



## MINUTES OF THE REGULAR MEETING BUILDING AND LANDS COMMITTEE

January 26, 2015

REGULAR MEETING 8:30 A.M.

### **CALL TO ORDER AND WELCOME – Chairwoman**

A regular meeting of the Building and Lands Committee was called to order at approximately 8:30 a.m. by Chairwoman Jeanine Best with the following members present:

Jeanine Corn Best  
Steve Henderson  
Caleb Grant

Staff present included Megan Creighton, Event Coordinator; Monica Garcia, Finance Director; Marlin Johnson, City Planner; Louis Najar, City Engineer; Steve Polasek, City Manager; Tina Ramirez, Visitors' Center; Ruben Sanchez, Convention Center Director; Elizabeth Stark-Rankins, Support Services Administrator; Tim Williams, Parks and Recreation Director; and William Zarr, City Attorney.

Other individuals present included Larry Connelly, YPAC; Richard Morris, KBIM; Juan Oropesa, City Council Ward 1; Jason Perry, City Council Ward 4; Savino Sanchez, City Council Ward 4; Randal Seyler, Roswell Daily Record; Jared Tucker, Plains-Valley Online News; and Nathan Wenner, Smith Animal Clinic.

### **APPROVAL OF AGENDA**

**APPROVAL OF MINUTES** – Oct. 9, 2014, Nov. 10, 2014, and Dec. 29, 2014

Councilor Grant moved to approve the agenda as presented and all outstanding draft minutes as presented. Councilor Henderson seconded the motion and all were in favor.

### **NON-ACTION ITEMS**

#### 1. Convention Center Update

Ruben Sanchez reported on the Convention Center's recent statistics. Activities were down 18%, they had 14 event days, attendees were down 38%, and monthly revenues down 8%. Mr. Sanchez also stated that booking for 2017 events has begun. The recently repaired HVAC system is operating well. The most recent gun show was

successful with over 800 attendees. The fire alarm review was conducted with a pending positive approval. The scotch-guarding of the carpet is also complete.

Councilor Grant inquired about what events had already been booked. Megan Creighton indicated that some weddings and quincineras had been booked along with the typical yearly, regular events that are held at the Convention Center, but that many weekends still remain open. Councilor Best inquired as to what plan B might be if the City decides to refurbish or perform construction in the building. Louis Najar indicated that the feasibility study should be complete in 8-12 months and Council will then be able to decide what action to take and the available budget. Realistically, there remains another 3-4 years before construction could begin.

Councilor Best inquired about including a general, out-clause in the contracts for these events. Bill Zarr indicated this would be appropriate with some information regarding the timing. Steve Polasek said that this is still far into the future, but it may be wise for the Convention Center to hold off on booking anything for 2018 until more is known about the future plans for the Convention Center.

i. Convention Center Update: Parking Lot Project Status

Louis Najar updated the Committee on the DeBremond Parking Lot project status. Ads for the project are set to go out on February 22 with a bid on March 31. This timing will avoid the end of the RISD soccer season and the beginning of the football season. Steve Polasek inquired as to the budget and Mr. Najar indicated that it is a total of \$1.25 million to include some grant funding, but primarily general fund.

ii. Convention Center Update: Feasibility Study Update

Louis Najar updated the Committee on the first meeting for the Feasibility Study being conducted on the Convention Center. We are currently awaiting a scope of services from the vendor, Dekker/Perich/Sabatini, with costs for negotiation and an overall timeline of 8-12 months. Mr. Najar indicated that the full budget may run between 5 and 7 million dollars based on his experience and the ideas he has seen so far on the Convention Center. Councilor Henderson indicated that it all depends on what we want to determine the ultimate budget to come mainly from room fee and Lodger's Tax proceeds. Mr. Najar said the Feasibility Study will be a guide to determine the ultimate plan with low, medium, and high options provided.

2. Visitor Center Update

Tina Ramirez reported on the Visitors' Center's recent statistics. She stated that the Center had 160 more US visitors and up by 45 nights. Ms. Ramirez has returned from a recent tourism conference which gave her a lot of information to implement at the Visitors' Center. Working to setup a booth at the country music festival in Las Cruces to promote Roswell.

### 3. South Park Cemetery Bylaws Update

Tim Williams updated the Committee on the recently passed South Park Cemetery bylaws. The request to reduce the number of funeral directors from 2 to 1 was not made and the requirements for absentee voting was not changed. The bylaws did incorporate the recently passed legislation to reduce the number of members from 7 to 5. Mr. Williams also indicated that he is working on a Memorandum of Understanding (MOU) between South Park and the VA cemeteries to review fees, cemetery operations, and the maintenance plan. Other important needs include software for time management.

Councilor Grant inquired about how best to setup the relationship between the two boards. Councilor Perry said that the VA Board is not a policy-creating board and they operate more as a foundational board to help finance the VA Cemetery and ultimately report through the South Park Cemetery Board. Councilor Grant inquired about how the VA Cemetery is spending the grant funding received from the state. Mr. Williams responded that none of that funding has yet been spent, but a master plan for this area is being drawn up to help facilitate the immediate plans for these funds. Mr. Williams indicated that Mr. Jim Bloodhart, president of the VA Cemetery Board, is attending the South Park Cemetery board meetings while Mr. Williams is working on a representative from the South Park Cemetery board to attend the VA Cemetery board.

Councilor Best inquired if the volunteers working at the Cemetery are currently covered by insurance. Steve Polasek responded that we do not currently have anything in place, the City should have a waiver that includes insurance requirements to cover these volunteers. Councilor Perry mentioned that it was determined several years ago that all work would be done by City employees. Councilor Grant inquired if all parties are aware of that which is not clear presently.

### 4. Projects Update

Ms. Stark-Rankins provided a project update to the Committee beginning with the Dean Baldwin Hangar Improvements project. Mr. Polasek said that the City will not come out looking good on this project, despite its commitment to complete the project. Councilor Grant inquired if the procedures were now in place to ensure these problems do not occur on future projects. Mr. Najjar said that the new Construction Manager hire will be formally in charge of all projects to work with Ms. Stark-Rankins regarding the paperwork for grants.

Ms. Stark-Rankins also said that the Fire Station I Renovation project is approximately 30 days from completion and the final documents are being sent into the state for the grant portion of the funding for this project. The Youth Challenge project is going into the bidding process for the remaining construction needed for this project.

Councilor Grant then inquired about the reauthorization requests that had been filed by Hubert Quintana with SNMEDD for the funds awarded to support the Yucca Recreation Center and if these will be included on the next Finance Committee meeting for

retroactive approval. Monica Garcia said that it would not be needed on the Finance Committee until the state approves it, but that these will be included on the Finance Committee meeting agenda. Councilor Henderson inquired as to who would be guiding this through legislature. Mr. Najar said that we believe it is Hubert Quintana, but will confirm this with him.

Lastly, the VA Cemetery project was discussed. Mr. Najar indicated that no money will be spent until an approved master plan is complete. Mr. Williams indicated that a more formal, complete update will be provided to full Council at the next meeting and the project will be handled with the utmost professionalism.

#### 5. Format of Agendas, Packets, and Minutes

Ms. Stark-Rankins updated the Committee on the recent changes to the City's standard agenda, packet, and minutes formats. Councilor Grant asked that page numbers be included on the full packets. Councilor Henderson asked that the Committee members and responsible staff person be listed on the top of the agenda. Mr. Polasek also explained that the packets will be e-mailed, included in the appropriate boxes, and posted online for the Committee to access prior to all meetings.

### **REGULAR ITEMS (ACTION ITEMS)**

#### 1. Dan Summers Property: Discussion between RCCEDD and City of Roswell

Mr. Polasek updated the Committee that this property was passed to the RCCEDD for consideration to accept the property with the idea that they had more flexibility to do something with the property than the City would. However, since the packets were put together, RCCEDD had elected not to take the property owing to its size.

Councilor Best then asked if there were any other ideas for this property to which Mr. Polasek suggested that the property remain private and the City provide information on who else he could reach out to transfer the property. Councilor Henderson suggested the Housing Authority while Councilor Best suggested Habitat for Humanity. Councilor Grant motioned to decline the donation of the Dan Summers property referenced as item E-1. Councilor Henderson seconded the motion and all were in favor.

#### 2. Wenner Property Sale

Bill Zarr updated the Committee that the contract agreement received by his office has since been edited in accordance with the previously approved Ordinance 14-13 and sent back to Dr. Nathan Wenner for final review and signature.

Councilor Grant indicated that he would like to standardize the process of property sales to include a standard contract that the City can provide to the purchaser for review and negotiation. Councilor Henderson explained that it is helpful to have an agreement prior

to an ordinance so that the ordinance can reflect the agreement and there can then be no question as to the terms of the deal.

Dr. Wenner explained that his expectations were to receive a contract with the already agreed upon terms for his review. However, when Dr. Wenner came to obtain a contract from Mr. Zarr, he was urged by Mr. Zarr to consult an attorney to draw up the contract which put Dr. Wenner in a situation where he had to pay legal fees that he did not originally plan to pay. Mr. Polasek indicated that this was not unusual procedure, but that a standard contract and checklist could be developed to include certain items that should be evaluated for every property. Councilor Henderson explained that Ordinance 14-13 had already been approved by the Committee and that this item is ready for the City Council agenda.

3. Elite Gymnastics: Request to Purchase Property
4. OMA Land Purchase Moratorium

Louis Najjar explained that items E-3 and E-4 are linked together. There are consistent requests for this area and that a larger plan is needed for this area as a whole. Additionally, 3 committees are interested in planning this area. Mr. Najjar recommends that a moratorium be placed on this whole area until such a plan could be put together. This would require several workshops to begin in March. Councilor Perry expressed concern that Elite Gymnastics may not know that they are on the agenda and that consideration should be given to the request and requested the Committee to consider listening to their request.

Councilor Grant inquired as to the zoning in this area. Mr. Najjar confirmed that zoning has been completed to Nevada Avenue, but no parcels have been laid out. Councilor Henderson motioned to delay this decision until Elite has an opportunity to present their request and do a moratorium on the balance of the OMA property. Councilor Grant seconded the motion and all were in favor.

5. Leases: Listing of Existing Leases

Ms. Stark-Rankins explained the lease listing that she was able to put together.

- i. Williams-Chesser Lease Renewal

Ms. Stark-Rankins updated the Committee on the updates that have occurred to the proposed lease renewal for the Williams-Chesser Farm to Diamond Heart Farms. Since the packet was put together, additional updates were made and provided to the Committee. These updates include removing the requirement to provide a letter of credit with split payments and requiring payment by certain deadlines. Additionally, the first right to re-lease clause was removed, but replaced with the option for the lessee to request a renewal no later than a year in advance with no guarantee from the City.

Councilor Henderson found this acceptable and Councilor Best asked for confirmation that these tenants have a good track record. Mr. Zarr confirmed that they do. Councilor Henderson then inquired about the CPI calculations for the rent escalation. Ms. Stark-Rankins explained that a basic calculation shows that the CPI increased by 8.30% from 2010 to 2014. A more detailed calculation showed an increase of 8.93%. Taking 75% of each of these increases and averaging this together suggests an overall increase should be made of 6.46% to \$19,329.90 per year. 75% of the CPI was used since CPI may not be a direct indicator of the market value of farmland. Councilor Henderson motioned to approve the lease as amended and with the increase in rent to \$19,329.90 annually. Councilor Grant seconded the motion and all were in favor.

ii. Roswell Hispano Chamber of Commerce Lease Renewal

Ms. Stark-Rankins explained that the Roswell Hispano Chamber lease expired in June 2014, but the lease had the option for 3 one year extensions. The request is for the first extension of the 3 allowed. The Hispano Chamber has also continued to pay the rent monthly since June. The Committee inquired about the expense of utilities that the City is paying and what the intent of the Hispano Chamber is after this first extension. Councilor Henderson motioned to defer decision on the lease extension for the Roswell Hispano Chamber to allow for more investigation. Councilor Grant seconded the motion and all were in favor.

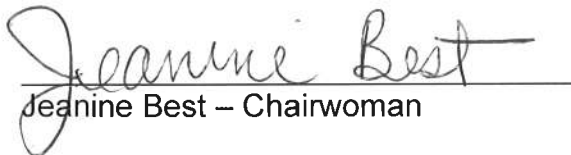
**OTHER BUSINESS (NON-ACTION)**

1. Public Comments

Councilor Best asked for any public comments and none were heard.

**ADJOURN**

Councilor Grant motioned to adjourn the meeting. Councilor Henderson seconded the motion and Chairwoman Best announced the meeting adjourned at 9:55 a.m.

  
Jeanine Best – Chairwoman