

**Regular Meeting of the Legal Committee
Held in the Roswell City Hall
Thursday, April 28, 2022**

Notice of this meeting was given to the public in compliance with Section 10-15-1 through 10-15-4 NMSA and Resolution 22-14.

ROLL CALL

The meeting convened at 4:00 p.m. with Chair Heldenbrand presiding, Councilor Arnold, Councilor Corn and Councilor Oropesa present.

Staff present: Parker Patterson, Juanita Jennings, Kevin Maevers, Jenna Lanfor, Scot Stark, Joe Neeb, Mike Mathews, and Todd Verciglio.

Guests present: Del Journey with Working Mother's Day Nursery, Marcos Nava with Hispano Chamber of Commerce, Corrina Oropesa, Rita Kane-Doerhoefer, Alicia Gilmore, Lisa Dunlap, Alma Salas, and Andrea Moore.

Public present via GoToMeeting: None

APPROVAL OF AGENDA

Councilor Corn moved to approve the April 28, 2022, Legal Committee meeting agenda. Councilor Oropesa as a second. A voice vote was 4-0, and the motion passed.

APPROVAL OF MINUTES

None at the time.

REGULAR ITEMS

1. **RAC Lease Agreements**

- A. **5 By 5 Services, LLC** – Jenna Lanfor discussed the lease. Councilor Arnold moved to send to the full city council agenda the recommendation to authorize 5 By 5 Services, LLC to enter into a lease for Airport Operations land. They are requesting 217,800 square feet (5 Acres) of Airport Operations land for the purpose of aircraft dismantling, transitional aircraft, and Ground Servicing Equipment (GSE) storage. 5 By 5 Services, LLC is a new tenant. Term commencing June 1, 2022 - May 31, 2027, (5) year. Rent amount is \$21,780.00 annually, payable in 12 monthly installments of \$1,815.00. Councilor Corn as the second, with an amendment to subsection C that requires environmental hazard insurance coverage. A voice vote was 4-0, and the motion passed. Councilor Corn made a motion to adopt agenda item 1(a) as amended. Councilor Arnold as the second.
- B. **Aerodesign Services, LLC** – Jenna Lanfor discussed the lease. Councilor Corn moved to send to full city council agenda the recommendation to authorize Aerodesign Services, LLC to enter into a new lease of a portion of Building 1000.

They are requesting 240 square feet, more or less, of office space in Building 1000. Aerodesign Services, LLC is a new tenant. Term commencing June 1, 2022 - May 31, 2023, (1) year. Rent Amount is \$2,880.00 annually, payable in 12 monthly installments of \$240.00. Term March 1, 2022 - February 28, 2023. Councilor Oropesa as the second. A voice vote 4-0, and the motion passed.

2. Resolution 22-XX: City Manager Authority – Scott Stark discussed the Resolution. Councilor Corn moved to send to the full city council the recommendation to authorize the city manager to apply for, accept and execute grant agreements for funding assistance from the state of New Mexico Aviation Division on behalf of the City of Roswell for project development at the Roswell Air Center. The City of Roswell periodically makes application to the State of NM for the grant of state funds for project development at the Roswell Air Center. The State of NM has approved projects for airport development at the Roswell Air Center and it is the intent of the governing body to accept the grant offers made by the State of NM through its Aviation Division. A similar resolution is presented to the governing body annually. Councilor Arnold as the second. A voice vote was 4-0, and the motion passed.
3. Resolution 22-XX: Mayor Authority – Scott Stark discussed the Resolution. Councilor Corn moved to send to the full city council the recommendation of Resolution 22-XX, authorizing the Mayor to accept funding assistance from the Federal Aviation Administration on behalf of the City of Roswell. The City of Roswell has made application to the FAA for grant of federal funds for project development at the Roswell Air Center. FAA has approved projects for airport development at the Roswell Air Center and it is the intent of the governing body to accept grant offers made by the FAA. A similar resolution is presented to the governing body annually. Councilor Oropesa as the second. A voice vote was 4-0, and the motion passed.
4. Hispano Chamber of Commerce Agreement Renewal – Juanita Jennings discussed the Agreement. The Hispano Chamber of Commerce works in partnership with the City of Roswell to provide services to businesses and to expand business and economic development in our area. In 2019 all contracts were updated to reflect scope of work for funding level. The contemplated Agreement would provide a revised and updated scope of work to support the Hispano Chamber of Commerce work and continue the City's existing relation with the Hispano Chamber. In 2020 the contract amount was \$25,000, FY21 the contract amount was \$30,000. The Hispano Chamber is currently requesting an increase of \$20,000 for FY23 total of \$50,000. Councilor Corn moved to table the Agreement until the June 2022 Legal Committee Meeting and bring it before full city council. Councilor Oropesa as the second. A voice vote was 4-0, and the motion passed.
5. Family Resource and Referral, Inc. aka Working Mother's Day Nursery Lease Agreement – Todd Verciglio discussed the lease agreement. Councilor Corn moved to send to full city council the recommendation to approve the lease agreement with the Working Mother's Day Nursery Working Mother's Day Nursery wishes to lease the property at 500 East Bland. WMDN provides an early child development program for children between the ages of 6 weeks to 5 years, at below market rates for the less

advantaged children and families in Roswell and Chaves County. Working Mother's Day Nursery would pay annual rent in the amount of \$1.00/Year for the use of the building and provide insurance. Councilor Arnold as the second. A voice vote was 4-0, and the motion passed. Mr. Journey had a handout.

6. 928 Davidson Offer Selection – Todd Verciglio discussed the seven offer selections. Councilor Corn moved to send to full city council the recommendation of the offer six for 928 Davidson Property. The City of Roswell wishes to sell 928 Davidson Drive that was bequeathed to the Roswell Public Library. The City had an appraisal of the property to determine its market value. The market value was assessed at \$80K. We then listed the property with Berkshire Hathaway Home Services Enchanted Lands, REALTORS® on February 23rd, 2022. The property listing was open for offers until April 15th, 2022. We received 7 offers, 4 offers were at above the appraisal amount, Offer 6 being the highest prequalified offer. If Offer 6 is accepted and the property is sold through the ordinance it will yield \$84,812.44 to the Roswell Public Library. Councilor Arnold as the second. A voice vote was 4-0, and the motion passed.
7. Ordinance 22-XX: 928 Davidson Dr. – Parker Patterson discussed the ordinance. Councilor Corn moved to send to full city council to authorize to advertise for a public hearing to consider adopting Ord. 22-XX authorizing the sale of 928 Davidson Dr. The proposed Ordinance would authorize the sale of 928 Davidson Dr., a residential property which the City received by bequest from the Estate of John Ray Green to the offeror selected by the City Council. Compensation for the sale will depend on which offer is accepted by the City Council. Councilor Oropesa as the second. A voice vote was 4-0, and the motion passed.
8. Department Reports – Safety and Legal Department. Discussion only, no action taken.

CHAIR COMMENTS, REPORTS, ANNOUNCEMENTS



Councilor Oropesa proposed to bring the Rules of Order to the next Legal Committee Meeting.

PUBLIC PARTICIPATION

Marco Nava and Del Journey



ADJOURN

The meeting adjourned at 5:52 p.m.



Meeting of the City of Roswell Legal Committee

April 28, 2022 4:00 PM



Item 1 RAC Leases

Consider recommending to the consent agenda for approval by
the City Council of the following leases at the RAC.



Item 1(A) RAC Lease – 5 By 5 Services, LLC

Consider recommending approval to authorize 5 By 5 Services, LLC to enter into a lease for Airport Operations land.

Item 1(A): RAC Lease

Lessee: 5 By 5 Services, LLC

Location: Air Operations Land;
217,800 Square Feet (5 Acres)

Term: June 1, 2022 to May 31, 2027

Rent: \$21,780.00 Annually;
\$1,815.00 Monthly

Background:

5 By 5 Services, LLC requests 217,800 square feet (5 Acres), more or less, of Airport Operations land for the purpose of aircraft dismantling, transitional aircraft, and Ground Servicing Equipment (GSE) storage. 5 By 5 Services, LLC is a new tenant.





Item 1(B) RAC Lease – Aerodesign Services, LLC

Authorize Aerodesign Services, LLC to enter a lease for a portion of Building 1000.

Item 1(B): RAC Lease

Lessee: Aerodesign Services, LLC

Location: Building 1000; 240 Square Feet

Term: June 1, 2022 to May 31, 2023

Rent: \$2,880.00 Annually; \$240.00 Monthly

Background:

Aerodesign Services, LLC requests 240 square feet, more or less, of office space in Building 1000 for the purpose of aviation administration activities. Aerodesign Services, LLC is a new tenant





Item 2

Resolution 22-XX: City Manager Authority

Authorizing the City Manager to accept New Mexico Aviation Funds

Item 2: Res 22-XX City Manager Authority



Background:

The City of Roswell periodically makes application to the State of NM for the grant of state funds for project development at the Roswell Air Center. The State of NM has approved projects for airport development at the Roswell Air Center and it is the intent of the governing body to accept the grant offers made by the State of NM through its Aviation Division. A similar resolution is presented to the governing body annually.



Item 3 Resolution 22-XX: Mayor Authority

Authorizing the Mayor to accept FAA Funds

Item 3: Res 22-XX Mayor Authority

Background:

The City of Roswell has made application to the FAA for grant of federal funds for project development at the Roswell Air Center. FAA has approved projects for airport development at the Roswell Air Center and it is the intent of the governing body to accept grant offers made by the FAA. A similar resolution is presented to the governing body annually.



Item 4

Hispano Chamber of Commerce Service Agreement

Consider recommending approval of a renewal of the
Business Retention and Development Services Agreement

Hispano Chamber of Commerce Service Agreement



- The City Council is asked to approved the Scope of Services Agreement for FY23

Background:

- In 2019 all community partner service agreements were updated to be consistent with clearly defined Scope of Services that included metrics and reporting measurements. This agreement continues the partnership with updated Scope of Work for FY23.
- This new agreement will follow the fiscal year and budget cycle. The current amount of the contract is \$30,000 per year.
- New funding request for FY23 in the amount of \$20,000 to cover the cost of a part-time office/social media staff member in order to have more online presence is being requested.



Scope of Work

- Total contract amount being requested is \$50,000 per year.
- Scope of Work
 - 40% to be used for Business Development & Retention allocated for these efforts
 - 20% is allocated to Professional Enhancements
 - 40% is allocated to Administrative Costs
- Metrics
 - Quarterly reports on the following: Activities, Profit and Loss Actuals vs. Budget Financial Reports, Educational opportunities provided to members and non-members, recruitment efforts and growth of participation in activities, staffing and board changes, promotional campaigns, cooperative efforts with area organizations.
 - Annual report to City Council, proposed annual budget, list of new members, non-renewals and overview and strategic plan for proceeding year.

Item 5

Family Resource and Referral, Inc. aka Working Mother's Day Nursery Lease Agreement



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Consider recommending approval of the lease agreement with the
Working Mother's Day Nursery



Working Mother's Day Nursery

- Working Mother's Day Nursery wishes to continue to lease the property on 500 East Bland. WMDN provides an early child development program for children between the ages of 6 weeks to 5 years, at below market rates for the less advantaged children and families in Roswell and Chaves County.
- WMDN would pay annual rent in the amount of \$1.00/Year for the use of the buildings and provide insurance.
- Term: 5 years with 1 additional period of 5 years.

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Working Mother's Day Nursery



Thank you!

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928 Davidson Property Sale

Consider recommending an offer to purchase 928 Davidson Dr.

928 Davidson Property Sale



- The City of Roswell wishes to sell 928 Davidson Drive that was bequeathed to the Roswell Public Library. The City had an appraisal of the property to determine its market value. The market value was assessed at \$80K. We then listed the property with Berkshire Hathaway Home Services Enchanted Lands, REALTORS® on February 23rd, 2022. The property listing was open for offers until April 15th, 2022. We received 7 offers, 4 offers were at above the appraisal amount, Offer 6 being the highest prequalified offer.
- If offer 6 is accepted and the property is sold through the ordinance it will yield \$84,812.44 to the Roswell Public Library.



928 Davidson Property Sale

- The City Attorney has reviewed the proposed offers and agreements. Section 3-54-1 under the New Mexico Statutes; Requires approval by a majority vote of the Governing Body present and voting.
- Consider recommending approval of Offer 6 to sell 928 Davidson.



Thank you!

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Ord. 22-XX: 928 Davidson

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Consider recommending to authorize to advertise for a public hearing to consider adopting proposed Ord. 22-XX authorizing the sale of 928 Davidson Dr.



Ord. 22-XX: 928 Davidson

- NMSA 1978 Sec. 3-54-1 governs sale of real property by a municipality
- Sale of real property appraised above \$25,000 through a public or private sale shall be pursuant to duly adopted ordinance
- Sale for a price below the appraised value shall be justified in writing
- Ordinance is effective 30 days after adoption, unless referendum petition filed
- Petition must be signed by 15% of registered voters
- If filed, referendum election is held on sale

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Ord. 22-XX: 928 Davidson

- 928 Davidson Dr. – residential property acquired by City from a bequest of the Estate of John Ray Green
- City has no current use for the property
- Proposed Ord. would authorize sale, pursuant to Sec. 3-54-1, of 928 Davidson to offeror selected by the City Council.



Item 8 Department Reports

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Discuss and consider Department Reports.

Thank you