

**Regular Meeting of the Legal Committee
Held in the Roswell Convention & Civic Center
Thursday, March 25, 2021**

Notice of this meeting was given to the public in compliance with Section 10-15-1 through 10-15-4 NMSA and Resolution 21-07.

ROLL CALL

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

Staff present: Matthew Miller, Mike Mathews, Joe Neeb, Jeff Bechtel, Phil Smith, Scott Stark, Parker Patterson, Steve Christopher, Daniel Fuller, Kevin Maefer, Lupita Everett, Juan Fuentes, Jessica Collier, Councilor Jeanine Best.

APPROVAL OF AGENDA

Councilor Perry moved to approve the March 25, 2021, Legal Committee meeting agenda with the following change: Item 1d change name from Associated Records, Inc. to Information Protection Services. Councilor Foster as a second. A voice vote was 3-0, and the motion passed with Councilor Peterson being absent.

APPROVAL OF MINUTES

The February 25, 2021, Legal Committee minutes were accepted as written.

REGULAR ITEMS

1. **RAC Agreements**

- A. **Patricia Rodak, as individual** – Scott Stark discussed the agreement. Councilor Perry moved to send to the consent agenda the recommendation to authorize Patricia Rodak to enter into a new lease agreement on Building No. 117, consisting of 4,736 square feet, more or less. Term: May 1, 2021 through April 30, 2022. Rent amount is \$597 monthly; \$7,164 annually. Councilor Foster as the second. A voice vote was 3-0, and the motion passed with Councilor Peterson being absent.
- B. **Kurt Becker, as individual** – Scott Stark discussed the agreement. Councilor Perry moved to send to the consent agenda the recommendation to authorize Kurt Becker to enter into a new lease agreement on Building 120, Space 4, consisting of 1,175 square feet, more or less. Term: May 1, 2021 through April 30, 2022. Rent amount is \$205 monthly; \$2,460 annually. Councilor Foster as the second. A voice vote was 3-0, and the motion passed with Councilor Peterson being absent.
- C. **Christopher Lynn, as individual** - Scott Stark discussed the agreement. Councilor Perry moved to send to the consent agenda the recommendation to authorize Christopher Lynn to enter into a new lease agreement on Building 120, Space 1, consisting of 1,175 square feet, more or less. Term: May 1, 2021 through April 30,

2022. Rent amount is \$205 monthly; \$2,460 annually. Councilor Foster as the second. A voice vote was 3-0, and the motion passed with Councilor Peterson being absent.

- D. Information Protection Services – Scott Stark discussed the agreement. Councilor Perry moved to send to the consent agenda the recommendation to authorize Associated Records, Inc., to enter into a renewal lease agreement on Building No. 250 consisting of 20,000 square feet, more or less. Term: Five (5) years commencing May 1, 2021 through April 30, 2026. Rent amount is \$3,418 monthly; \$41,016 for the first year. Rent adjustment is 3%. Thereafter rent shall increase each year by CPI-U or 3%. Councilor Foster as the second. A voice vote was 3-0, and the motion passed with Councilor Peterson being absent.
2. Ordinance 21-XX: Mutual Aid IGAs – Joe Neeb and Parker Patterson discussed the Ordinance. Councilor Foster moved to send to full City Council to advertise and hold a public hearing. Councilor Perry as the second. A voice vote was 3-0, and the motion passed with Councilor Peterson being absent.
 3. Resolution 21-XX: Amending the Consent Agenda – Parker Patterson discussed the resolution. Consider recommending adoption of a resolution amending Resolution 2366 establishing the City Council Consent Agenda. For discussion only, no action was taken.
 4. Telecommunications Tower Lease – Scott Stark discussed the agreement. Gravity Pad Towers, LLC requests land located at the RAC, consisting of 2,500 square feet, more or less, for the purpose of transmission and reception of communication signals and the installation, construction, modification, replacement, maintenance, operation, repairs and removal of communications fixtures and related equipment cables. The Lease has a two year lease option and, if the option is exercised, a term of Five (5) years from the Commencement Date, with option to renew seven (7) additional five (5) year terms. Rent amount is \$1,020 monthly. In addition, the tenant is required to pay to the City twenty percent (20 %) of any rents received from subleases. Councilor Foster moved to have a special Legal Committee meeting to discuss the Telecommunications Tower Lease on Thursday, April 1, 2021 at 4:00 PM. Councilor Perry as a second. A voice vote was 3-0, and the motion passed with Councilor Peterson being absent.

PUBLIC PARTICIPATION: Sean Milks, a representative of Gravity Pad Towers, LLC via GoToMeetings.

5. Ambulance Services Agreement – Councilor Stubbs moved that the City Council Legal Committee go into closed session pursuant to NMSA 1978, §10-15-1H (6) to discuss contents of a competitive sealed proposal for Ambulance Services. RFP-21-002 was posted on September 25, 2020 and two (2) proposals were received on October 13, 2020. The City Council awarded the RFP to American Medical Response Ambulance Service, Inc. at its January 14, 2021 meeting. The Emergency Ambulance Services Agreement has an initial two year term, with an additional two year renewal. Price terms are confidential until the Agreement is executed, pursuant to NMSA 1978, §10-15-1H (6). Councilor Foster as the second. A roll call was as follows, Councilor Stubbs-yes, Councilor Perry-yes, Councilor

Foster-yes with Councilor Peterson being absent and the motion passed

FOR THE RECORD: Councilor Stubbs reported that the City Council Legal Committee is back in open session at 6:33 p.m.; we held a closed session, pursuant to NMSA 1978, §10-15-1H (6) to discuss contents of a competitive sealed proposal for Ambulances Services. No action was taken and no votes were cast.

Councilor Foster moved to send to full City Council to recommend approval to City Council of an Ambulance Services Agreement with American Medical Response Ambulance Service, Inc. Councilor Perry as the second. A voice vote was 3-0, and the motion passed with Councilor Peterson being absent.

6. Department Reports – City Clerk, Legal Department and Human Resources. For discussion only.

CHAIR COMMENTS, REPORTS, ANNOUNCEMENTS

None

PUBLIC PARTICIPATION

ADJOURN

The meeting adjourned at 6:35 p.m.