

TABLE OF CONTENTS FOR COUNCIL MEETING HELD AUGUST 6, 2013:

- A. Minutes of Previous Meeting(s):
 - 1. Regular Meeting of July 16, 2013.
 - 2. Special Meeting of July 25, 2013.
 - B. Introduction of New Portales Police Department Special Response Team.
 - C. Update on Improvements to U.S. Highway 70.
 - D. Request to Close Pueblo Loop to Through Traffic and (to) Construct a Gate across the same.
 - E. Committee Appointment(s):
 - 1. Appointment of four City Councilors to Infrastructure Capital Improvement Plan (ICIP) Rating and Ranking Committee.
 - 2. Appointment to Lodger's Tax Advisory Board (LTAB).
 - 3. Appointment of City of Portales Voting Member Representative to the Southeast Regional Transportation Planning Organization (SERPO) Policy and Technical Committee.
 - F. Report from Public Works Department.
 - G. Resolution #13-14-00, A Resolution Authorizing Assignment of Official Representatives and Signatory Authorities for the Loan Agreement with NM Environment Department.
 - H. Recommendation for Negotiating a Contract for 2013 Waterline Improvement Project with Burns Construction.
 - I. Resolution #13-14-10, A Resolution Authorizing Submission of an Application for Airport Aid to the New Mexico Department of Transportation – Aviation Division (NMDOT – AVDIV) and Obligation of Sponsor Matching Funds, and Authorization to Accept the Resulting Grant Offer once Tendered.
 - J. Renewal of Contract for Service Provision of Advertising, Publicizing and Promotion of the City of Portales with Roosevelt County Chamber of Commerce.
 - K. Other Business/Citizens to be Heard.
 - L. 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, August 6, 2013, at 7:00 p.m., in the Council Chambers in the Memorial Building in full conformity with the rules and regulations. Mayor Pro-Tem Jackson called the meeting to order (in the absence of Mayor King) and asked City Clerk Martinez-Terry to call roll. Those present and constituting a quorum were:

MAYOR: Sharon L. King (absent)

MAYOR PRO-TEM: Ronald L. Jackson

COUNCIL MEMBERS:	Matthew Tod Hunton	Oscar Robinson
	Leo Lovett	Antonio O. Salguero (absent)
	Lenard Michael Lucero (absent)	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
	David Meeks, Police Lt.	Chris Valdez

OTHERS PRESENT: Christina Calloway, Press
Clarence Smith, RCWC

Karl Terry, RCCC Exec. Director

Mayor Pro-Tem Jackson asked Councilor Robinson, to give the invocation, and Fire Chief Nuckols, to lead the Pledge of Allegiance and the Salute to the New Mexico flag.

(A) MINUTES OF PREVIOUS MEETING(S):

1. Regular Meeting of July 16, 2013.

Mayor Pro-Tem Jackson asked the Council to consider the minutes of July 16, 2013. Mayor Pro-Tem Jackson asked the pleasure of the Council. *Councilor Parker made the motion to approve the minutes of the regular meeting of July 16, 2013 as presented. Councilor Thomas seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

2. Special Meeting of July 25, 2013.

Mayor Pro-Tem Jackson asked the Council to consider the minutes of July 25, 2013. Mayor Pro-Tem Jackson asked the pleasure of the Council. *Councilor Lovett made the motion to approve the minutes of the regular meeting of July 25, 2013 as presented. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(B) INTRODUCTION OF NEW PORTALES POLICE DEPARTMENT SPECIAL RESPONSE TEAM.

Mayor Pro-Tem Jackson asked Police Chief Jones to introduce the Portales Police Department's Special Response Team. Chief Jones told the Council and audience that a Special Response Team has been trained because of recent mass shootings within the last year in the country. He commented that the department is not big enough to have a SWAT team, so the Portales Police Department has developed a special response team. He reported that 45 hours of extensive training was given to six (6) volunteers of the department: David Meeks, Commander; Chris Valdez, Sergeant; Nate Hyde, Special Agent; Tony Sanford, Master Police Officer; Raul Rosa, Master Police Officer; and Amador Lujan, Police Officer. He reported that equipment was purchased with grant funds. He commented that the special training will help them address scenarios including hostage situations and active shooters. The Council applauded the officers and their efforts.

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

Mayor Pro-Tem Jackson asked for a report on U.S. Highway 70 improvements. Public Works Director John Desha reported that the contractors' plan is to move along as fast as they are moving now. He stated that the street lights are now down around the square. He stated that their plan is to try to get the concrete poured by next week and then continue tying in on First Street down to Avenue C. DeSha told the Council that their goal is to get the downtown finished by November. He mentioned the new supervisor Wes Hancock, who is John Guldemann's supervisor. He commented that Mr. Hancock will

attend the Council meetings after this one. He commented that they are working much faster and more efficiently. Mayor Pro-Tem Jackson agreed.

(D) REQUEST TO CLOSE PUEBLO LOOP TO THROUGH TRAFFIC & (TO) CONSTRUCT A GATE ACROSS THE SAME

Mayor Pro-Tem Jackson asked for Ms. Renee Staley, Director of Sales for Alta Terra (previously Cannon Meadows/801 Housing) to make the request to close a street to through traffic. Ms. Staley told the Council that the request is for a special permit to close Pueblo Loop for the safety and security of the residents. Ms. Staley introduced Sherry DeWitt, Site Manager of Alta Terra to the Council. Staley told the Council that all properties owned by Alta Terra have gates and guardhouses—secure gate access. Ms. Staley told the Council that the owner, Dick Fisher, believes that, if a criminal comes onto the property, he should not be able to get back out. Councilor Thomas asked Ms. Staley about the issue of emergency access and asked if the public safety departments had any concerns. Fire Chief Nuckols commented that he had no concerns at this time as long as there was an auxiliary box with a battery backup. Councilor Parker asked about access for the school buses. Ms. Staley assured the Council that there would be access for the school buses. Councilor Lovett asked if there had been security problems at the subdivision. Ms. Staley responded that they were trying to be proactive. City Manager Redmond stated that there was some concern for public safety services. Planning Director Sammy Standefer asked for plans for the street closure and for the gates. Mayor Pro-Tem Jackson stated that there are some issues that need to be addressed before the City may agree. Chief Nuckols asked if the City would get keys to the gates. Ms. Staley responded affirmatively that the City would get keys. Councilor Hunton asked the Council what they would do if other subdivisions asked to close a city street. Mayor Pro-Tem Jackson commented that this would depend on the situation. City Attorney Doerr told the Council that the street is dedicated to a public road, and that this could set a precedent. He added that issues need to be addressed now. Councilor Thomas asked Mr. Standefer if there were any state guidelines. Standefer responded there are no state guidelines. Ms. Staley commented that the letter presented to Council refers to the authority of the City through the Code of Ordinances. Councilor Lovett stated that his concern is that there are no security issues, that it is more of a marketing gimmick. Ms. Staley commented that she had heard about vehicle break-ins in the recent past. Councilor Thomas asked if the City maintains the road; and if the Council was prepared to make a decision. Councilor Parker commented that she is also concerned that other subdivision will want the same permit. Staley told the Council that Alta Terra maintained its own roads. Planning Director Standefer reminded the Council that the request is to close the road, not to vacate the road. He commented that there is no ordinance against closing a road. He stated that he had no problem with the requested closure of the road. Councilor Thomas agreed with Mr. Standefer. Councilor Hunton asked if there was any other subdivision in the same situation and mentioned Oakwood Manor. Standefer responded that Oakwood Manor would be different because the lots are privately owned and that the owners would have to come together as an association to make the request. Ms. Prince, a private citizen, asked if the park in the subdivision would be open to the residents of the area. Ms. Staley responded that the neighbors would have access. Mayor Pro-Tem Jackson asked the pleasure of the Council. ***Councilor Thomas made the motion to approve the permit for closure of Pueblo Loop as long as emergency medical and police services had access to the community. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

City Manager asked Ms. Staley for detailed plans to close Pueblo Loop and to erect gates in the subdivision.

(E) COMMITTEE APPOINTMENT(S):**1. Appointment of four City Councilors to Infrastructure Capital Improvement Plan (ICIP) Rating and Ranking Committee.**

Mayor Pro-Tem Jackson asked City Manager Redmond to report on committee appointments. He asked if the appointments needed separate motions. The City Attorney responded that they do need to be done separately. City Manager Redmond asked that the Council appoint four (4) Councilors to the Infrastructure Capital Improvement Plan (ICIP) ranking and rating committee. He stated that he understood that the Council expressed the desire to be more involved, and asked them to appoint their members. He added that the Committee would need to meet on August 22, 2013, due to a tight deadline and asked for the Council's selection at this meeting. Mayor Pro-Tem suggested that there be one from each ward and recommended the following:

Council Lovett from Ward C	Councilor Hunton from Ward B
Councilor Thomas from Ward D	Councilor Salguero from Ward A.

Mayor Pro-Tem Jackson asked the desire of the Council. *Councilor Robinson made the motion to approve the recommendation for those Councilors listed above. Councilor Lovett seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

2. Appointment to Lodger's Tax Advisory Board (LTAB).

Mayor Pro-Tem Jackson asked for the appointment of the Lodgers' Tax Advisory Board. He stated that Mayor King had spoken to Mark Vigil to serve on the Board; and that he had agreed to accept the appointment. Mayor Pro-Tem Jackson asked the desire of the Council. *Councilor Parker made the motion to approve the appointment of Mark Vigil to the Lodgers' Tax Advisory Board as presented. Councilor Hunton seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

3. Appointment of City of Portales Voting Member Representative to the Southeast Regional Transportation Planning Organization (SERPO) Policy and Technical Committee.

Mayor Pro-Tem Jackson asked that Public Works Director John DeSha be appointed as the City's representative and voting member to the Policy and Technical Committee of the Southeast Regional Transportation Planning Organization (SERPO). Mayor Pro-Tem Jackson asked the desire of the Council. *Councilor Thomas made the motion to approve the appointment of Public Works Director John DeSha to SERPO's Policy and Technical Committee. Councilor Hunton seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(F) REPORT FROM PUBLIC WORKS DEPARTMENT

Mayor Pro-Tem Jackson asked Public Works Director John DeSha to report for his departments. Mr. DeSha reported that the public works departments are winding down summer tasks. He reported that the pool had closed; Parks Department is catching up with mowing (although they are down two (2) mowers); Street Department has chip sealed 35 blocks, put in valley gutters on 19th Street; the Wastewater employees are helping with Water tasks; and Water employees have been working at the well field. He stated that the Water Department is doing well. He told the Council that the wells dropped

to 20 feet of water in the tank only one time this year, and that it was due to an electrical shortage. Councilor Lovett asked if there would be a way to know right away. Desha responded that the department is not having the problem we had last year of water going down to 8 or 10 feet. Councilor Thomas asked if there was any way to have a generator at the well field. Desha responded that the Department would have to have one at each well. He commented that the backup to the well field is Sandhill Water well field. He added that it would be cost prohibitive—that the City would need about 15 generators, which could cost as much as \$30,000 each. Councilor Thomas asked Mr. DeSha to bring back some hard numbers. Mr. DeSha reported that Water Department employee Chris Searl, the new water specialist, is working very hard to become proficient in tasks in the Water Well Field. He reported that the Department had been working diligently to install 600 AMR meters. He commented that the AMR meter project is at about 30% complete at this time. He reported that he and Susan Baysinger had been working on the loan details of the water wastewater treatment system and the re-use system. Councilor Lovett asked how many gallons of water a day the City is losing from the pool. DeSha responded that it was about 60,000 gallons a day. He commented that last year the loss was at 40 – 45,000 gallons a day. He told the Council that the City is having someone come in and look at the pool this year and that he feels that the problem is under the pool. He stated that his departments had pushed a camera through the system and that it is a very unique piping arrangement. He mentioned that the piping and elevations in the pool have been changed at least twice during the years. He told the Council that the camera had not found leaks, but had found a large number of joints. He speculated that the leaks may be in the joints. Mr. DeSha told the Council that the Street Department has been working to clean up weeds. He reported that the Street Department has been building a frame work on top of City Hall for lights for the downtown area because all lights are being removed for the Highway 70 project. Mr. DeSha thanked the Council for the opportunity to report on his departments.

(G) RESOLUTION #13-14-09, A RESOLUTION AUTHORIZING ASSIGNMENT OF OFFICIAL REPRESENTATIVES AND SIGNATORY AUTHORITIES FOR THE LOAN AGREEMENT WITH NM ENVIRONMENT DEPARTMENT

Mayor Pro-Tem Jackson asked Public Works Director DeSha to report on Resolution #13-14-09. DeSha stated that the resolution assigned official representatives and signatory to the Mayor, City Manager Redmond and him for the WWTP loan agreement process with the New Mexico Environment Department. Mayor Pro-Tem Jackson asked the pleasure of the Council. *Councilor Parker made the motion to adopt Resolution #13-14-09, authorizing the assignment of official representatives and signatory authority on the Loan Agreement with the NMED as recommended. Councilor Hunton seconded the motion. Roll call vote of all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.*

(H) RECOMMENDATION FOR NEGOTIATING A CONTRACT FOR 2013 WATERLINE IMPROVEMENTS PROJECT

Mayor Pro-Tem Jackson asked Public Works DeSha about the contract for the waterline project. Mr. Desha told the Council that the City had received \$151,000 to improve the waterlines around Brown School. This project is a continuation of the project started last year. He stated that the new part of the project will cover Brown School all the way to Avenue F and 5th Street adding new fire hydrants with two more hydrants around the school. He told the Council that three (3) bids were received for the project and that Burns Construction was the low, responsive responsible bid. Mr. DeSha told the Council that minutes of the bid opening and staff recommendation was attached for their review. He stated that staff recommendation is for Council to award the bid to Burns Construction Company for their Base Bid of \$85,056.23, which is within budgeted allocations and Additive Alternate #1 in the amount of \$68,589.88. Mayor Pro-Tem Jackson asked if the project would help our fire rating. Fire Chief Nuckols responded that

the whole system is evaluated. Mayor Pro-Tem Jackson asked the pleasure of the Council. *Councilor Thomas made the motion to award the bid for the 2013 Waterline Improvements Project to Burns Construction Company as recommended by staff. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(I) RESOLUTION #13-14-10, A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR AIRPORT AID TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION – AVIATION DIVISION (NMDOT – AVDIV) AND OBLIGATION OF SPONSOR MATCHING FUNDS, AND AUTHORIZATION TO ACCEPT THE RESULTING GRANT OFFER ONCE TENDERED

Mayor Pro-Tem Jackson asked Mike Parkey, General Services Director, to report on Resolution #13-14-10. Mr. Parkey told the Council that the resolution is for the NMDOT Aviation Division maintenance grant offered almost every year. He told the Council that the grant saves General Fund money. Parkey stated that the Aviation Division pays 90% of the City's share of allowable expenses in an amount not to exceed \$10,000.00. He told the Council that the resolution also authorizes the City to accept the grant once it is tendered and obligates the City's match. Parkey told the Council that the city has budgeted for the grant and asked for their approval. Mayor Pro-Tem Jackson asked the pleasure of the Council. *Councilor Parker made the motion to adopt Resolution #13-14-10, authorizing submission of the grant application for NMDOT Aviation-Division funding as requested. Councilor Thomas seconded the motion. Roll call vote of all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.*

(J) RENEWAL OF CONTRACT FOR SERVICE PROVISION OF ADVERTISING, PUBLICIZING AND PROMOTION OF THE CITY OF PORTALES WITH ROOSEVELT COUNTY CHAMBER OF COMMERCE

Mayor Pro-Tem Jackson asked for a report from City Manager Redmond and Karl Terry, Chamber Executive Director. Mr. Redmond asked that the Council renew the contract with the Roosevelt County Chamber of Commerce for provision of services to promote, advertise and publicize Portales. He stated that the renewal is for one year with two (2) additional one-year periods remaining. Karl Terry told the Council that the Chamber contracts with the City for operational costs. He asked for their approval. Mayor Pro-Tem Jackson asked the pleasure of the Council. *Councilor Lovett made the motion to approve the contract renewal with the Roosevelt County Chamber of Commerce. Councilor Hunton seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(K) OTHER BUSINESS/CITIZENS TO BE HEARD

Mayor Pro-Tem Jackson asked for items of other business.

New Commanders at CAFB: Councilor Hunton reminded the Council about the official invitation to a reception welcoming the three (3) new colonels to the area from 6 to 8 p.m. at the Yam Theatre. He stated that it would be great to have everyone there. City Attorney Doerr told the Council that Portales is hosting the event and that CAFB and Clovis should have 100 representatives each at the event and that it would be good to have 100 representatives from Portales. He commented that parking by local people is encouraged away from the area. Doerr stated that he plans to meet with the Police Chief and ENMU Chief to talk about traffic. Cattle Baron is providing food for the event.

(L) 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.**

There was no action to enter into closed executive session.

ADJOURNMENT:

There being no further business or comments, Mayor Pro-Tem Jackson adjourned the meeting at 8:00 p.m.

Joan Martinez-Terry, City Clerk