



Clovis City Commission

Regular Meeting

~ Minutes ~

321 North Connelly St
Clovis, NM 88101
www.cityofclovis.org

Vicki Reyes

Thursday, March 16, 2017

5:15 PM

North Annex, Clovis-Carver Library

I – PLEDGE OF ALLEGIANCE

Mayor Lansford brought the meeting to order at 5:25 and established the presence of a quorum. Commissioner Taylor-Sawyer offered the prayer, which was followed by the Pledge of Allegiance.

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	5:01 PM
Juan Garza	Mayor Pro Tempore	Present	5:08 PM
Fidel Madrid	Commissioner - District 3	Present	5:10 PM
David Lansford	Mayor	Present	5:09 PM
Sandra Taylor-Sawyer	Commissioner - District 2	Present	5:06 PM
Gary Elliott	Commissioner - District 2	Present	4:53 PM
Tom Martin	Commissioner - District 4	Present	5:06 PM
Ladona Clayton	City Commissioner - District 1	Present	4:57 PM
Helen Casaus	Commissioner, District 3	Present	4:58 PM

IV. APPROVAL OF AGENDA

Mr. Fry asked that item 13 Request for approval of the Western Interconnect 2016 Annual Summary report be removed from the agenda. Mayor Pro Tem Garza moved for approval of the agenda as amended; Commissioner Taylor-Sawyer seconded the motion which carried by acclamation.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Juan Garza, Mayor Pro Tempore

SECONDER: Ladona Clayton, City Commissioner - District 1

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

V – APPROVAL OF MINUTES

1. Thursday, March 02, 2017

RESULT: ACCEPTED [UNANIMOUS]

MOVER: Ladona Clayton, City Commissioner - District 1

SECONDER: Helen Casaus, Commissioner, District 3

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

2. Thursday, March 09, 2017

Ms. Burroughes stated it should read "There was an executive session of the City Commission at 5:15, Thursday, March 9th. The only topic of discussion was limited Personnel Matters".

RESULT: ACCEPTED [UNANIMOUS]

MOVER: Chris Bryant, Commissioner - District 4

SECONDER: Gary Elliott, Commissioner - District 2

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

VI – RECOGNITION OF VISITORS

Mayor Lansford welcomed everyone to the meeting.

VII – PROCLAMATIONS, AWARDS AND PRESENTATIONS

None.

VIII – RECEIPTS OF PETITIONS AND COMMUNICATIONS

Ms. Burroughes stated the New Mexico Japanese Citizen's League are bringing an exhibition, which will be on display at the library between March 20th - April 3rd. It is being paid and funded through a National Parks Service Grant. On March 24th at 1:30 p.m. there will be a community dialogue and reception. This relates to the confinement of Japanese Americans in New Mexico during WW2 and the story of Clovis and Japanese Americans. Dr. Sarah Payne, Colorado State University, is writing a book about the Japanese Americans that were in New Mexico and is part of the Confinement in the Land of Enchantment Project.

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 Martin 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 2869-2017 DFA Budget Changes

These are budget changes from various departments that require City Commission approval and DFA (Department of Finance and Administration) approval.

Fiscal Impact: This lowers cash reserve in the following funds:

General (1) \$191,988; Designated Cash (63) \$9,530; Lodger's Tax (77) \$3,000 and Lodger's Tax Promotional (78) \$67,200. This item was approved under the consent agenda.

3. Request for Approval of Adoption of Resolution Number 2870-2017 NonDFA Budget Changes

These are budget changes from various departments that require City Commission approval.

Fiscal Impact: There are no changes to cash reserve. Any increase in an expense category is offset by a decrease in an expense category in the same department. This item was approved under the consent agenda.

4. Request for Approval of Resolution No. 2871-2017 Authorizing an Application to the New Mexico Department of Transportation Municipal Arterial Program (MAP) Funds for the Pavement Rehabilitation to Thornton Street, Clint Bunch

Municipal Arterial Program (MAP) applications are due March 17th to the NMDOT. The proposed project is the rehabilitation of Thornton Street from Grand Avenue to 7th Street to include the intersection of Thornton and 7th streets. The opinion of probable cost for the project is \$377,976.00. In the application the City would request \$283,482.00 as the NMDOT's participation. The remaining funds would come from the Special Street Fund (Fund 75). As part of the application a resolution in support of the project must be provided. The proposed resolution meets this requirement. This item was approved under the consent agenda.

5. Request for Approval of Adoption of Resolution Number 2872-2017 Granting Preliminary Plat Approval of the Drake Subdivision, a Tract of Land in the West 1/2 of

the Southeast 1/4 Section 6 T2N R36E, N.M.P.M. City of Clovis, Curry County, New Mexico

A public hearing was conducted before the City of Clovis Planning/Zoning Commission on March 8, 2017 at 3:00 p.m. All required notices and publications were accomplished. The applicant and all witnesses that testified at the hearing were properly sworn. All witnesses who testified at the hearing were subject to cross-examination. The applicant is Robert C. Lydick of PO Box 728, Clovis, NM 88101 and the Owner is Mr. Hank Drake of 3200 Lew Wallace Drive, Clovis, NM 88101. The proposed request meets the requirements and procedures for submittal of a Preliminary Plat in accordance with Section 18.30 of the City's Subdivision Regulation. The request is consistent with the City's Comprehensive Plan. 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. All adjoining property owners within one hundred feet of the area to be subdivided were notified. The Planning and Zoning Commission recommends approval of the proposed Preliminary Plat of the Drake subdivision based on City staff recommendation. The vote was 5 to 1 in the affirmative, with Commissioner Belcher casting the opposing vote. This item was approved under the consent agenda.

6. Request for Approval of Adoption of Resolution Number 2873-2017 Granting Approval of the Replat of Lot 1 Block 15 of the Gateway Addition, a Tract of Land in NE/4 Section 4 T2N R36E, N.M.P.M., City of Clovis, Curry County, New Mexico

A public hearing was conducted before the City of Clovis Planning/Zoning Commission on March 8, 2017 at 3:00 p.m. All required notices and publications were accomplished. The applicant and all witnesses that testified at the hearing were properly sworn. All witnesses who testified at the hearing were subject to cross-examination. The applicant is Chad Lydick with Lydick Engineers & Surveyors of PO Box 728, Clovis, NM 88101 and the owner is Faith Christian Family Church & Mr. Edwin Perales of 3401 N Norris Street, Clovis, NM 88101. The request meets the standards of Section 18.50.1200 of the City's Subdivision Regulation for Replats and Lot Line Adjustments. The request is consistent with the City's Comprehensive Plan. 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. The Planning and Zoning Commission recommends approval of the proposed Replat of Lot 1, Block 15 of the Gateway Subdivision based on City Staff recommendation. The vote was 6-0 in the affirmative. This item was approved under the consent agenda.

7. Request for Approval of Adoption of Resolution Number 2874-2017 Granting Preliminary Plat Approval of the Firepro Subdivision, a Tract of Land in the NE/4, Section 16, T2N R36E, N.M.P.M., City of Clovis, Curry County, New Mexico

A public hearing was conducted before the City of Clovis Planning/Zoning Commission on March 8, 2017 at 3:00 p.m. All required notices and publications were accomplished. The applicant and all witnesses that testified at the hearing were properly sworn. All witnesses who testified at the hearing were subject to cross-examination. The applicant is Robert C. Lydick of PO Box 728, Clovis, NM 88101 and the Owner is Mr. Bill Myers of 1281 Curry Road A1, Melrose NM 88124. The proposed request meets the requirements and procedures for submittal of a Preliminary Plat in accordance with Section 18.30 of the City's Subdivision Regulation. The request is consistent with the City's Comprehensive Plan. 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. All adjoining property owners within one hundred feet of the area to be subdivided were notified. The Planning and Zoning Commission recommends approval of the proposed Preliminary Plat of the Firepro subdivision based on City staff recommendation. The vote was 6-0 in the affirmative. This item was approved under the consent agenda.

8. Request for Approval of Assignment of Airport Concession and Ground Lease Agreement

In September 2016, the Commission approved an Airport Concession and Ground Lease Agreement with 1031 Services Corporation in Amarillo, Texas to facilitate a real estate 1031 Exchange transaction. The transaction has now been completed and the Airport Concession and Ground Lease Agreement assigned to Armand L. Smith 2011 Grandchildren's Irrevocable Trust. The Trust will be the Lessee of the hangar site at Clovis Municipal Airport which will ultimately be leased to Aero Care for its operation at the airport. There are no changes to the Airport Concession and Ground Lease Agreement approved in September 2016. This item was approved under the consent agenda.

9. Request for Approval of Fiscal Year 2016 Annual Summary Economic Development Report from Quality Liquid Feeds and Authorizing the Transfer of Ownership of Land Associated with the Quality Liquid Feed Project Participation Agreement with a Five Year First Lien Position in Favor of the City of Clovis

Quality Liquid Feed is located in the Clovis Industrial Park. The company is required to provide an annual report to the City of Clovis in regard to their performance under the

project agreement. Based upon QLF's report, they have met the terms and conditions of the contract for fiscal year 2016. Additionally, QLF has made the fifth of their five lease payments in the amount of \$52,000 to the City of Clovis Economic Development Tax Fund in September of 2016.

The company had an average of 12 employees in 2016 with an average wage of \$22.64 per hour. The company also provides health, life, short and long term disability and a 401K plan to employees. This item was approved under the consent agenda.

10. Request for Approval of Fiscal Year 2016 Annual Summary Economic Development Report from Gavilon Grain and Approve Second Post Performance Grant Payment

Gavilon Grain LLC was approved for a job retention post performance grant in 2013. The company retained 21 employees in 2014 and 2105. The company invested \$1.491 million in the Clovis facility to improve production within the plant from April 2014 through August 2014. The Gavilon Grain Post Performance Grant was approved by the City in the amount of \$100,000 over a 5 year period with equal payments of \$20,000 being made annually. The company is required to maintain an average of 19 jobs per year which will allow a 10% change in the average number of employees (21 jobs) at the plant without the company defaulting on the contract terms. The company is also required to provide an annual report to the City of Clovis in regard to their performance under the project agreement. Based upon Gavilon Grain's 2015 summary report, they have met the terms and conditions of the contract for fiscal year 2015. Gavilon Grain requests approval of the 2015 summary report and authorization for the City of Clovis to pay the second of five installments in the amount of \$20,000 as described in the post performance project agreement.

The company maintained 21 employees in 2016 and added 4 positions with an average wage of \$18.55 per hour with a loaded average salary of \$22.56 per hour. The company also provides health, life, short and long term disability and a 401K plan to employees.

Fiscal Impact: \$20,000 from the Economic Development Tax Fund (Third of Five Payments). This item was approved under the consent agenda.

11. Request for Approval of the CIDC - Cummins Project 2016 Annual Economic Development Summary Report

Cummins Clovis is reporting 34 employees on staff as of December 2016. CIDC also paid the City of Clovis \$50,900 in 2016 in compliance with the loan agreement and project agreement for the project. Numerous building improvements have also been made to the building in 2016. Details of the improvements are listed in the attached summary report.

Fiscal Impact: \$50,900 was paid by CIDC to the City of Clovis Economic Development Tax Fund. This item was approved under the consent agenda.

12. Request for Approval of 2016 Annual Summary Report from Cherney Microbiological Services and Approve Performance Grant Payment

Cherney Microbiological Services is required to provide an audit report to the City of Clovis in regard to their performance under the post performance project grant agreement. Based upon Cherney's report, they are in compliance with the project participation agreement through December 2016.

The company has an average of 4.33 employees with an average wage of \$18.00 per hour. The company also provides health, life, dependent life, long term disability, employee assistance programs, tuition reimbursement and a 401(k) plan for employees.

Upon approval of the audit report Cherney will receive the second of five \$8,000 payment from the Economic Development Fund in accordance with the Cherney Project Participation Agreement. This item was approved under the consent agenda.

13. Request for Approval of the Western Interconnect 2016 Annual Summary Report

This item was removed from the agenda.

14. Request for Approval of Professional Services Contract with Public Safety Psychology Group, LLC and the Clovis Fire Department, Chief Nolan

This contract places the Clovis Fire Department in compliance with NFPA 1500-1582

as required by the State Fire Marshall's office for utilization of state fire funds.

Fiscal Impact: \$16,900 (not including GRT). This item was approved under the consent agenda.

15. Request for Approval of Loan Agreement Between the City of Clovis and the Department of the Navy, Naval History and Heritage Command, for a United States Naval Anchor to be Located at Veterans' Park, Larry Fry

At the March 28th, 2016, the Parks, Recreation & Beautification Committee approved the proposal for an anchor memorial at Veterans' Park in Clovis. The City of Clovis has been allocated \$50,000 in capital outlay funding to complete this project which is being worked on by Life Scout James Burroughes with Troop 226 as his Eagle Scout project.

The Department of the Navy, Naval History and Heritage Command, has asked for a loan agreement with the City of Clovis for the loan of their naval anchor. As the agreement is for more than one year, and will require maintenance and insurance, this requires Commission action. This item was approved under the consent agenda.

16. Request for Approval of Budget Transfer of \$9,500 for New Air Conditioner Components for CRSMA and Baxter-Curren Senior Center

Install new Air Conditioner Components to Kitchen & Dining Room area at CRSMA (Curry Resident Senior Meal Site) in the amount of \$4614.00. Install (2) new Air Conditioner Components to Baxter-Curren Senior Center. Total amount for both equal \$4,555.00. Claiborne Refrigeration will be doing the work. This item was approved under the consent agenda.

17. Request for Approval of Budget Transfer for Upgrades to Existing Airport Fuel Tanks

Existing fuel tanks need upgrades as per the FAA (Federal Aviation Administration) to add pumps, filters, liners, etc.

\$10,000.00 was approved for transfer for this project at the last Commission Meeting on March 2, 2017. Upon receiving our final bid we are requesting the additional funds to complete the Fuel Farm Project.

PROJECT COST: \$56,328.99

TOTAL REQUESTED BUDGET TRANSFER: \$50,000.00

Older Adults are requesting \$20,000.00, which is available in our account #12-1701-62300 with the balance of an additional \$30,000.00 coming from our Cash Reserve. The additional \$3,671.01 will be used for additional costs that may arise with the fueling system. This item was approved under the consent agenda.

18. Request for Approval for Lease Supplement for IBM AS/400 Lease

The City of Clovis has performed a 48-month lease for an IBM AS/400 for at least the last 12 years. This renewal requires a lease supplement document to be approved by the Commission. The AS/400 serves as the Financial Platform for the City of Clovis. This handles billing, payroll, general ledger, and other financial functions. This item was approved under the consent agenda.

19. Request for Approval for the Miss Rodeo New Mexico Pageant to Hold Their "Meet and Greet" Event at the YRB, Wednesday, May 31, 2017, and Waiver of Fees, Melanie Beum

The annual Miss Rodeo New Mexico (MRNM) pageant will be held in conjunction with the Pioneer Days PRCA Rodeo, and the board is requesting to hold their "Meet and Greet" event once again at the YRB building. The event will be held on Wednesday, May 31st, 2017 from 4:00 p.m. to 10:00 p.m. The City of Clovis has helped sponsor this annual pageant for a number of years and the MRNM board is requesting the City to waive the rental fees once again this year.

The City normally does not have any rental request for this venue on Wednesday evenings. The City employee assigned to monitor this event will be awarded compensatory time in lieu of overtime pay.

Fiscal Impact:

Normal rental fees amount: \$300.00 plus \$100.00 deposit. This item was approved under the consent agenda.

20. Request for Approval to Hold 2017 Relay for Life at Ned Houk Park, from 10:00 A.M. to 10:00 P.M., Saturday, June 10, 2017, and Waiver of Fees, Mr. Gary Jones

The 2017 Relay for Life committee would like to once again hold the Relay for Life at Ned Houk Park from 10:00 a.m. to 10 p.m., Saturday, June 10th, 2017. They are also requesting waiver of rental fees for the band shell shelter, portable stage and 4 bleachers. In return for the waiver of fees the committee will participate in the spring cleanup campaign for the city and will also clean up the park during and after their event.

Fiscal Impact:

Band shelter (\$100.00), portable stage (\$150.00), 4 bleachers (\$200.00). This item was approved under the consent agenda.

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

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

X – INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES

None.

XI – UNFINISHED BUSINESS

None.

XII – NEW BUSINESS

1. Request for Approval to Hire an Interim City Manager, Mayor Lansford

Mr. Fry has announced his intention to leave the City of Clovis at the end of April 2017.

Mayor Lansford advised regarding the matter. Commissioner Taylor-Sawyer thanked Mr. Fry for stepping in. She moved that the City of Clovis employ Tom Phelps commencing April 18th, 2017. He will serve as an at will employee, compensated with an annual salary rate of \$119,000 and will accrue leave based on a rate of 4 weeks per year; Commissioner Bryant seconded the motion. Upon a roll call vote, with all voting in the affirmative, the motion carried unanimously.

Mayor Lansford stated Mr. Phelps has been an outstanding community member and possesses an extraordinary skill set. His character is of the highest order and he has a tremendous ability. Having the opportunity to hire someone like Mr. Phelps to advance the goals of this City is a very good thing. He was pleased and proud that he would be joining the City on April 18th, 2017.

Mr. Phelps said he was honored to be considered and approved by unanimous vote. He looked forward to working with the excellent city staff to carry out the wishes of the commission and the citizens to make this place even better than it is today. When he announced his decision to retire, the number one question was were they going to stay in Clovis and the answer was yes. The people in Clovis are first rate and the people make the City. To bring some part of his 45 year of skills to make this place a better place is an absolute honor. The Mayor made it perfectly clear to not screw things up. He thanked them for his confidence and he would not screw things up.

RESULT: APPROVED [UNANIMOUS]

MOVER: Sandra Taylor-Sawyer, Commissioner - District 2

SECONDER: Chris Bryant, Commissioner - District 4

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

XIII – REPORTS OF BOARDS, OFFICERS AND COMMITTEES

1. Monthly Investment Report

Ms. Melancon stated she received an update on HB 174, which is the election. The senate committees have passed with an amendment that will allow municipalities to opt out of the bill.

Ms. Melancon gave the Monthly Investment Report as follows:

General Fund 1 - \$7,974,759.18
Solid Waste Fund 2 - \$1,723,796.16
Environmental Tax Fund 6 - \$5,783,018.71
Wastewater Fund 10 - \$4,364,739.02
Airport Fund 12 - \$131,288.61
Colonial Golf Course Fund 19 - \$138,829.47
Streets 2015 GRT Improvements Fund 24 - \$1,369,477.69
Worker's Comp P&L Fund 48 - \$1,859,479.25
Infrastructure Imp Fund 60 - \$437,697.44
Civic Center Fund 62 - \$481,597.28
Designated Cash Fund 63 - \$1,395,087.05
Economic Development Fund 64 - \$2,763,132.01
Capital Outlay 1/4% Fund 65 - \$855,023.78
Water 1/4% GRT Fund 66 - \$2,955,036.73
Special Streets Fund 75 - \$1,351,803.79
Capital Projects Fund 87 - \$519,583.98
Drainage Improv Fund 88 - \$435,641.06

Beginning cash and investments was \$42,943,618.53 and ending cash and investments was \$42,895,781.58. The breakdown is \$20,034,146.11 Cash in Bank, \$5,970,611.87 in CD's with Citizen's Bank and \$16,891,023.60 in the State Investment Pool. Interest earned for the month was \$8,477.95 and for the year to date \$62,058.75. The state pool was paying .4779% for January.

Commissioner Taylor-Sawyer asked with the loss of Gross Receipts Tax is the 1/8th going to be distributed across these funds. Ms. Melancon stated it would go into the general fund.

XIV – FUTURE AGENDA ITEMS

Ms. Burroughes stated there will be a Special Commission meeting at 5:15 p.m., Wednesday, March 22nd in the North Annex. There will be an ADA Transition Plan and the Public Works District 2 and District 3 positions will be on the next agenda.

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

A – Cultural and Ethnic Affairs Committee, 12:00 p.m., Tuesday, March 21, 2017, Small Conference Room, Bert Cabiness City Government Center, 321 Connelly

B – Parks, Recreation & Beautification Committee, 5:30 p.m., Monday, March 27, 2017, Assembly Room, Bert Cabiness City Government Center, 321 Connelly

C – Public Works Committee, 8:30 a.m., Wednesday, March 29, 2017, Assembly Room, Bert Cabiness City Government Center, 321 Connelly

D – NMML District 4 meeting, 10:00 a.m., Monday, April 3, 2017, Portales

E – Civil Aviation Board, 5:30 p.m., Tuesday, April 4, 2017, Airport

F – Lodger's Tax Advisory Board, 5:30 p.m., Tuesday, April 4, 2017, Assembly Room, Bert Cabiness City Government Center, 321 Connelly

G – Commission on Older Adults, 3:00 p.m., Thursday, April 6, 2017, Assembly Room, Bert Cabiness City Government Center, 321 Connelly

H – City Commission meeting, 5:15 p.m., Thursday, April 6, 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 5:47 p.m.