

CITY OF GRANTS
SPECIAL CITY COUNCIL MEETING
Wednesday, August 28, 2023
2:00 PM
MINUTES

MEETING CALLED TO ORDER

Mayor Erik Garcia called the meeting to order at 2:01 PM.

ROLL CALL

Present:

Mayor Erik Garcia
Councilor George Garcia
Councilor Fred Rodarte
Councilor Beverly Michael

Absent:

Councilor Zachery Gutierrez

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Motion: Approve the Agenda as is.

Motion: Fred Rodarte Second: George Garcia Ayes: 3 Nays: 0

DISCUSSION OF CHARTER COMPLIANCE

No citizens wished to speak about Charter Compliance.

CITIZENS TO ADDRESS THE COUNCIL

C.L. Peterson, Cibola Arts Council Board Member, addressed the Council. Ms. Peterson thanked the Council for their hard work. She presented a chart that traced the Cibola Arts Council visitors for 2022, pointing out the out of state and international visitors.

1. DISCUSSION/ACTION ITEMS:

1.1 Discussion/Action - Approval of July 20, 2023, Special City Council Meeting Minutes

Motion: Approval of July 20, 2023, Special City Council Meeting Minutes

Motion: George Garcia Second: Fred Rodarte Ayes: 3 Nays: 0

1.2 Discussion/Action - Approval of July 26, 2023, Regular City Council Meeting Minutes

Motion: Approval of July 26, 2023, Regular City Council Meeting Minutes

Motion: Beverly Michael Second: Fred Rodarte Ayes: 3 Nays: 0

1.3 Discussion - Presentation: Senior Center Staff Recognition

Mayor Garcia presented the Cibola Senior Center Staff with a Certificate for outstanding performance. He also showed a video clip of the employees interacting with the participants in the program.

1.4 Discussion - Public Safety

Chief Robert Hays took the floor; he thanked the Council for visits to the Tri-State Firemen's Association and his department's new fire truck.

Councilor Garcia asked where the City stood on fire trucks.

Chief Hays responded, stating his department has three fire engines and one ladder truck.

Councilor Rodarte asked if the new truck was in service.

Chief Hays stated it should be up and running in a week.

Chief Maxine Monte, Grants Police Department (GPD) then took the floor.

Mayor Garcia asked Chief Monte to address the Grants Police Department's involvement in the City's School District.

Chief Monte stated her department completed active shooter training, taught by the New Mexico State Police Department, in which she realized her department needed more training and new equipment. She also went over recent threats to a school in the area that resulted in two arrests and urged citizens to hastily report this type of activity to the police department. Chief Monte invited all businesses to schedule Active Shooter Training and then invited all citizens to attend Narcan Training.

Councilor Garcia pointed out that the new threat is "active shooter" versus fire drills and asked Chief Monte if she could elaborate.

Chief Monte replied, stating that he was correct and that her department emphasizes the strengths and weaknesses of schools regarding these types of lockdowns.

Chief Monte praised the Future Farmers of America (FFA) program, who donated food to the City, which was provided to the Grants Community Pantry.

Councilor Michael noted Lynette Gurule had started the Narcan program; Chief Monte thanked Ms. Gurule for heading the program.

Councilor Rodarte asked which school the GPD had held its recent active shooter drill; Chief Monte replied, it was held at Mt. Taylor Elementary.

Councilor Rodarte asked if the schools were collaborating with the GPD; Chief Monte replied, stating the schools are working with her department and have granted full entry to the police department via key cards.

Chief Monte pointed out that on September 7th, the GPD will have a recruitment booth at the New Mexico State Fair.

Mayor Garcia thanked the Fire and Police Chiefs for their work and for discussing their ongoing department activities with the Council.

1.5 Discussion - City Charter Advisory Committee Term Increase

Ray Clemons, City Charter Advisory Committee President, took the floor. Mr. Clemons asked the Council if the committees' terms could be extended for an additional six months due to more time needed to amend the Charter correctly.

Councilor Michael stated she was glad to see this topic come up, and she was also looking into the Charter Committee's status.

Mr. Clemons stated the committee would like to visit with each department head in order to understand the Charter's role in the department's activities.

Councilor Michael asked Attorney Jessica Nixon if the committee's terms could be extended.

Attorney Nixon replied, stating the terms could be extended by amending the original Resolution, which extends the terms.

Councilor Michael asked if this could happen at the next meeting; Attorney Nixon replied, stating yes, we can make it happen.

Councilor Rodarte asked Mr. Clemons if he could see the committee's progress.

Mr. Clemons replied, stating the committee has written down what they would like to change, then given the proposed changes to the City Attorney to write the changes down correctly; he then asked Clerk Salas to email Councilor Rodarte the amendments thus far.

Attorney Nixon pointed out that the Council should refrain from being actively involved in the Charter Amendments.

Councilor Rodarte asked if the Amended Resolution to extend the terms would be ready before the next Special City Council Meeting.

Councilor Garcia asked if there would be a problem if the extended terms were not approved before the original Resolution, which enacted the Charter Committee, ended.

Attorney Nixon replied, stating this would be a new Resolution, that would be drafted much like the current standing Resolution, extending the committee's terms.

1.6 Discussion - Presentation: Rank Choice Voting

Seth Ward, Grants City Charter Committee Member, presented Rank Choice Voting (RCV) to the Council. Mr. Ward explained the concept of the RCV race winner, which is 40% of all the votes to win the seat. Mr. Ward stated he would volunteer his time to teach citizens how to cast their vote properly and explained the RCV process.

Councilor Michael confirmed Mr. Ward's RCV process in which she reiterated the fifty-plus-one majority winner; she also stated currently, the plurality winner is not the majority winner; and then pointed out that RCV "can be very effective", due to eliminating a runoff.

Mr. Ward stated he feels when a runoff is conducted less voters cast a vote, which does not truly match the voter's majority.

Councilor Michael asked Attorney Nixon if RCV could be enacted by the Council or the Charter.

Attorney Nixon replied, stating it could be addressed by the Charter Committee if it is something they choose to pursue.

Councilor Rodarte asked Mr. Ward if he felt RCV was "a more fair or more accurate" election race.

Mr. Ward replied, stating he felt RCV would resolve issues he sees in the City but does see conflict in some citizens mindset.

Councilor Rodarte pointed out tight races in the past where one candidate won by one extra vote. He also pointed out races with several candidates in where he felt 50% would not be attainable.

Mr. Ward replied, "...we're always going to have emotional conflict but were trying to appease the your wrong I'm right."

Councilor Garcia asked if RCV required a referendum; Attorney Nixon replied, stating it would have to be voted upon in the Charter.

Mayor Garcia thanked Mr. Ward for the presentation.

1.7 Discussion - Presentation: Infrastructure Capital Improvement Plan Process

Shannon Devine, Projects Manager, took the floor, presenting the Infrastructure Capital Improvement Plan Process (ICIP). Ms. Devine went over ICIP training, the ICIP collaboration with the Council of Governments (COG), the plans on the list that were approved by the status of appropriated funds, the consultations with contractors and the COG, the funding strategies, and possible funding.

Ms. Devine stated the list is then prioritized by the Projects and City Manager by funding opportunities and experts within the City. She pointed out that the list is not a "wish list". She then explained the final steps by stating the Council approves the list, which can be modified by the Council and then reviewed by the Department of Finance and Administration (DFA).

Ms. Devine also stated the City could have a public meeting to go over the ICIP projects in the future.

Councilor Michael questioned the ICIP document, which was provided to the Council previously, and also expressed her concerns about not being informed that the Council could possibly make changes to the list.

Councilor Rodarte asked Ms. Devine if the ICIP list would change depending on the completion of current projects; Ms. Devine confirmed his question, using the Water and Sewer Improvements as an example, which the City has had difficulty with recently.

Councilor Garcia pointed out the validity of an ICIP workshop, stating it would benefit the public to understand the process. He also asked where the ICIP list could be found; Ms. Devine replied, stating the list could be retrieved from the DFA website.

Mayor Garcia commented on the urgency of knowing the ICIP process beforehand, understanding potential projects before the list is presented, and trusting the city workers knowledge in the process.

1.8 Discussion - Presentation: City of Grants Infrastructure

Councilor Michael addressed the Council, presenting questions that citizens have brought to her attention. Councilor Michael noted in the past, she had asked to set aside money for sewer lines, but her request was ignored; she also explained the recent six water line breaks and the water pressure issues causing citizens to replace pipes at their homes in where she asked for assistance at the last legislative session but was asked if the ICIP included this project on the list.

Councilor Michael then summarized recent Council emergency decisions for the Flagstaff contract work and paving in which around \$200,000 was spent from the City's budget. Councilor Michael then discussed recent repairs, while presenting photos of the damages, which have caused substantial road damage to Balsam & Ross St., Ash & Sage St., Truman St., Gunnison St., and Sergeant & Stephens St. Councilor Michael stressed future funding of the Pipes, Maintenance, Parks, Public Works Departments, MOC, and Roads departments.

Councilor Michael also discussed her recent meetings with multiple department heads in the Public Works departments and the materials which they stressed were needed in order to do their jobs: "proactively instead of reactively". She then spoke of the benefits of initiating GIS mapping to track multiple levels of work, suggesting a GEO Tech study be initiated to identify manholes and sewer lines. Councilor Michael pointed out that the City has had "record breaking GRT," and if some of this were put aside, it would benefit the pipes and maintenance facilities.

Councilor Rodarte asked if the County would could present to the Council the GIS mapping system; Councilor Michael replied, stating the county currently does not have the pipes and sewer systems mapped, but the GEO Tech study would be a good start.

Councilor Garcia pointed out citizens have questioned him about rising water costs. He also stated at times, the different departments have conflicts due to repairs in water lines and road repairs. Councilor Garcia also noted the City's lack of contractors is a downfall, and he thanked Councilor Michael for her presentation.

Mayor Garcia stated the City does allocate a large amount of funding into water issues, the City has open loans for these issues, and he thanked the City's Public Works and Pipes crews for doing a "great job".

- 1.9 Discussion/Action - Approval of NWNMCOG Technical and Grant Writing Services Agreement
Shannon Devine, Projects Manager, presented the North West New Mexico's Council of Governments Grants Writing Service Agreement, in which the organization is asking for \$30,000 for assistance in the grant writing process.

Motion: Approve the NWNMCOG Technical and Grant Writing Services Agreement in the amount of \$30,000.

Motion: Fred Rodarte Second: George Garcia Ayes: 3 Nays: 0

- 1.10 Discussion/Action - Approval of Amended Event Date for the American Legion Riders Chapter 18 Event, Bikers V. Bulls

Aaron Dean, American Legion Organizer, addressed the Council, stating his organization changed the date of their event due to a recent tragic incident at a similar New Mexico event. Mr. Dean said his organization's event had already happened but since the event deviated from the original approved proposal the new event date of July 29, 2023, would have to be approved by the Council for Lodgers' Tax Awards for this event.

Councilor Michael clarified with Mr. Dean that he was asking to "retroactively" approve the change in his proposal.

Councilor Garcia asked if there was anything that would stop the approval of the change.

Attorney Nixon confirmed that there would be no legal issues if the item were approved.

Motion: Approval of Amended Event Date for the American Legion Riders Chapter 18 Event, Bikers V. Bulls

Motion: George Garcia Second: Fred Rodarte Ayes: 3 Nays: 0

- 1.11 Discussion/Action - Approval of Old Grants Water System Improvements Notice of Award, TLC Company

Shannon Devine, Projects Manager, addressed the Council, asking for the approval of the Old Grants Water System Improvements; while referring to the project map, she stated the project was put to a standstill right before Interstate 40 due to "limited funding," and due to these circumstances, a new bid was made for the project from TLC, which was

negotiated and recommended by Smith Engineering, in the amount of \$3,393,096.50, excluding GRT. Ms. Devine stated the City has \$4,083,263.60 for construction.

Councilor Michael confirmed the amount Ms. Devine was asking for and asked what the City's match was.

Ms. Devine responded that with USDA funding, the loan amount is \$3,323,000, the grant is \$1,599,000, and that she did not have the loan term information.

Councilor Michael asked for confirmation that the project would get the system up to I-40; Ms. Devine responded, stating it would be completed up to I-40 by the additive alternative one.

Councilor Rodarte asked if the project improvements included larger water lines; Ms. Devine replied, stating 10" to 12" water lines will be installed from Sonic towards Zuni Canyon.

Councilor Rodarte asked if the project included fire hydrants; Ms. Devine stated the project included anything water.

Mayor Garcia stated the ICIP was important to learn, such as the current project, due to it being "something they really want".

Motion: Approval of Old Grants Water System Improvements Notice of Award, TLC Company, in the amount of \$3,393,096.50, excluding NMGRT.

Motion: George Garcia Second: Beverly Michael Ayes: 3 Nays: 0

1.12 Discussion/Action - Approval of Old Grants Sewer System Improvements Notice of Award, TLC Company

Shannon Devine, Projects Manager, presented the approval for the Old Grants Sewer Systems Improvements with TLC Company. Ms. Devine referred to a map of the project, pointing out the areas of High St. from 911 to Gold St., which were included due to issues in this area, construction in the amount of \$3,185,383.90, excluding NMGRT.

Councilor Michael asked if the project was funded by a loan; Ms. Devine confirmed it was funded by a loan, with the amount of \$3,008,000, and a grant of \$1,968,500.00 with \$3,691,138.60 left. She then expressed the need for the City to review its long-term debt status from loan accumulation.

Councilor Rodarte confirmed with Ms. Devine that the project was to replace the sewer line.

Councilor Garcia confirmed with Ms. Devine that the projects would be “running concurrently”.

Motion: Approval of Old Grants Sewer System Improvements Notice of Award, TLC Company in the amount of \$3,185,383.90, excluding NMGRT.

Motion: Fred Rodarte Second: Beverly Michael Ayes: 3 Nays: 0

1.13 Discussion/Action - Approval of Golf Cars Purchase or Lease from MASEK Rocky Mountain Golf Cars

Kim Garduño, Golf Course Director, took the floor, stating the current Yamaha Golf Cars could be purchased, which have been leased for the past five years in the amount of \$3,553 monthly, in total \$183,180, and if the City purchases the current golf carts, the purchase amount totals \$298,703.50.

Mayor Garcia asked about the current carts; Ms. Garduno replied, stating they are gas but are only filled up once a month, totaling about \$1,300 a month, which are more cost efficient than electric carts.

Councilor Michael asked for Ms. Garduño’s recommendation; Ms. Garduno replied stating, she recommends the purchase for the current carts.

Councilor Garcia asked if the Golf Course has a mechanic on site; Ms. Garduño replied, stating there is an onsite mechanic.

Councilor Garcia asked about the status of the current carts condition; Ms. Garduño stated that all of the carts are working.

Mayor Garcia asked Mr. Villalobos, the Finance Manager if the golf carts were within the budget.

Mr. Villalobos replied the purchase was not in the budget and, depending on the decision today, it would have to be approved by a future Budget Adjustment.

Councilor Michael pointed out that if the current agreement would stand, it would be over \$250,000 in five years.

Motion: Buy these outright for \$115,523.50

Motion: Fred Rodarte Second: George Garcia Ayes: 3 Nays: 0

1.14 Discussion/Action - Approval of Cibola Arts Council FY24 Funding

Lezlie Smith, Cibola Arts Council Representative, addressed the Council and asked for approval of the organizations funding proposal. She pointed out that since the initial proposal was made, the additional projected funding from the County was denied.

Councilor Michael pointed out that the amount requested from the organization was \$33,849.60.

Ms. Smith stated this amount was correct, but within the agreement the cost of utilities and rent not be charged for the City owned building which the organization occupies.

Mayor Garcia confirmed with the Finance Manager, Mr. Villalobos, that the City had budgeted the organization's amount, which they were approved last year.

Mr. Villalobos replied, stating the City had budgeted the amount the organizations were awarded last year, and he recommended the approval of these types of funding be brought for Councils approval prior to the City's new fiscal year's budget approval. He also stated, " ...regarding the rent and utilities, we would have to do more research... (due) to anti-donation, I think we would still have to have some kind of amount, even if it is one dollar per year, that needs to be clear, we just can't waive the rent."

Attorney Nixon stated she believed Mr. Villalobos was correct.

Motion: Approve the \$40,000, as per budget for Cibola Arts Council.

Motion: Beverly Michael Second: George Garcia Ayes: 3 Nays: 0

1.15 Discussion/Action - Approval of Cibola Communities Economic Development Foundation FY24 Funding Consideration

Eileen Chavez-Yarborough, Cibola Communities Economic Development (CCED) addressed the Council. Mrs. Chavez-Yarborough asked for a funding increase, which is currently \$25,000 per year.

Councilor Michael confirmed the organization's current funding amount of \$25,000. She also stated the ideas the CCED had for outdoor recreation and asked Mrs. Chavez Yarborough to explain these ideas.

Mrs. Chavez-Yarborough described the different stages for scopes of work, which included an expansion, a business luncheon, and an infrastructure at the Industrial Park. She also explained plans to work with railroad companies and master plans for the Prewitt Industrial Park, which would provide storage for supply chain users to assist the Escalante and Vio Papel with storage.

Councilor Michael asked about the organization's audits.

Mrs. Chavez-Yarborough replied, stating her organization will have an audit soon.

Councilor Garcia asked about the organization's plans for the City of Grants.

Mrs. Chavez-Yarborough replied, stating her organization's original plans for the County will be "revised" for the City of Grants and the Village of Milan.

Councilor Garcia questioned the organization's funding issues, and Mrs. Chavez-Yarborough replied, "everything has been resolved and restored".

Councilor Michael pointed out that funding (to CCEDF) for outdoor recreation and the knowledge of the hydrogen hub status "is a big thing" and stressed the organization's funding. She also stated that promoting outdoor recreation is important to the City.

Mrs. Chavez-Yarborough stated her organization is not just focused on outdoor activities but also on sales of products which are unique to the outdoor area activities.

After Councilor Garcia made the motion for this Item, Councilor Michael commented the City should fund the organization \$64,000.

Motion: Approval of Cibola Communities Economic Development Foundation FY24 Funding Consideration in the amount of \$40,000.

Motion: George Garcia Second: Fred Rodarte Ayes: 2 Nays: 1, BM

1.16 Discussion/Action - Approval of Grants Community Pantry FY24 Funding

Alice Perez, Grants Community Pantry Director, addressed the Council. Ms. Perez asked the Council for \$25,000 to purchase of food for the Citizens of Grants. She stated the amount awarded from last year was not used.

Councilor Garcia asked if the City had received the grant reimbursements for the pantry purchases.

Finance Director Villalobos replied, stating the City had not received the final reimbursements yet.

Motion: Approval of Grants Community Pantry FY24 Funding for \$25,000.

Motion: Fred Rodarte Second: Beverly Michael Ayes: 2 Nays: 1, GG

1.17 Discussion/Action - Approval of Grants MainStreet FY24 Funding

Councilor Michael recused herself from the item due to recently establishing a business in the MainStreets District.

William Yarborough, MainStreet Director, addressed the Council, stating his organization currently has a standing Memorandum of Understanding (MOU) and asked for the amount of the MOU for \$35,000.

Councilor Garcia asked about the accreditation funding.

Mr. Yarborough replied, stating it is the City's responsibility to match the accreditation funding; he also noted a high turnover rate in his organization's directors' position.

Councilor Garcia pointed out that Cibola County did not fund MainStreet this year.

Motion: Approval of Grants MainStreet FY24 Funding in the amount of \$35,000.

Motion: George Garcia Second: Fred Rodarte Ayes: 3 Nays: 0

Mayor Garcia entertained a motion for a five-minute recess.

Motion: To take a five-minute recess.

Motion: Fred Rodarte Second: George Garcia Ayes: 3 Nays: 0

Motion: That we come back into session.

Motion: Fred Rodarte Second: George Garcia Ayes: 3 Nays: 0

The meeting was back in session at 4:32 PM.

1.18 Discussion/Action - Approval of Northwest New Mexico Council of Governments FY24 Funding

Brandon Howe, NWNMCOF Director, addressed the Council. Mr. Howe stated his organization increased its funding proposal to \$50,000 to have a staff member positioned in Cibola County.

Mayor Garcia reiterated Mr. Howes proposal.

Mr. Howe pointed out that his organization not only writes grants but also assists with the planning of projects. He then went over projects that his organization assists with, such as the Comprehensive Safety Transportation Plan, the Prewitt Hydrogen effort, the Milan Industrial Park, and Outdoor Recreation.

Councilor Garcia asked to confirm if the ICIP was not the "ruling document" and if other projects could be initiated that were not on the ICIP list.

Mr. Howe replied, stating the ICIP list can be amended.

Mayor Garcia asked if the Future Foundation plan would eventually be placed on the ICIP list; Mr. Howe replied, stating when the City is further vested into this plan, it can be added to the list.

Mr. Howe pointed out that this funding is separate from the prior amount, which was approved at this meeting earlier.

Motion: Approval of Northwest New Mexico Council of Governments FY24 Funding in the amount of \$50,000.

Motion: Beverly Michael

Second: George Garcia

Ayes: 3

Nays: 0

1.19 Discussion/Action - Approval of Rockin 66 Transit FY24 Funding

Melissa Chavez, Rockin 66 Transit Director, addressed the Council. Ms. Chavez stated her organization's funding has been cut in the past few years from the \$52,000 and proposed the City fund this amount again.

Councilor Garcia stated the City of Grants citizens do take advantage of transit services and asked Ms. Chavez if the County pulled their funding this year.

Ms. Chavez Replied, stating her organization did receive MOU funding from the County this year.

Motion: Approval of Rockin 66 Transit FY24 Funding in the amount of \$52,000.

Motion: Fred Rodarte Second: Beverly Michael Ayes: 3 Nays: 0

1.20 Discussion/Action - Approval of Resolution No. 23-1827, Budget Adjustment No. 1, with attachment 23-1827-A

Victor Villalobos, Finance Director, addressed the Council. Mr. Villalobos explained the Budget Adjustment process, stating when approval of non-budgeted items happens, the "...increase these expenses it further constricts that gap that we have between revenues and expenses, so he just asks Council to keep that in mind". He then explained the Budget Adjustments in the Resolution, which consisted of the increase of refund reimbursement account, the New Mexico Clean & Beautiful Grant, the library software and supplies, the COG Grant Agreement, and the Salary Increases out of the General Fund for the Ex-City Managers payout.

Councilor Michael asked what the amount was for the Ex-City Manager's payout. Finance Director Villalobos replied, stating the salary payout was \$22,771, the sick leave payout was \$871, and the vacation payout was \$11,078.66. Councilor Michael then confirmed the total payout was \$33,000.

Councilor Garcia asked if the Interim City Managers salary would be paid the amount which the Ex-City Manager had; Mr. Villalobos answered, stating the interim manager receives a 15% salary increase added to their current salary when they are appointed for the position.

Motion: Approval of Resolution No. 23-1827, Budget Adjustment No. 1, with attachment 23-1827-A

Motion: Beverly Michael

Second: Fred Rodarte

Ayes: 3

Nays: 0

1.21 Discussion/Action - Approval of New Mexico Self Insurance Fund (NMSIF) Invoice in the amount of \$340,277

Victor Villalobos, Finance Director, addressed the Council. Mr. Villalobos explained the amount on the Agenda was not correct, which should be \$352,421. Finance Director Villalobos explained the payment was for all of the City's Insurance Policies through the NMSIF. He recommended full payment, stating this is a routine expense for the City.

Motion: Approval of New Mexico Self Insurance Fund (NMSIF) Invoice in the amount of \$352,421.

Motion: George Garcia Second: Beverly Michael Ayes: 3 Nays: 0

1.22 Discussion/Action - Approval of Superior Ambulance Service Subsidy Increase

Victor Villalobos, Finance Director, addressed the Council. Mr. Villalobos pointed out the City was notified by Superior Ambulance that they would cease services on August 11, 2023. He stated the owner, Mr. Chris Archuleta, noted the operating costs sufficed to end the contract. Also, if the City agreed to pay the excess cost, a bid for the contract would have to go out due to the cost exceeding more than \$60,000 per year, which would leave the City without ambulance services for the time being. He then gave examples of options; one would be to pay Mr. Archuleta on a monthly term until the contract could be settled.

Chris Archuleta, Superior Ambulance Service CEO/Owner, addressed the Council, stating he has provided the Council with budgets and different options. Mr. Archuleta said due to additional operating costs, his business is losing profit, and the City is the only paying customer in the County. He explained his attempts to have the other local governments contribute monetary assistance for the services have not been successful, and he feels an RFP needs to be made in order for all local governments to receive services. Mr. Archuleta stated most of the clients served by the company have Medicaid or Medicare Insurance, which pays out a very low percentage of what they are billed. He ended his discussion by stating that, due to negotiations at a deadlock with the Village of Milan and Cibola County, he was counting on this Council to negotiate funding with the other local governments. Mr. Archuleta pointed out that his company will bid on the new contract but with a higher amount and that he feels the City of Grants should not be the only local government entity funding the ambulance service.

Attorney Jessica Nixon asked Mr. Archuleta, "I just want to be clear about the timeline. The RFP from the City of Grants went out in June 2022 and you responded to that, correct?"

Mr. Archuleta responded, "Correct."

Mrs. Nixon stated, "...and you entered the contract only with the City of Grants, on August 1st of 2022, is that correct?"

Mr. Archuleta responded, yes.

Mrs. Nixon then asked, "And you bid that based on your expected cost at that time; is that correct"?

Mr. Archuleta responded, stating Attorney Nixon was correct and that his company had not projected a "fall out" and was hoping his company's status would get better with time, but it did not happen with rising costs.

Attorney Nixon asked if his company has received any type of funding from the Village of Milan or Cibola County.

Mr. Archuleta responded, stating his company has not, but the past ambulance service company did receive funding from the other two local governments.

Attorney Nixon then asked when failed negotiations for funding between the other two local governments were initiated; Mr. Archuleta replied that it was around 2018 and 2019, but due to COVID in 2020, negotiations did not go further.

Mr. Archuleta pointed out that the contract which was presented was the amount in which his company could "sustain," but if the other two local governments assisted the City's contract, funding would be less.

Councilor Michael stated the amount of calls in each district would be questioned.

Mr. Archuleta replied, stating the "majority of the calls would be in the City", and pointed out the less the service is used, the more money is asked due to the need for "readiness and availability".

Councilor Michael pointed out the fairest scenario would be to split the cost of the ambulance services equally between the three local governments.

Councilor Rodarte asked if Mr. Archuleta had any conversations with the other two local governments.

Mr. Archuleta replied, stating he had conversed with the Village (of Milan), who said they could not provide assistance, and the County (Cibola), who was waiting for the City of Grants to act before they committed to any final decision.

Councilor Rodarte asked Finance Director Villalobos if the City could initiate any negotiations with the County.

Mr. Villalobos responded, stating this type of negotiation would have to be made between that entity, their governing body, and Superior Ambulance.

Attorney Nixon stated, "Mr. Archuleta, are you required to notify the PRC that you're withdrawing services from this area"?

Mr. Archuleta replied, "If there is a full intent, yes, I do."

Attorney Nixon then asked if the notification had been made to the PRC.

Mr. Archuleta stated he had made the notification but had also been notified there was a stalemate process, and that his Lawyer had made the notification.

Attorney Nixon asked Mr. Archuleta if a copy of the notification submitted to the PRC could be provided to the City.

Mr. Archuleta replied, stating he thought it was a verbal notification.

Chief Hays then took the floor, stating the Fire & Safety Department was preparing to provide emergency medical services to the citizens of Grants, but currently Mr. Sanchez still holds the PRC license, which imposes his business to provide services. He also explained the price for the City to provide ambulance services was in the millions of dollars and urged the Council to negotiate services with Superior Ambulance.

Councilor Garcia asked if the City had a Joint Powers Agreement (JPA) for the housing of inmates.

Police Chief Monte replied, stating the City does have a JPA for the housing of inmates with Core Civic.

Councilor Garcia pointed out that with this being said, some type of joint agreement could be made between the local governments for ambulance services.

Mr. Archuleta stated his company plans on providing services until a negotiation is made.

Lt. Anthony Valencia, Grants Fire & Rescue, stated he agrees prices have gone up, but the City should not be held liable for negotiations with the other Local Governments' ambulance contracts, which resulted due to "failed management on the company's side". Lt. Valencia also pointed out that due to Mr. Archuleta's corporation not attending any of the local government's meetings in the past, the City could assist him in parliamentary process.

Mayor Garcia asked why Mr. Archuleta had not asked to be on past Agendas. Mr. Archuleta stated, three years ago, he did make the request, but due to COVID it was canceled.

Councilor Garcia questioned the PRC contract and if it required to service the entire county.

Attorney Nixon replied, stating it is a state requirement, and recommended the Council issue another RFP.

Councilor Michael stated the Council should follow Attorney Nixon's advice regarding the RFP.

EXECUTIVE SESSION

Motion and roll call vote to go into Executive Session and that, pursuant to New Mexico State Statute Section 10-15-1, only the following matters will be discussed in closed session:

Motion: Motion and roll call vote to go into Executive Session and that, pursuant to New Mexico State Statute Section 10-15-1, only the following matters will be discussed in closed session, Pursuant to Section 10-15-1 (H) the following matters may be discussed in closed session: a. Pending or threatened Litigation 10-15-1 (H)(7) Bond-Gunderson Properties Demand Letter.
Motion: Beverly Michael Second: George Garcia Ayes: 3 Nays: 0

Pursuant to Section 10-15-1 (H) the following matters may be discussed in closed session:

a. Pending or threatened Litigation 10-15-1

**(H)(7) Bond-Gunderson Properties Demand
Letter**

Motion and Roll Call Vote to Return to Regular Session

Motion: Motion and Roll Call Vote to Return to Regular Session
Motion: Beverly Michael Second: Fred Rodarte Ayes: 3 Nays: 0

Motion and Roll Call Vote that Matters Discussed in Closed Session were limited to those specified In

Motion for closure, and that no Final Action was Taken, as Per New Mexico Statutes Section 10-15-1

Motion: Motion and Roll Call Vote that Matters Discussed in Closed Session were limited to those specified In and Motion for closure, and that no Final Action was Taken, as Per New Mexico Statutes Section 10-15-1

Motion: George Garcia Second: Beverly Michael Ayes: 3 Nays: 0

COMMENTS

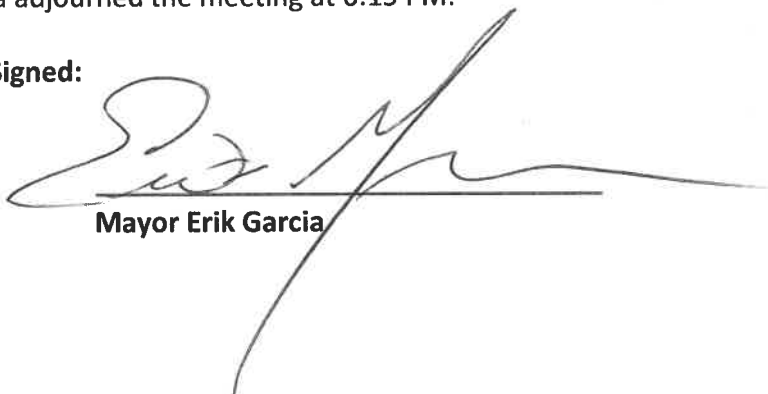
Councilor Michael thanked everyone for their hard work.

Mayor Garcia stated he is working on the new appointment of the Interim City Manager and then spoke of an aqua drip system for the City's pipes.

ADJOURN

Mayor Garcia adjourned the meeting at 6:15 PM.

APPROVED Signed:



Mayor Erik Garcia

ATTEST:



City Clerk

