

**Regular Meeting of the Legal Committee
Held in the Roswell Convention & Civic Center
Thursday, August 27, 2020**

Notice of this meeting was given to the public in compliance with Section 10-15-1 through 10-15-4 NMSA and Resolution 20-26.

ROLL CALL

The meeting convened at 4:00 p.m. with Chair Stubbs presiding, Councilors Peterson, Foster, and Perry being present.

Staff present: Stephanie Mervine, Sharon Coll, Bill Morris, Mayor Kintigh, Scott Stark, Juanita Jennings, Parker Patterson, and Mike Mathews

Guests present: None

APPROVAL OF AGENDA

Councilor Perry moved to approve the August 27, 2020, Legal Committee meeting agenda. Councilor Peterson was the second. A voice vote was 4-0, and the motion passed.

APPROVAL OF MINUTES

Councilor Perry moved to approve the corrected July 23, 2020, Legal Committee minutes. Councilor Peterson was the second. A voice vote was 4-0, and the motion passed.

REGULAR ITEMS

1. RAC Agreements

A. John Berry, Dixie Lee Wagner, and Cliff Waide. – Scott Stark stated John Berry, Dixie Lee Wagner, and Cliff Waide request Building No. 91, space D, 4,589 square feet, more or less. Term is for one year commencing on October 1, 2020 and ending September 30, 2021. Councilor Perry moved to recommend approval of the Lease Agreement to full City Council on the consent agenda, Councilor Peterson was the second. A voice vote was 4-0, and the motion passed.

2. Ordinance No. 20-XX Nuisance Ordinance Revisions to Chapter 16 and Chapter 8 – Bill Morris stated that staff created these amendments in order to update the provisions of City Code Chapter 16, relating to public nuisances, and Chapter 8, relating to camping and campgrounds, to address current code enforcement situations. The proposed ordinance had previously been considered by the Public Safety Committee, with a recommendation to advertise for a public hearing. Mr. Morris recommended dividing the proposed revisions into two separate proposed ordinances, addressing Chapter 16 and Chapter 8 respectively.

The principal changes to Chapter 16 include language addressing the removal of nuisances from public property, as well as changes to the storage of abandoned inoperable motor vehicles that would require that vehicles be registered and be covered by insurance, as well as actually be operable. Councilor Perry moved to recommend approval to advertise and hold a public hearing on the proposed ordinance revisions to Chapter 16, subject to staff amendments reflecting discussion and concerns raised by the Committee Members. Councilor Foster was the second. A voice vote was 3-1, and the motion passed with Councilor Peterson voting no.

The principal changes to Chapter 8 address recreational vehicles and campers, as well as a prohibition on camping in river beds and other waterways. Councilor Foster moved to recommend approval to advertise and hold a public hearing. Councilor Perry was the second. A voice vote was 3-1, and the motion passed with Councilor Peterson voting no.

3. Ordinance 20-XX Amending Convention Center Fees Ordinance – Parker Patterson stated Article III of Chapter 23 of the Roswell City Code provides for Convention Center funding by imposing a fee on lodging facility units furnished to vendees within the City. The City’s authority derives from the Convention Center Financing Act, NMSA § 5-13-1 et seq. Section 23-73 of Article III, Chapter 23, sets forth exemptions to such convention center fees. As originally drafted, Section 23-73 matched the statutory language exempting lodgings exceeding 30 days. The Convention Center Financing Act was subsequently amended to decrease the number of days from 30 to 15. The proposed amendment would bring Section 23-73 into conformity with the Act. The Committee Members discussed further deleting subsection 2 of Section 23-73, upon recommendation of the City Attorney. Councilor Perry moved to recommend approval to advertise the proposed ordinance and hold a public hearing, with an amendment deleting subsection 2 of Section 23-73, as discussed. Councilor Foster was the second. A voice vote was 4-0, and the motion passed.

FOR THE RECORD: Councilor George Peterson left at 5:59

4. RFP 21-001 Event Management Services Scope of Work – Stephanie Mervine stated the UFO Festival was initially created by the City of Roswell. In 2014, the City outsourced the organization service through an MOU for event management services. The City provided an amount of \$40,000 to Roswell MainStreet with additional costs to the City. The City is currently re-evaluating the future of the event that would encompass a City-wide platform with multiple layers of entertainment, activities and options in order to elevate the Roswell brand and increase the audience capture ratio. The City of Roswell is seeking an experienced Event Management Services Company to plan, organize and execute the City’s core annual event in various areas and venues, indoors and outdoors that will take place with the City of Roswell. \$40,000 per year for the scope of work as outlined. Councilor Foster moved to recommend approval to full City Council on the consent agenda. Councilor Perry was the second. A voice vote was 3-0, and the motion passed with Councilor Peterson being absent.
5. Award of ITB 21-005 Improvements to RAC Taxiways A and J – Scott Stark stated two

bids were received for Project No. 206627. The bids are shown in the attached packet. Total funding available \$3,257,654.00. Councilor Perry moved to recommend approval to full City Council on consent agenda, Councilor Foster was the second. A voice vote was 3-0 and the motion passed with Councilor Peterson being absent.

6. RFP 21-002 Ambulance Services Scope of Work – Mike Mathews stated that the City currently contracts with Superior Ambulance Service, Inc. to provide ambulance service throughout the City. The Procurement Code requires that the City issue a request for proposals at this time for these services, due to expiration of the existing contract with Superior Ambulance. With approval of the Scope of Work, staff may proceed with the City’s required RFP process. The existing Contract for Ambulance Services with Superior Ambulance costs the City \$12,500 monthly. Councilor Perry moved to recommend approval to full City Council on consent agenda, Councilor Foster was the second. A voice vote was 3-0 and the motion passed with Councilor Peterson being absent.

7. Department Reports - For discussion only.

CHAIR COMMENTS, REPORTS, ANNOUNCEMENTS

None

PUBLIC PARTICIPATION

None

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None

ADJOURN

The meeting adjourned at 6:14 p.m.