

**Regular Meeting of the Legal Committee  
Held in the Roswell City Hall  
Thursday, May 22, 2025**

Notice of this meeting was given to the public in compliance with NMSA 1978 §10-15-1 through 4 and Resolution 24-23.

**ROLL CALL**

The meeting convened at 2:00 PM with Chair Heldenbrand presiding, Vice Chair Cortez, Councilor Oropesa and Councilor Marrujo present, and with Councilor Corn being absent.

Staff: Hess Yntema, Christopher J. Nairn-Mahan, Vicky Eaton, Shelly Bell, Jordon Isley, Ron Garcia, Casey Conlee, Todd Verciglio, Clint Caldwell, Mike Mathews, Amalia Martinez, Angela Garcia, Chad Cole.

Guest present: Rita Kane-Doerhoefer

Public present via GoToMeeting: 7 Guests

**APPROVAL OF AGENDA**

Councilor Oropesa moved to approve the Legal Committee meeting agenda as presented. Vice Chair Cortez was the second. A voice vote was 4-0, and the motion passed with Councilor Corn being absent.

**APPROVAL OF MINUTES**

Councilor Oropesa moved to approve the Legal Committee meeting minutes as presented from March 27, 2025. Councilor Marrujo was the second. A voice vote was 3-0 and the motion passed with Councilor Corn being absent.

Chair Heldenbrand recused himself since he was not present for the April 24, 2025 meeting.

Councilor Oropesa moved to approve the Legal Committee meeting minutes as presented from April 24, 2025. Councilor Marrujo was the second. A voice vote was 4-0 and the motion passed with Councilor Corn being absent.

**NON-ACTION ITEMS**

2. Community Development Department Report- Numbers from April 2025 were presented by Todd Verciglio, Business License issued were a total of 151, with 94 going to renewed license, 20 new license, and 37 temporary permits. 85 permits issued in the month of April. The cases filed in the Municipal court are: Victor J. Baca for 16-36 Violation; Nuisance; Exceptions—Judgement and Sentence filed on April 10, 2025; Adam E. Garcia for 16-6 (A)(B)(C)(D)(E)- Unsanitary premises and 16-36 Violation; Nuisance; Exceptions—Judgement and Sentence filed on April 9, 2025; Richard Chairez for Article 52 Sect. 4(A)(1-6) Zoning-Accessory Use and Article 52 Section 5(c) Zoning Exceptions to required yards: Judgement and Sentence filed on April 29, 2025. Predetermination Letter presented for Sale of .54 acres of land, 1616 E. Bland and 1616 ½ E. Bland Street, Roswell, NM.

3. Safety Department Monthly Report – Number for April 2025 were presented by Shelly Bell, showing a total of 18 incidents and 14 of them were due to third party. Injury/Illness reports a total of 5 and first aid only reports a total of 3. Training reports 1040 hours and 168 employees attended.
4. Human Resource Department Report- Numbers for May 2025 presented by Clint Caldwell, reported 20 new employees, 8 promotions and 12 exits including 1 retirement. Turnover rate for the month of April is 1.89 and for the year so far is 10.60%. Our vacancy rate is 23.62%. Payroll count for April 18, 2025 to May 01, 2025 was 632 total employees.

### **REGULAR ITEMS**

5. **Resolution 25-XX: consider recommending adoption of Resolution 25-XX shall require the removal or demolition of two (2) dilapidated structures.** This item was presented by Todd Verciglio.

These structures constitute a public nuisance harmful to the public health, safety and general welfare.

Councilor Oropesa moved to consider recommending adoption of Resolution 25-XX shall require the removal or demolition of two (2) dilapidated structures for the consent agenda. Councilor Marrujo was the second. A voice vote was taken 4-0 and the motion passed with Councilor Corn being absent.

6. **Ordinance 25-XX: consider recommendation to authorize for a public hearing to consider adopting proposed Ordinance 25-XX Amending Chapter 7 Regarding Mobile Food Establishments and Itinerant Vendors.** This item was presented by Hess Yntema.

This Ordinance simplifies licensing for short-term vendors (such as Farmer's Market vendors), creates a straightforward license scheme for food trucks, and brings Chapter 7, Article 9 into legal compliance with current case law.

Vice Chair Cortez moved to amend the item with the following changes: To include "Chapter 7" on pg. 1, paragraph 4 Section 1. "May" on page 2, paragraph 1, line 5. "...and documents required under Section 7-118" page 3, paragraph 1, line 2. "A valid Federal or State ID of Applicant" page 3, paragraph 5, line 18. "\$500" page 8, paragraph 2, line 10 and line 13. Councilor Oropesa was the second. A voice vote was taken 4-0 and the motion passed.

Vice Chair Cortez moved to consider recommendation to authorize for a public hearing to consider adopting proposed Ordinance 25-XX Amending Chapter 7 Regarding Mobile Food Establishments and Itinerant Vendors as amended to City Council for full agenda. Councilor Oropesa was the second. A voice vote was taken 4-0 and the motion passed with Councilor Corn being absent.

## **CHAIR COMMENTS, REPORTS, ANNOUNCEMENTS**

### **PUBLIC PARTICIPATION**

Rita Kane-Doehoefer asked if the \$100 license fee for the vendors would be due every year, or every 364 days from purchase. Hess verified 364 days after purchase.

She also asked does the city have authority on the county lawn for vendors? Hess stated that the common law rule states that the county is exempt from municipal ordinances, unless there is an ordinance enabling cities to enforce on county property.

### **ADJOURN**

3:05 PM