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- A. Minutes of Previous Meeting(s):
 - 1. Regular Meeting of July 2, 2013.
 - B. Public Hearing for Ordinance No. 705, An Ordinance Authorizing the City of Portales to Enter into a Loan Agreement with the New Mexico Environment Department ("NMED") for the Purpose of Obtaining Wastewater Construction Loan Funds in the Principal Amount of \$27,000,000 plus accrued Construction Interest; Designating the Use of Loan Funds to Plan, Design, and Construct Wastewater Treatment Plant Improvements Including the following Components: Primary Treatment System, Pre-Treatment System, Updates to the Main Biological Systems and an Effluent Storage and Pumping to Irrigation Sites; Declaring the Necessity for the Loan; Providing that the Loan will be Payable and Collectible solely from the Net Revenues of the Water and Wastewater System; Prescribing other Details Concerning the Loan and the Security Therefor:
 - 1. Action to enter into Public Hearing to Receive Comments on the Ordinance.
 - 2. Action to close the public hearing.
 - 3. Action on Ordinance No. 705 as a result of the public hearing.
 - C. Update on Improvements to U.S. Highway 70.
 - D. Resolution #13-14-03, A Resolution Authorizing the Mayor's Signature to Declare Certain City Property as Surplus; and Sale of Same.
 - E. Resolution #13-14-04, Authorizing the Mayor to Sign Cooperative Agreement SP-2-14(919) with the New Mexico Department of Transportation for FY 2013/2014 Local Government Road Funds.
 - F. Resolution #13-14-05, A Resolution Declaring the Eligibility and Intent of the City of Portales to Submit an Application to the New Mexico Department of Transportation (NMDOT) for Federal FY 2014/2015 Transportation Alternatives Program Funds.
 - G. Recommendation Regarding Award of Bid – "A Public Safety Computer Aided Dispatch/Records Management System (CAD/RMS) for the City of Portales Police Department."
 - H. Purchase of Recorder Equipment for Police Dispatch/Communications.
 - I. Other Business/Citizens to be Heard.
 - J. Executive Session/Closed Executive Meeting:
 - 1. Action to Convene in a Closed Session/Meeting to Discuss Matters as Provided for under New Mexico Statutes Pertaining to Open Meetings Referencing §10-15-1 H.(2), 2008, for Limited Personnel Matters; §10-15-1 H.(7), 1995 for Attorney-Client Privilege Pertaining to Threatened or Pending Litigation; §10-15-1 H.(8), 1995, for the Purchase, Acquisition, or Disposal of Real Property or Water Rights.
 - 2. Action to Convene in Open Session.
 - 3. Action Required as a Result of the Closed Session.
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THE CITY COUNCIL OF THE CITY OF PORTALES met in regular session Tuesday, July 16, 2013, at 7:00 p.m., in the Council Chambers in the Memorial Building in full conformity with the rules and regulations. Mayor King called the meeting to order and asked City Clerk Martinez-Terry to call roll. Those present and constituting a quorum were:

MAYOR: Sharon L. King

MAYOR PRO-TEM: Ronald L. Jackson

COUNCIL MEMBERS: Matthew Tod Hunton Oscar Robinson
Leo Lovett (absent) Antonio O. Salguero
Lenard Michael Lucero Keith A. Thomas
Dianne Y. Parker

STAFF PRESENT: Doug Redmond, City Manager Marilyn Rapp, Finance Director
Joan Martinez-City Clerk Johnny DeSha, Public Works Dir.
Gary Nuckols, Fire Chief Doug Jones, Police Chief
Susan Baysinger, Capital Proj. Adm. Steve Doerr, City Attorney
Mike Parkey, General Svcs. Dir. Dennis Hales, I.T. Director
Carla Weems, Admin. Secretary

2. Action to close the public hearing.

Mayor King asked the pleasure of the Council regarding closing the public hearing. *Mayor Pro-Tem Jackson made the motion to close the public hearing. Councilor Thomas seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

3. Action on Ordinance No. 705 as a result of the public hearing.

Mayor King asked the pleasure of the Council as a result of the public hearing on Ordinance No. 705. *Mayor Pro-Tem Jackson made the motion to adopt Ordinance No. 705, authorizing the City of Portales to enter into a loan agreement with the NMED to obtain wastewater construction loan funds in the amount of \$27,000,000.00. Councilor Robinson seconded the motion. Roll call vote of all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.*

(C) UPDATE ON IMPROVEMENTS TO U.S. HIGHWAY 70

Mayor King asked for a report on U.S. Highway 70 improvements. John Guldemann told the Council that his company is working in the downtown area, but that they are a bit behind schedule due to rain—about 3 weeks behind. He told the Council that his company is still working to get the concrete curb poured this week. Guldemann stated that operations are continuing as in the past—curb, sidewalks and then the roadway. He commented that his crews are working to get 2nd Street started stating that they will do weekend work and night work in consideration of the businesses. He commented that the signing part of Phase I will begin very soon. He stated that landscaping will be the very last part of the project and that they are working to control the weeds so they won't get out of control. Councilor Robinson asked if there were more fire hydrants to be moved. Public Works Director DeSha responded that there are two more hydrants to be moved—one at the Vines and the other one at the courthouse. Councilor Lucero asked if the roadway would be smoothed out on 2nd Street—he commented that he had received complaints from constituents. NMDOT representative Pat Garcia responded that this is part of the engineering plan by the state because Portales has no drainage. He commented that the bump in the highway is to alleviate ponding of water. Mayor King asked if the concrete would be affected by the ponding by rain. Guldemann answered that it would not be affected. Councilor Parker commented that the completed sections look good. Mayor King thanked Guldemann and Garcia for the report.

(D) RESOLUTION #13-14-03, A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE TO DECLARE CERTAIN CITY PROPERTY AS SURPLUS; AND SALE OF SAME

Mayor King asked General Services Director Mike Parkey to present the resolution declaring city property as surplus and authorizing the sale of said items. Mr. Parkey told the Council that this is the regular annual procedure to get rid of surplus items—a housekeeping item. He asked that the Mayor be authorized to sign the resolution declaring certain items as surplus and to allow the sale of the items by internet auction. Mayor King asked the pleasure of the Council. *Councilor Robinson made the motion to adopt Resolution #13-14-03, authorizing the Mayor's signature to declare city property as surplus and authorizing the sale of the items as presented. Councilor Hunton seconded the motion. Roll call vote of all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.*

(E) RESOLUTION #13-14-04, AUTHORIZING THE MAYOR TO SIGN COOPERATIVE AGREEMENT SP-2-14-(919) WITH THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR FY 2013/2014 LOCAL GOVERNMENT ROAD FUNDS

Mayor King asked Public Works Director John DeSha to report on Resolution #13-14-04. Mr. DeSha told the Council that the resolution authorizes the Mayor to sign the Cooperative Agreement with the NMDOT for FY 2013/2014 Local Government Road Funds. He stated that this is the yearly agreement from the State for maintenance of city streets. He commented that the Street Department uses the funds for materials to go around the City and do a mill-and-fill on pre-determined streets. Councilor Robinson commented that the chip seal on the street near Valencia looks good. Mr. DeSha stated that the Street Department does a good job. Mayor Pro-Tem Jackson stated that he looked forward to the work planned on Avenue I to Yucca. Mayor King asked the pleasure of the Council. *Councilor Thomas made the motion to adopt Resolution #13-14-04, authorizing the Mayor's signature on the cooperative agreement with the NMDOT for FY 2013/2014 for Local Government Road Funds as presented. Councilor Parker seconded the motion. Roll call vote of all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.*

(F) RESOLUTION #13-14-05, A RESOLUTION DECLARING THE ELIGIBILITY AND INTENT OF THE CITY OF PORTALES TO SUBMIT AN APPLICATION TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT) FOR FEDERAL GY 2014/2015 TRANSPORTATION ALTERNATIVES PROGRAM FUNDS

Mayor King asked Public Works Director John DeSha to report on Resolution #13-14-05. Mr. DeSha told the Council that the resolution declares the eligibility and intent of the City to submit an application to the NMDOT for funds through the Federal Transportation Alternatives Program (TAP) funds in the amount of \$50,000.00 for planning and engineering design for railroad crossing resurfacing. He commented that the application is for accessibility improvements on Boston, Avenue I and Lime. He commented that the application period was very short for submission of an application. He commented that the City's match for the funding is 14.56% (\$7,280.00), which is included in the City's budget. He asked that the Council adopt the resolution. Mayor King asked the pleasure of the Council. *Councilor Robinson made the motion to adopt Resolution #13-14-05, authorizing submittal of an application to the NMDOT for FY 2014/2015 for transportation alternative program funds as presented. Councilor Parker seconded the motion. Roll call vote of all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.*

Councilor Robinson thanked Susan Baysinger for putting this application together so quickly. Ms. Baysinger thanked Mr. Robinson for finding this grant.

(G) RECOMMENDATION REGARDING AWARD OF BID – "A PUBLIC SAFETY COMPUTER AIDED DISPATCH/RECORDS MANAGEMENT SYSTEM (CAD/RMS) FOR THE CITY OF PORTALES POLICE DEPARTMENT

Mayor King asked Police Chief Jones to present the recommendation for the computer aided dispatch/ records management system. Chief Jones told the Council that proposals were requested through advertisement in the Portales News-Tribune on June 16th and 20th, 2013. He reported that only one proposal was received at the bid opening held at 2:00 p.m. on June 27, 2013 in the old council chambers at City Hall. He stated that the sole proposal was submitted by Intelligent Solutions offering the CAPERS product. Chief Jones told the council that the proposal met all required evaluation criteria reviewed by an evaluation committee. He commented that a draft contract was submitted by Intelligent Solutions and that it is under legal review. He told the Council that the total price of the CAPERS system is \$87,500.00

with \$23,554.00 as being the amount of the barcoding and computer aided dispatching which will be paid for with grants from the Department of Homeland Security and Emergency Management. He stated that another \$10,000.00 will be paid for from Police Department resources and that the balance (\$53,945.00) is requested from the City's General Fund. Chief Jones told the Council that the system is sorely needed because the old system has almost completely failed. City Manager Redmond stated that the amount needed has been included in the City's budget. Council Thomas asked when the system would be operational. Chief Jones responded that the system could be operation in September but no later than November depending on other projects that Intelligent Solutions may be obligated to complete. Councilor Parker asked if the cost of maintenance has been considered. Chief Jones stated that maintenance fee for this fiscal year is included in the cost of the system, but that the \$15,000.00 maintenance fee per year will have to be budgeted in future fiscal years. Jones told the Council that there could be discounts on the maintenance fee depending on whether the City Police Department recommendation actually gains Intelligent Solutions more customers. Councilor Parker asked what the maintenance fee on the old system had been. I.T. Director Dennis Hales responded that the fee was \$7,500.00 a year for maintenance on the old system. Chief Jones stated that training of staff and hardware would be included in the cost of the product. The Council asked about the service contract and City Manager Redmond responded that he and City Attorney Doerr would work out the details of the contract. City Attorney Doerr commented that his only concern is that the contract requires payment up front. Councilor Robinson commented that he understood that the system would allow connectivity with other agencies that have the same system. Councilor Parker asked if the County has the system. City Manager Redmond responded that the County will not have the full system, just a portion of the system. Chief Jones commented that the system will allow officers to write reports while they are out in the community for a greater presence in the City. He asked for the Council to accept the recommendation to enter into agreement with Intelligent Solutions for the CAPERS product. Mayor King asked the pleasure of the Council. ***Councilor Lucero made the motion to award the bid for a public safety computer aided dispatch and records management system for the Portales Police Department to Intelligent Solutions, Inc. for the CAPERS software. Councilor Thomas seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

(H) PURCHASE OF RECORDER EQUIPMENT FOR POLICE DISPATCH/ COMMUNICATIONS

Mayor King asked for a report on the purchase of recorder equipment for the Police Communications Division. Chief Jones asked I.T. Director Dennis Hales to present this request. Mr. Hales told the Council that the current equipment failed on July 5, 2013. He stated that no recording has taken place since then. He told the Council that the following Monday, he, and staff of the Portales Police Department, had met to request quotes with a deadline of July 11, 2013. He listed the companies submitting quotes as follows:

CenturyLink	\$69,222.40	ISC	\$37,934.77
Real-Time Networks	\$40,095.00	Insight	\$30,527.14

He stated that the recommendation from staff is to award the bid for the recording equipment to Insight for \$30,527.14. He reported that the recording system can be built in 3 days and that it can be up and running by the middle of next week. Councilor Thomas asked if the equipment is comparable to the other equipment quoted. Mr. Hales responded that it is comparable and desirable. Councilor Parker asked if state purchasing law had been met. City Manager Redmond stated that the staff had complied with state purchasing law regarding emergency purchases. Mayor Pro-Tem Jackson suggested that the other governmental entities in the area help pay for this and other issues. I.T. Director Hales asked that the Council accept the recommendation to purchase the equipment from Insight for \$30,527.14. Mayor King asked the pleasure of the Council. ***Mayor Pro-Tem Jackson made the motion to award the***

bid for new recording equipment in the quoted amount of \$30,527.14 quoted by Insight. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.

(I) OTHER BUSINESS/CITIZENS TO BE HEARD

Mayor King asked for items of other business.

NMML Conference: Carla Weems, Administrative Secretary, asked that the Council let her know who was going to attend the New Mexico Municipal Leaguer Conference in August. Mayor Pro-Tem Jackson, Councilors Thomas and Hunton and Mayor King all indicated that they would be attending.

Report on New Website: I.T. Director Dennis Hales reported that the new website is on line. He told the Council to use www.portalesnm.gov for the address. He commented that it was a vast improvement over our previous website.

Online Credit Card Payments: Mayor King asked about the status of online credit card payments. Public Works Director DeSha stated that it is going very well and that the service is averaging about 30 online payments a week. He commented that it is beginning to pick up as it gets out around the community. Councilor Parker asked if the \$2.00 fee is still in effect. DeSha responded affirmatively. Councilor Thomas admitted that the complaints he had anticipated have not materialized.

News from Xcel Energy: David Essex reported that Xcel is working on a wind farm agreement (to purchase power from the wind farm). He reported that Xcel gets 240 megawatts from the wind farm out between Dora and Elida. He told the Council that Xcel has the largest group of wind farms in the country.

Report on Water Authority: Mayor King reported that the Water Authority had met last week in a town hall meeting. She told the Council that the meeting had been very difficult with a lot of conflict. Councilor Lucero asked if it would affect Portales. Mayor King stated that there are many people angry about the T. Boone Pickens issue from back in 2008. Councilor Thomas stated that the JLUS meeting also had some conflicts. Mayor King reported that the LGMC will meet tomorrow. Mayor King commented that the issue with the Water Authority is that the bigger communities will take all the water.

Introduction of Architect Nesser: Mayor King introduced Architect Brad Nesser of NPSR to the Council. She commented that Mr. Nesser will be working on the City Hall and Memorial Building project. She commented that the final contract should be available for the next Council meeting.

Playground Equipment in Senior Park: Councilor Robinson praised the Parks Department for completing the work to finish putting in the playground equipment at Senior Park on First Street. Mayor King reported that a ribbon cutting ceremony will be held at Senior Park on Monday, July 21, 2013 at 3:30 pm. Public Works Director DeSha told the Council that another piece of playground equipment will soon be put together and placed at La Buena Vida Park.

Report of Closing Date for Swimming Pool: John DeSha, Public Works Director, reported that the City swimming pool will close on the 4th of August, because of a lack of sufficient lifeguards. He stated that we have to have a specific staffing level to be able to keep the pool open. Councilor Salguero asked if pool lessons would be completed. Mr. DeSha responded that they would be finished before the pool closes.

Continuing WWTP work: Public Works Director DeSha reported that he and Ms. Baysinger would be traveling to Santa Fe, NM at the end of the week to meet with the various agencies involved to work on more issues regarding the wastewater treatment plant.

Roosevelt County Ambassadors: Councilor Hunton reported that the Roosevelt County Ambassadors will be putting on a free movie at the Yam Theatre on the 26th, 2013 for kids in the community.

Final Budget Work: City Clerk Martinez-Terry reminded the Council that the Final Budget must be completed by the end of the month. Finance/Administration Committee is set to meet on Monday, July 22nd, 2013 and the full Council must approve it soon after.

(K) EXECUTIVE SESSION/CLOSED EXECUTIVE MEETING:

1. **Action to Convene in a Closed Session/Meeting to Discuss Matters as Provided for Under New Mexico Statutes Pertaining to Open Meetings Referencing §10-15-1 H.(2), 1995, for Limited Personnel Matters; §10-15-1 H.(7), 1995, for Attorney-Client Privilege Pertaining to Threatened or Pending Litigation; §10-15-1 H.(8), 1995 for the Purchase, Acquisition, or Disposal of Real Property or Water Rights.**

Mayor King asked for a motion to enter the closed executive session to convene in another meeting room. There was no action to enter into closed executive session.

ADJOURNMENT:

There being no further business or comments, Mayor King adjourned the meeting at 7:50 p.m.

Joan Martinez-Terry, City Clerk