

**CITY OF BLOOMFIELD**  
**REGULAR COUNCIL MINUTES**  
**December 10, 2018**

The Regular Meeting of the Bloomfield City Council was held at 6 p.m. in the Council Chambers at 915 N. First Street, Bloomfield, NM. The meeting was in full conformity with the laws and rules of the Municipality.

In attendance were Mayor Cynthia Atencio and Councilors Matt Pennington, Curtis Lynch, Sue Finch and Ken Hare.

Also present were City Manager George Duncan, City Attorney Ryan Lane, and City Clerk Dorothy Nobis. Department Heads present were Brad Ellsworth, Jason Thomas, Fire Chief John Mohler, Interim Police Chief Randon Matthews and Donna Clifton.

**Councilor Curtis Lynch** offered the invocation and led the Pledge of Allegiance.

**Councilor Finch** moved to approve the Agenda and Councilor Lynch seconded. Approval was unanimous.

**Mayor Atencio recognized the Bloomfield High School Bobcats Football Team and Coaches for their outstanding year, which was culminated with a second place finish in the 2018 NMAA State Football Championships - 4A tournament.**

**Councilor Finch** requested the minutes of the November 26, 2018, be amended and read a statement for the record.

“Councilor Pennington offered his support of IPC Matthews and the officers who serve the City of Bloomfield. He said he is not in favor of going with the Sheriff’s Office and that he believes the Council needs to make a decision regarding the Police Chief’s position. Councilor Pennington also requested that the Approval of Naming IPC Matthews as the permanent Chief be placed on the agenda for the December 10, 2018, meeting of the Council. I then seconded the motion to have it put on the December 10 meeting. Councilor Pennington said he thinks the Council has put the Police Chief’s position and the naming of a new Chief off too long and it is time to make the decision. I stated my support of IPC Matthews and for keeping the Police Department with the city.” – **Councilor Sue Finch**

**Councilor Hare** moved to approve the minutes and **Councilor Lynch** seconded. Approval was unanimous.

**Councilor Finch** moved to approve of the updated Bloomfield Public Library Advisory Board By-Laws and **Councilor Pennington** seconded. Approval was unanimous.

**New Business:**

**Councilor Hare** moved to approve Accounts Payable and **Councilor Finch** seconded. Approval was unanimous

**City Manager George Duncan** requested approval of the Publication of a Notice of Intent to Adopt an Ordinance to Post a Speed Limit of 15 miles per hour on North 6<sup>th</sup> Street from Broadway to W. Sycamore and W. Sycamore from 5<sup>th</sup> to 6<sup>th</sup> Streets. **Councilor Lynch** moved to approve the notice and **Councilor Finch** seconded. Approval was unanimous.

**Unfinished Business:**

There was no Unfinished Business to discuss.

**Department and Public Input:**

**Mayor Atencio** read the following statement regarding the posting of the Police Chief's position:

"After speaking to the Council, the City Manager and the City Clerk, it has been determined that I was not alone in not hearing a second that was made to Councilor Pennington's motion. There was not a Parliamentary Breach as stated in the Daily Times.

In municipalities personnel matters are to be handled through the City Manager. The City Manager is in charge of recruiting department heads. City Manager George Duncan, Councilor Ken Hare, Councilor Curtis Lynch and I all believe in the process of recruiting the Police Chief. The Council is not required to weigh in on Job description changes. That being said, when former Chief Randy Foster was hired, contrary to what was reported in the Daily Times, the minimum requirement was not that applicants had to have served as a lieutenant. I had City Manager George Duncan work with Human Resource Director Donna Clifton to research the post and the job description that were placed when the City was recruiting for Police Chief in 2014. The facts are,

- The job description at the time of the last Police Chief recruitment stated that the minimum qualification had to have 3 years of supervisory experience – no rank was attached to that qualification.
- A revision was made to that job description on 10/01/2014 changing the requirement to the rank of Lt.
- Randy Foster was hired and began working for the City of Bloomfield in August of 2014.
- This change was also not approved by the council. (this was researched by the City Manager and the City Clerk)
- No Chief of Police has been recruited or hired under the job description that was revised on 10/01/14.

Based on my understanding of the consensus that was reached at the last City Council meeting regarding recruitment for the Chief of Police position and that recruitment should be based on the historical practices of the City in fulfilling the Chief of Police position, the job description has been changed to what it has historically been at the City of Bloomfield. This is the opposite of the City doing backroom deals and tailoring the position for a certain person. Appointing a person to the position would be tailoring to one person. Changing a job description to cater to

one person is tailoring. Opening up the position and following the historical process is being transparent and accepting to qualified applicants.”

**Councilor Hare** read a statement opposing the appointment of a police chief. He opposed the process of appointment because the Council had agreed to request the Sheriff’s Office to conduct an examination of the needs of the Police Department and submit a contract proposal for discussion and examination. The Sheriff’s Office spent considerable time at the request of the Bloomfield Council. However, the Sheriff’s Office proposal never received a responsible and appropriate hearing and examination. Councilor Hare pointed out the reasons for an open discussion of alternatives to meet the increasing challenges of public safety. Lastly, Councilor Hare thanked Mayor Atencio for protecting his right to be present during votes on significant issues and protecting his right of dissent.

**Elwin Roark** stated he does not support having the Bloomfield Police Department partner with the San Juan County Sheriff’s Office or having the Bloomfield Fire Department partner with the San Juan County Fire Department.

**Tony De Herrera** stated he agrees that the Council should follow the process in the hiring of a Police Chief.

**Mark Herrera** stated he supports following the hiring process for the Police Chief’s position.

**Rebecca Munoz** stated she supports going through the hiring process but she does not support the partnering of the Bloomfield Police and Fire Departments with San Juan County.

**Jason Crawford** stated his opposition to the partnering of the Bloomfield Police Department with the San Juan County Sheriff’s Office.

**Councilor Finch** offered her appreciation to Jessica Polatty, the director of the Bloomfield Senior Center, for her work at the center, and encouraged everyone to support the Center’s cookie and bread sale.

**Mayor Atencio** recognized Parks Director Melinda Gomez and her staff for their efforts and hard work with the Celebration of Lights display at Salmon Park. She also commended the Bloomfield High School Cheerleaders for their help with the Holiday Craft Fair.

**Councilor Pennington** stated he agreed Councilor Hare should be present for a decision on the Police Chief’s position. He also stated the Council needs to be transparent. Councilor Pennington said he does not support partnering the Bloomfield Police Department with the San Juan County Sheriff’s Office, but he is always open to new information that would be beneficial to the City of Bloomfield. He thanked everyone for attending meetings and for their input on issues.

**Mayor Atencio** stated that changes were made to the job description for the Police Chief’s position that were not approved by the City Council; which is why the job description posted was the one that was used in the selection of the last two Police Chiefs.

**Bill Herrera** said he supports going through the process of hiring the Police Chief, but he does not support partnering the Bloomfield Police Department with the San Juan County Sheriff’s Office.

**CLOSED EXECUTIVE SESSION**

**Mayor Atencio** asked for a motion to go into a Closed Executive Session to discuss limited personnel and pending/threatened litigation. **Councilor Finch** moved to go into Closed Executive Session to discuss those issues and **Councilor Lynch** seconded. Approval was unanimous. The council went into Closed Executive Session at 6:42 p.m. At 8:31 p.m., **Mayor Atencio** asked for a motion to return to the regular meeting, stating nothing was discussed in the executive meeting other than limited personnel and pending/threatened litigation, and approval was unanimous.

**Adjournment:**

**Mayor Atencio** called for adjournment at 8:31 p.m. All were in favor.

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*Mayor Cynthia Atencio*

ATTEST:

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*Dorothy Nobis, City Clerk*