

**Regular Meeting of the Legal Committee  
Held in the Conference Room at City Hall  
Thursday, January 26, 2017**

Notice of this meeting was given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 16-69.

**Roll Call**

The meeting convened at 4:05 p.m. with Chairman Perry presiding; Councilor Best, Councilor Foster, and Councilor Oropesa being present.

Staff present: Aaron Holloman, Bill Morris and Paula Hertwig- Hopkins.

Guests present: Christopher Huebner.

**APPROVAL OF AGENDA**

Councilor Best moved to approve the January 26, 2017 Legal Committee meeting agenda and to remove the AerSale, Inc., a Florida Corporation lease, under Regular Item 1, number 3, from the agenda. Councilor Foster was the second. A voice vote was 4-0 and the motion passed.

**APPROVAL OF MINUTES**

Councilor Best moved to approve the minutes from the December 22, 2016 Legal Committee meeting. Councilor Foster was the second. A voice vote was 4-0 and the motion passed.

**REGULAR ITEMS**

1. To recommend to full City Council that the following RIAC agreement to existing leases be placed on the Consent agenda for approval:

- (1) Kerry Hunter- an individual, to renew his current lease agreement on Building No. 117. Aaron Holloman discussed the new rent amount is \$474 monthly; \$5,688 annually. Rent adjustment is 3.72%. Kerry Hunter has been a customer since March 1993. New term is March 1, 2017 through February 28, 2018. Councilor Perry discussed the lease pages in the packet stating that he would like to have the abstract and the front page of the lease only if it is a regular form lease. Councilor Foster moved to place Kerry Hunter on the consent agenda to renew his agreement subject to all terms and conditions of the lease. Councilor Oropesa was the second. A voice vote was 4-0 and the motion passed.
- (2) Don and Angel Mayes- individuals, to renew their current lease agreement on "T" Hangar Building No. 120, space 2. The square feet is 1,002. The new rent amount is \$178 monthly; \$2,136 annually. Rent adjustment is 2.89%. New term is March 1, 2017 through February 28, 2018. Don and Angel Mayes have been customers since February 2010. Councilor Perry requested a presentation from the airport concerning the inexpensive rent. Councilor Foster moved to place Don and Angel Mayes on the consent agenda to renew their lease agreement subject to all terms and conditions of the lease. Councilor Oropesa was the second. A voice vote was 4-0 and the motion passed.

- (3) AerSale, Inc., a Florida Corporation, to renew their current lease agreement on Building No. 118. This item was removed from the Legal Committee agenda under APPROVAL OF AGENDA at the beginning of the meeting.
- (4) Avis Rent A Car System, LLC, a Delaware Corporation, to renew their current lease agreement on counter and office space in the Terminal Building- Aaron Holloman discussed the counter space is 109 square feet, office space is 256 square feet, and 10 parking slots and an area of land is 4,085 square feet. New rent amount is \$2,122 monthly; \$26,544 annually. Rent adjustment is 2.69%. Avis Rent A car System LLC, has been a customer since July 2001. Councilor Foster moved to place Avis Rent A Car System on the consent agenda to renew their lease agreement subject to all terms and conditions of the lease. Councilor Best was the second. A voice vote was 4-0 and the motion passed.
- (5) EAN Holdings, LLC, a Delaware Corporation, dba Enterprise Rent A Car, to renew their current lease agreement on counter and office space in the Terminal Building and 10 parking slots on the east side of the Terminal Building- Aaron Holloman discussed the counter space is 930 square feet, and 10 parking slots. New rent amount is \$1,809 monthly; \$21,708 annually. EAN Holdings, LLC has been a customer since May 2012. Councilor Perry discussed his concern on EAN Holdings not being fully staffed. Councilor Foster moved to place EAN Holdings, LLC on the consent agenda to renew their lease agreement subject to all terms and conditions of the lease. Councilor Best was the second. A voice vote was 3-1 and the motion passed with Councilor Oropesa voting no.
- (6) Karen Maynes- an individual, to amend her current lease agreement lease. Aaron Holloman stated that Karen Maynes wants to amend her current lease agreement on Hangar Building No. 120, Space 5 to allow Gary Baker, an individual, to be added to the lease. After committee members discussed Councilor Foster motioned to table the Karen Maynes lease. Councilor Oropesa was the second. A voice vote was 4-0 and the motion passed.
- (7) Jon E. Hitchcock, Robert B. Corn, James Patterson, Siavash Kairmian, Brandon Arnold, and John Berry- as individuals, to amend their current lease agreement on portions of Hangar No. 91, Space A and B, to allow Larry Marker, an individual, to be added to the lease and add an option renewal clause in the lease. Aaron Holloman discussed the individuals wanted to add two, one year options to renew their lease. Councilor Foster moved to place the two, one year options and Larry Marker on the lease with Jon E. Hitchcock, Robert B. Corn, James Patterson, Siavash Kairmian, Brandon Arnold, and John Berry on the consent agenda to renew their lease agreement subject to all terms and conditions of the lease 2017. Councilor Best was the second. A voice vote was 3-1 and the motion passed with Councilor Oropesa voting no.

2. Revised Proposed Ordinance 16-21 (increasing the Municipal Court fines) to authorize advertisement of a public hearing on same. Aaron Holloman stated the City is authorized to

collect fines for violations of City ordinances up to a maximum fine of \$500. This ordinance would increase the fines schedule as set out in the ordinance. It would allow to increase the ordinance to meet with current state statute on collection of a judicial education fee. Councilor Perry and Judge Mallion compared The City of Roswell fines and fees to the City of Farmington. Farmington population is the same as Roswell. Councilor Perry motioned to send to full council for the advertisement Proposed Ordinance 16-21 in the amended version that the committee discussed to include a fifth whereas, "Whereas, the City wishes to make our public safer by raising the fees in the desire that violating these laws would be a deterrent" or according to the language that the City Attorney deems appropriate. Councilor Foster was the second. A voice vote was 3-1 and the motion passed with Councilor Oropesa voting no.

**PUBLIC PARTICIPATION**

None

**ADJOURN**

Meeting adjourned at 5:12 p.m.