sup>, 2017 and will make recommendations to the Clovis City Commission regarding quarterly disbursement of funds.

<b>Organization</b>	<b>Requested</b>	<b>Recommended</b>
Historic Railroad Grand Opening	\$2,000	\$2,000
New Mexico High School Rodeo	\$5,000	\$3,500
Kids Go Wild	\$23,400	\$0
Original Team Roping	\$10,000	\$5,000
Ned Houk Motorsports	\$25,000	\$0
<b>Chamber of Commerce</b>		
2018 Pre-Promotion Clovis Music Festival	\$6,000	\$0
2018 High Plains Jr. Rodeo Finals	\$20,000	\$15,000
Trade Show Tourism Booth	\$3,500	\$3,500
Clovis Promotional Items	\$4,000	\$4,000 (for '18 fiscal year)
IDEA Conference- November 28-30	\$4,000	\$4,000
	<b>\$102,900</b>	<b>\$37,000</b>

This item was approved under the consent agenda.

9. Request for Approval for New Mexico Senior Olympics to Host a Free Health Promotion at Roy Walker Recreation Center on Tuesday, November 14, 2017 and Waiver of Fees, Cecilia Acosta

New Mexico Senior Olympics, Inc. (NMSO) are requesting approval to host a free Health Promotion at Roy Walker on Tuesday, November 14<sup>th</sup>, 2017. NMSO is a non-profit organization and they are hosting this event in several area cities for the 50 plus community. They will provide information, activities and health promotion through education to the seniors in the Clovis and Curry County area. They will clean all areas of gym and center they utilize after their event.

**Fiscal Impact:** Normal gym rental fee for the day is \$250.00

This item was approved under the consent agenda.

10. Request for Approval for 99.9 KTQM to Sponsor Their Annual "Boo at the Zoo" from 1:00 P.M. to 5:00 P.M., Sunday, October 29, 2017 and \$1.00 Per Person Group Rate Admission. Request Includes an Ambulance on Zoo Grounds to Provide EMS Services During the Event, Terri Chavez

99.9 KTQM is requesting sponsoring their 2<sup>nd</sup> annual "Boo at the Zoo" on Sunday, October 29<sup>th</sup>, from 1:00 p.m. to 5:00 p.m. They are requesting that participants for this event be admitted to the zoo at the \$1.00 per person group rate for these 4 hours.

Last year they had over 1600 individuals attend the zoo in 2 hours. The area was very congested so this year they are holding the event on Sunday for 4 hours hoping that this will eliminate some of the congestion problems. It was recommended that an ambulance be on the zoo grounds during the event in case of an emergency. Last year we

had a citizen having health issues in the parking lot and the ambulance had a hard time getting to the individual due to the congestion.

KTQM will have a trick or treat trail throughout the zoo with candy stations. They also are planning on several fun events for the children like last year. They will be advertising the event which will help promote the zoo, at no charge to the City, and the event will likely boost the revenues for the zoo.

**Fiscal Impact:** This event will likely increase the revenues from what a normal Sunday this time of year would be (\$600.00). This item was approved under the consent agenda.

11. Motion to approve or acknowledge all items on the consent agenda

Commissioner Martin made a motion to approve or acknowledge all items on the consent agenda; Mayor Pro Tem Garza seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

Mayor Lansford welcomed Mr. Howalt to his first meeting as City Manager.

**X – INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES**

1. Request for Approval of Adoption of Ordinance Number 2094-2017 Adopting a New Code Section and Amending Existing Code Sections to Allow Female Chickens to be Kept and Raised in the RS District Zones in the City, Establishing Permits, and Setting Requirements for the Care of Female Chickens, David Richards

This item was introduced at the August 3rd commission meeting. It has been noticed in the Eastern New Mexico News and is now before the commission for final action.

Mr. Richards stated this item was introduced and published but because of scheduling difficulties it was republished for final action tonight. Mayor Lansford stated this was introduced 6-7 weeks ago. The Animal Control Task Force has weighed in on the ordinance and are recommending it for approval.

Commissioner Bryant stated he had two amendments to the ordinance.

1. 6.16.150, pens or shelters, "it shall be the duty of the Animal Control officer to make regular inspections of all livestock, poultry pens, shelters, and any other livestock and poultry handling facility and where unsanitary conditions are found to exist it shall be the duty of the Animal Control officer to enforce the provisions of this chapter". They changed city sanitation to animal control and deleted monthly inspections. Commissioner Martin asked if they need to make the amendments before or after a motion. Mr. Richards stated because it was introduced it is on the table in the form that it was published. If there was a desire to amend then you make a motion and if it obtains a second then it becomes an amendment. There will need to be a vote on the ordinance either as amended or as printed. Commissioner Taylor-Sawyer seconded the motion to amend. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

2. Commissioner Bryant made a motion to amend 6.16.160, pens and shelters waste disposal requirements, "all waste cleaned from livestock and poultry pens or shelters or any other livestock or poultry handling facilities shall be stored in fly proof and rat proof containers as specified in section 8.04.040." "All garbage and rubbish except as referred to subsection D, hereof, shall be placed in a securely tied plastic bag, deposited in containers, meeting the requirements of section 8.04.080.", Commissioner Martin seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

Joyce Sumner, 2220 Echols, stated she has spoken to a lot of people and several neighbors. They do not want backyard chickens. The fact that they all live in subdivisions which either have a covenant or an HOA, most of them state that no livestock or poultry is allowed. It was her understanding that an ordinance does not override a covenant. This vote will affect a lot of people for a long time.

Erin Thomas, 116 Birch Place, stated she is in favor of having chickens. She compares this to people having dogs in their yards, which is fine as long as they keep their areas sanitary.

Carolyn Spence, 122 Colonial Estates, stated she is surprised that they have to do this. The requirements on this ordinance are limiting in the quantity. They are not a big threat. Part of the issue is that government should be enabling people to accomplish the things they want to do in their lives. They can always look at things from a negative standpoint and what can go wrong.

Lindsey Dunahe, 2101 Country Meadows, stated she is in favor of the backyard chickens. She stated they need people to be self-sufficient.

Steven Hill, 2513 Fairway Terrace, read a letter from Dr. David Hudson. *"I'm sorry I am not able to attend the meeting tonight. As a member of the Animal Control task Force I wanted to provide you with my opinion on the ordinance concerning citizens keeping chickens within the city limits. The Task Force was asked to discuss issues we felt like would surface. As a veterinarian I feel responsible pet ownership is a key element when dealing with potential problems with pets and pet owners. I have voiced this concept many times but believe it is paramount in influencing your decision. In relation to housing pet chickens responsible pet ownership should include at least the following elements and should be enforceable by animal control or some other entity approved by you. Property shelter and nutrition should be provided at all times. Pet owners should be cognizant of their neighbors regarding odor and noises. Chickens should be fed commercial poultry food and given fresh clean water. Clean the area routinely to control odors, flies and rodents is essential. The area on the property should be located as far from a neighbor's residence as possible. This would apply to chickens or dogs in my opinion. There really should be no difference as far as those elements are concerned. A pet owner who allows their dog to run loose is just as irresponsible as an owner of chickens who lets them run around their backyard and fly over the fence and roost their neighbor's picnic table.*

*I understand there is a great concern about diseases that chickens can transmit to humans. I agree there should be concerns. Just as there should be in the transmission of serious diseases from dogs, cats, horses, and other livestock to people. We bring pets into our homes and many become special parts of our lives. We eat with them, we sleep with them, and they go with us virtually everywhere. But if we are not careful and responsible we can be harmed by them. We are susceptible to numerous diseases from dogs by fecal contamination. The bite of a dog or cat is often painful and can be quite serious. I would rather be pecked by a chicken than bitten by a kitten.*

*I realize the concern is with the transmission of the bacteria salmonella in the feces and on eggs. Almost all avian veterinarians tell us to assume all chickens have salmonella. Because of this proper hygiene should be utilized. Any person that handles live chickens or fresh eggs should wash their hands immediately afterwards just as you should wash after contact with other pets. This is the same principle that applies to cooking poultry adequately and being careful while prepping poultry for cooking. We are exposed to things that potentially can harm us on a daily basis. But because we are vigilant, careful and responsible citizens the potential for harm is very low. The same applies with chicken ownership. If the deciding factor for not passing this ordinance is the potential for salmonella infections then we should look at what the backyard gardener is subjected to. Think about fertilizers, pesticides, insecticides, insect bites and yes bacterial contamination from fruits and vegetables.*

*In closing I appreciate the opportunity to lend my opinion on this issue and I know you will make your decision with consideration of all the issues. I feel we are fortunate to live in a community like Clovis and that people we elect accept the responsibility to make decisions in the citizens' best interest. With the recent events our community has dealt with it is very comforting to know we are represented by you, and are protected by our first responders and medical personnel. So regardless of your decision, I feel it will be in the best interest of all of us."*

Commissioner Martin made a motion to approve the ordinance as amended; Commissioner Casaus seconded the motion. Mayor Lansford asked if the applicant doesn't follow the requirements of the permit how will the consequences unfold. Mr. Richards stated if they don't comply there is a punitive section in the animal control code that allows for persons to be cited and taken to municipal court for violations. Mayor Lansford asked what the fine was for non-compliance. Mr. Richards stated the city has a general penalty and that is up to 90 days in jail and a \$500 fine. Mayor Lansford asked if the municipal judge had the authority to revoke the permit and extend the revocation period for a period of time. For example if someone is not compliant then the maximum penalty could be rendered by the judge, but also prohibition from obtaining a permit within a period of time. Mr. Richards stated that was not contained in the ordinance. If there is non-compliance city administration would have authority or discretion with respect to issuance of a new permit. Mayor Lansford asked what the appropriate way was for that policy to be documented. Mr. Richards stated it is appropriate to move to amend for consideration and either that can be done by a specific motion or he can insert that.

Commissioner Madrid stated most of the people in his district do not want this. Commissioner Martin stated he would like to be given time to vote because he has not

made up his mind. This boils down to responsible pet ownership and he had to decide if the citizens of Clovis can handle their pets responsibly. He has received a lot of pro and negative comments.

Commissioner Clayton asked if there would be a schedule. Commissioner Bryant stated it would be based on complaints. Commissioner Clayton asked Mr. Richards to explain an RS district zone. Mr. Richards stated the RS is Residential Single family which would not include multi family areas or apartments. Commissioner Clayton asked about HOA's. Mr. Richards stated the HOA is an organization of property owners within that subdivision regarding restrictions that establish rules for that subdivision. The city does not administer or enforce those rules. They are independently enforced. Commissioner Clayton stated one perspective is that chickens are not pets, but livestock which is also true of other animals. She asked if it was possible that if there is not support to consider a pilot project with a small number. Mr. Richards stated the agenda item references adoption of this particular ordinance that has been published so because there is no agenda item with another action it would have to come at another meeting.

Mr. Richards stated section 6.36.010 is the penalty provision for the animal code and it says there is no incarceration. First offense is \$150, second is \$250 and third is \$500. Mayor Lansford stated if they want to include abolition of the permit they could add it to the ordinance. Mr. Richards stated the commission would have to decide what they want to add to the ordinance.

Commissioner Clayton asked how many are employed in Animal Control. Chief Ford stated there are normally 5 total, one supervisor and 4 employees. Commissioner Clayton asked if this would require more personnel. Chief Ford stated he did not know how many people would be involved but it will bring up their calls for service.

Commissioner Taylor-Sawyer asked if it was correct that the staff does not have to go out to the residence. She thought the person would fill out the permit and then take it to animal control. Mr. Richards stated this was an amendment from a previous ordinance. The proposed amendment would be to identify who that would be and animal control was the obvious choice. The issue regarding the permit was not identified during the task force meeting. The current section says that an owner must permit the location with the animal control office. The permit fee is \$25 for up to five chickens which must be renewed every 3 years.

Mayor Pro Tem Garza stated he received the email and phone call from Mr. Hill, but he wanted to be objective. He didn't want to make any decisions over the phone. He read a letter he received from a constituent. There are no property owners that are going to have the ability to put a chicken coop in their backyard and who is going to keep an eye on them. The burden is going to be on animal control and a lot of people will not apply for the permit. He was afraid they are opening a can of worms.

Commissioner Taylor-Sawyer stated she was in favor of people being self sufficient and this was something they needed to do. She stated if they were going to handle any type of animal they need to follow rules. A person can have the same problems with a dog, cat, snake, etc that they could have with chickens. She stated the Animal Control Task Force did discuss a trial run, but decided to move forward with the ordinance. She stated they do not know how many people will actually end up with chickens. She asked if Commissioner Martin had to make the amendment that the Mayor desires. Mr. Richards stated there is a provision under the cat and dog portion of the animal control ordinance and refers to suspensions and revocations of permits and appeals. They could incorporate that process by adding "permits may be suspended or revoked under the procedures and provisions of 6.12.070 and appealed in accordance with section 6.12.080". That says if there is a violation that is uncorrected then the animal control department can suspend or revoke and if revoked there is a one year prohibition against reapplying. That is taken from the existing animal control code that would apply to dog and cat permits. If there is a motion to amend to add that to then it would have to be a second and an affirmative vote to make that a part of the ordinance. Commissioner Taylor-Sawyer asked if this was the current code that they have. Mr. Richards stated this was incorporated into the online code on September 21.

Mayor Lansford asked when this would become effective. Mr. Richards stated the commission has the authority to set an effective date. If there is no specific date set forth by the commission in the ordinance then it will become effective 5 days after it is published. Mayor Lansford asked if they don't establish an effective date other than what is considered normal and a homeowners association decides to change their covenants within that subdivision and this ordinance is already in effect can the subdivision/HOA's covenant still supersede the city code. Mr. Richards stated once they become effective they would have

authority within that subdivision to control whatever the property owners in that subdivision decide. If there are existing covenants that prohibit poultry than that is prohibited within that subdivision and if the people get together and vote to allow chickens they can make it more restrictive, but they cannot expand upon the authority that the ordinance allows. Mayor Lansford stated it seems there is a 50/50 split on this. He was not in favor of a divided commission over a matter like this.

Commissioner Elliott stated he was concerned with animal control and the mention of sanitation with them being short staffed. Commissioner Martin stated the question may be should they consider chickens as livestock or pets. If people have chickens for the benefit of eggs than that is livestock. Mr. Richards stated there are definitions in the animal code of livestock and also rules and regulations that apply to turkeys, geese, ducks, guinea pigs, game birds, rabbits, hamsters, and other domesticated animals kept by the owners as pets. After meeting with the task force he attempted to no longer have hens being a special category by itself. They created a separate category of female chickens. In the sections there are reference to livestock poultry and chickens.

Ashley Hummer, 612 E. Tierra Blanca, stated the people that want the chickens are willing to pay a \$25 fee. The restrictions for the first time offense are not being enforced. If they were enforced more that would allow for more pet responsibility. She stated she did not know that the dogs had to be registered in the city.

Justin Hummer, 612 E. Tierra Blanca, stated there is an ordinance in place that allows individuals to have 25 chickens as long as they are falling within certain guidelines. This community survives on the agriculturalists in the area.

Gaye Cooke stated Linda Cross, chair of the Animal Control Task Force could not be present. She stated she would not want to put anything else on animal control but people are already doing this illegally. Chickens didn't seem like a big deal compared to cats and dogs.

Lindsey Dunahe, 2101 Country Meadows, stated an HOA is an excellent way to solve the problem both ways.

Marcy Hill, 2513 Fairway Terrace, stated chickens are important to her. She stated this is seems very unfair.

Mayor Lansford stated a motion has been made to approve the ordinance with the amendments that were approved previously. Upon a roll call vote, with Commissioner Bryant, Mayor Pro Tem Garza, Commissioner Madrid, Commissioner Elliott, Commissioner Martin and Commissioner Casaus voting against and Commissioner Clayton and Commissioner Taylor-Sawyer voted in favor, the motion was denied by a vote of 6-2.

Mayor Lansford thanked everyone for the points made during the discussion.

**RESULT: DENIED [2 TO 6]**

**MOVER:** Tom Martin, Commissioner - District 4

**SECONDER:** Sandra Taylor-Sawyer, Commissioner - District 2

**AYES:** Sandra Taylor-Sawyer, Ladona Clayton

**NAYS:** Bryant, Garza, Madrid, Elliott, Martin, Casaus

## **XI – UNFINISHED BUSINESS**

None.

## **XII – NEW BUSINESS**

### 1. Request for Approval of Two Citizen Members and One Utility Member to Serve on the Planning & Zoning Commission

The Planning & Zoning Commission terms of Candace Morrison, Don David and Marcus Smith are open for appointment/reappointment. The positions have been advertised and they have reapplied. Mr. Workheiser has also applied to serve and a vote is therefore needed.

Commissioner Taylor-Sawyer

Candace Morrison, Marcus Smith

Commissioner Bryant

Candace Morriosn, Marcus Smith, Don David

Commissioner Martin

Candace Morrison, Marcus Smith, Don David



David	Commissioner Casaus	Candace Morrison, Marcus Smith, Don
David	Commissioner Madrid	Candace Morrison, Marcus Smith, Don
David	Mayor Pro Tem Garza	Candace Morrison, Marcus Smith, Don
	Commissioner Elliott	Candace Morrison, Marcus Smith, Don David
David	Commissioner Clayton	Candace Morrison, Marcus Smith, Don

Ms. Burroughes stated Ms. Morrison, Mr. Smith and Mr. David were selected to serve.

2. Request for Approval of Two Representatives to Serve on the Water Policy Advisory Committee

The terms of Mr. Harry Pomeroy and Mr. Gene Hendrick end in October 2017. The positions have been advertised with the local media. Mr. Hendrick and Mr. Pomeroy have submitted applications to serve a further term. Ms. Frances Martin has also volunteered to serve.

Mr. Pomeroy stated he has served on the water policy for two years and there is a lot more to be done and he would like to contribute to that.

Commissioner Bryant	Harry Pomeroy, Gene Hendrick
Commissioner Martin	Harry Pomeroy, Gene Hendrick
Commissioner Casaus	Harry Pomeroy, Gene Hendrick
Commissioner Madrid	Harry Pomeroy, Gene Hendrick
Mayor Pro Tem Garza	Harry Pomeroy, Gene Hendrick
Commissioner Elliott	Harry Pomeroy, Gene Hendrick
Commissioner Taylor-Sawyer	Harry Pomeroy, Gene Hendrick
Commissioner Clayton	Harry Pomeroy, Gene Hendrick

Ms. Burroughes stated Mr. Pomeroy and Mr. Hendrick have been selected to serve a further term.

3. Request for Approval of Discussion/Action Regarding City of Clovis Adult Multi-Purpose Activity Center

In January/February 2015, the City of Clovis conducted a survey for community parks and recreational programs. 1,000 surveys were mailed out randomly to Clovis residents and the survey was placed online. 721 surveys were returned. In response to survey question 25 "Would you support the City of Clovis seeking funding for a new senior facility in Clovis to include a meals program, adult day care, housekeeping and chore programs?" 368 respondents said yes and 137 respondents said no.

The City of Clovis' Commission on Older Adults has been exploring the possibility of constructing a new senior facility for the City of Clovis, visiting other area senior centers, including Roswell and Hagerman. They initially identified five locations including the area west of La Casa, Hillcrest, Downtown (north of the Clovis Carver Library), Parkview and Llano/Thornton. Town halls were held on July 25<sup>th</sup> at La Casa (58 attendees), July 25<sup>th</sup> at Friendship (60 attendees), July 26<sup>th</sup> at Baxter-Curren (59 attendees) and an August 1<sup>st</sup>, 2017 town hall (48 attendees).

At the September 26<sup>th</sup>, 2017 Commission on Older Adults, the commission recommended the following locations, in order of preference:

1. Hillcrest (south of the Wellness Center)
2. Parkview Elementary
3. La Casa (west of existing facility)

The recommendation is to initially work with an architect to conduct schematic design and phased design development for the phased project. It is envisaged that the first phase will be for a new 8,000 square foot CRSMA area, to include kitchen, walk in freezer, restrooms, and office space. Subsequent phases include recreational and activity areas for seniors. It is envisaged that the City of Clovis Older Adults Division will relocate to this facility and utilize operational and maintenance funds currently expended at the Baxter-Curren and Friendship Center at the new facility. There will not be an increase in City of Clovis Older Adults division staffing levels.

**Fiscal Impact:**

Beginning in 2014, Curry Residents Senior Meals Association applied to the state of New Mexico Area Long Term Agency on Aging for funding for an expanded program in Clovis. To date, a total of \$300,000 has been allotted by the state to begin this process. The State of New Mexico DFA is requesting the City of Clovis move forward with a scope of work for this project as soon as possible.

The first phase of construction will be approximately \$2,500,000. Funding sources for construction include the NM Area Agency on Aging, Community Development Block Grant (CDBG) and matching funds from the City of Clovis.

Ms. Labatt stated this began in 2014 with CRSMA seeking expanded facility to meet current and future needs. In 2015 the city conducted a survey for community parks and recreational programs. One of the questions asked was "Would you support the City of Clovis seeking funding for a new senior facility in Clovis to include a meals program, adult day care, housekeeping and chore programs?" There was a 368 yes response and a 137 no response.

One site being considered is downtown. The pros are that it is a central location, accessible from multiple locations and the proximity to the library/courthouse/city functions and the cons are cost of property acquisition/demolition and no room for growth and limited parking. The second consideration is Hillcrest Park south of the Wellness Center. The cons are that it adjacent to existing wellness programs, no acquisition costs because the property belongs to the city and accessibility will be upgraded as part of the 7<sup>th</sup> Street improvement project. The cons are the gas line running through the proposed area and accessible only from 7<sup>th</sup> Street. The third consideration is Llano/Thornton. The pros are that it is a vacant property located near a senior living facility and the cons are the cost of property acquisition and traffic congestion from Barry Elementary. The fourth consideration is the area west of La Casa. The pros are that it is a vacant property in an area located adjacent to La Casa de Buena Salud Health Center and ample accessible parking and the cons are the cost of the property acquisition for a full scale senior facility and meal site. The last consideration is Parkview Elementary. The cons are more space available for programs, repurpose existing government owned facility, existing infrastructure, ADA accessible, building in good condition and could serve as an emergency shelter. The cons are that it would not be all new construction, cost of demolition if needed and the city would need to own the facility before expending any funding.

The operations and maintenance of the center would be under the City of Clovis, would be open daily Monday-Friday until 9:00 p.m. and existing city older adult employees would relocate to the new center so no additional staff would be needed.

Other options would be to expand the existing friendship site to the east as a temporary measure until a new center is constructed or to do nothing at all. The recommendation from the Commission on Older Adults are three potential options, 1. Hillcrest Park, 2. Parkview Elementary and 3. the area adjacent to La Casa.

Mayor Lansford stated he supports the recommendation for Hillcrest as the senior facility. Commissioner Taylor-Sawyer stated she noticed La Casa was not represented on the task force. She asked what input they had from La Casa on selecting this location. Ms. Labatt stated there was a representative that usually attended the meetings even though they were not on the task force. The facility is not city owned and this is a city issue. Mr. David Briseno, La Casa, stated they did not have anyone on the committee and when the commission were given an option they chose someone else. They know something has to be done for the meal site. They understand that the facility is a county facility, but the seniors that attend are citizens of Clovis.

Commissioner Taylor-Sawyer asked if La Casa would close because it looks like they are looking at one facility for everyone. Mr. Briseno stated he did not know. They have time to bring people together.

Commissioner Taylor-Sawyer asked what other justification do they have for not using Parkview. Ms. Labatt stated there are some advantages to Parkview, however they have a funding timeline that they are up against. They have to spend money by a certain period of time and the school would not be available until after that period of time. Commissioner Bryant asked if the estimated cost for Parkview included the asbestos and lead paint removal. Ms. Labatt stated some of the asbestos would not be an issue because it is encapsulated. Mr. John King, Director of Operations for Clovis Municipal Schools, stated the lead based paint issue is an issue with buildings that age. It would have to be tested and if any renovations are done in the building it would be required to be abated. The cost on lead abatement is something that they typically include in the demolition. Mayor Lansford asked if the city decides not to use Parkview would the schools have to pay for the demolition themselves. Mr. King stated the local burden would be minimal for demolition.

Commissioner Taylor-Sawyer asked if commissioners would be on the task force. Ms. Labatt stated it would be determined by the commission. Commissioner Taylor-Sawyer asked if they would need to identify those members in the motion. Mr. Richards stated that could come after. Melinda Coslett, CR 7, asked that a representative from Senior Olympics be allowed to serve on the task force. Ms. Burroughes stated they could set this task force up similar to the Civic Center task force committee

**RESULT: APPROVED [UNANIMOUS]**

**MOVER:** Sandra Taylor-Sawyer, Commissioner - District 2

**SECONDER:** Juan Garza, Mayor Pro Tempore

**AYES:** Bryant, Garza, Madrid, Taylor-Sawyer, Elliott, Martin, Clayton, Casaus

### **XIII – REPORTS OF BOARDS, OFFICERS AND COMMITTEES**

None.

### **XIV – FUTURE AGENDA ITEMS**

Mayor Lansford stated the task force for the proposed senior center will be a future agenda item.

### **XV – ANNOUNCEMENT OF DATE, TIME AND PLACE OF CITY BOARD AND COMMISSION MEETINGS**

Mayor Lansford stated Commissioner Clayton would be leading a presentation at the Water Policy Advisory Committee meeting at 8:30 a.m., Tuesday, October 10th.

A – Water Policy Advisory Committee, 8:30 a.m., Tuesday, October 10, 2017, Assembly Room, Bert Cabiness City Government Center, 321 N. Connelly

B – Civic Center Policy Committee, 3:00 p.m., Tuesday, October 10, 2017, Clovis Civic Center

C – Planning & Zoning Commission, 3:00 p.m., Wednesday, October 11, 2017, Assembly Room, Bert Cabiness City Government Center, 321 N. Connelly

D – Cultural & Ethnic Affairs Committee, 12:00 p.m., Tuesday, October 17, 2017, Small Conference Room, Bert Cabiness City Government Center, 321 N. Connelly

E – Finance Committee, 2:00 p.m., Wednesday, October 18, 2017, Small Conference Room, Bert Cabiness City Government Center, 321 N. Connelly

F – City Commission meeting, 5:15 p.m., Thursday, October 19, 2017, North Annex, Clovis-Carver Library, 701 N. Main

### **XVI – ADJOURNMENT**

There being no further business to come before the commission, the meeting adjourned at 7:58 p.m.