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 - F. Resolution #13-14-23, A Resolution Supporting the Interim Groundwater/Cannon Air Force Base Interconnection Phase of the Eastern New Mexico Rural Water System as a Priority for 2014 Capital Outlay Funds for the Eastern New Mexico Rural Water Authority.
 - G. Resolution #13-14-24, A Resolution Supporting the Application by the State of New Mexico for Funding from the National Cemetery Administration State Cemetery Grant Program for the Placement of Veterans' Cemeteries in the State of New Mexico and for a Veterans' Cemetery to be located in Portales-Clovis Microplex.
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 - I. Executive Session/Closed Meeting:
 - 1. Action to Convene in a Closed Executive Session to Discuss Matters as Provided under the New Mexico Statutes Pertaining to Open Meetings Referencing §10-15-1 H.(7), for Attorney-Client Privilege pertaining to Threatened or Pending Litigation; and §10-15-1 H.(8) for Purchase, Acquisition, or Disposal of Real Property or Water Rights.
 - 2. Action to Convene in Open Session.
 - 3. Action as a Result of the Closed Executive Session.
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THE CITY COUNCIL OF THE CITY OF PORTALES met in regular session Tuesday, December 17, 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
Lenard Michael Lucero Keith A. Thomas
Dianne Y. Parker

STAFF PRESENT: Doug Redmond, City Manager Johnny DeSha, Public Wks. Director
Joan Martinez-Terry, City Clerk Marilyn Rapp, Finance Director
Jamie L. Rose, Exec. Assistant Randy Knudson, City Attorney
Gary Nuckols, Fire Chief Dennis Hales, I.T. Director
Keith Wattenbarger, Emg. Mgmt. Dir. David Meeks, Police Lieutenant

OTHERS PRESENT: Christina Calloway, Press Amelia Christenson

Mayor Pro-Tem Jackson asked Keith Wattenbarger, Emergency Management Director to give the invocation, and Police Lieutenant David Meeks to lead the Pledge of Allegiance and the Salute to the New Mexico flag.

(A) MINUTES OF PREVIOUS MEETING(S):**1. Regular Meeting of December 3, 2013.**

Mayor Pro-Tem Jackson asked the Council to consider the minutes of Regular Meeting of December 3, 2013. Mayor Pro-Tem Jackson asked the pleasure of the Council. *Councilor Robinson made the motion to approve the minutes of the regular meeting of December 3, 2013 as presented. Councilor Salguero seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(B) INFORMATION ON STATUS OF HOLD HARMLESS ISSUE

Mayor Pro-Tem Jackson asked for a motion to table the Hold Harmless update. *Councilor Thomas made the motion to table the hold harmless update. Councilor Hunton seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(C) RATIFICATION OF FINANCE DEPARTMENT'S ACTIONS REGARDING BILLS FOR NOVEMBER 2013

Mayor Pro-Tem Jackson asked Marilyn Rapp, Finance Director, to report on the bills for November 2013. Ms. Rapp told the Council that the Finance/Administration Committee had not been able to meet but that the bills were sent to them for questions or comments. She stated that the bills for November were in the amount of \$1,983,546.06. She told the Council that there were three (3) payrolls in November and payments for the sludge removal in the amount of \$352,000.00. She stated that the expenditures were necessary for the continued operation of the City and are within budgeted limits. She asked for questions about the bills, and asked for ratification of the bills.

November 2013

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|------------------|-----|----------------|
| Pooled Cash Fund | 999 | \$1,983,546.06 |
|------------------|-----|----------------|

Mayor Pro-Tem Jackson asked the pleasure of the Council. *Councilor Salguero made the motion to ratify the payment of the bills for November 2013 as presented. Councilor Hunton seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(D) APPROVAL OF CONTRACT FOR PROFESSIONAL SERVICES FOR CITY ATTORNEY

Mayor Pro-Tem Jackson asked City Manager Redmond to present the contract for professional services for City Attorney. City Manager Redmond reminded the Council that they had authorized him to negotiate a contract with Doerr & Knudson, P.A. at their previous meeting. He told the Council that the fee was negotiated to \$150.00 per hour. He explained that the contract was for one (1) year renewable for three (3) additional years. Mayor Pro-Tem Jackson asked the pleasure of the Council. *Councilor Lovett made the motion to approve the contract for professional services for City Attorney with Doerr & Knudson as presented. Councilor Lucero seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(E) NOTICE OF INTENT TO ADOPT ORDINANCE NO. 709, AN ORDINANCE ESTABLISHING AN AFFORDABLE HOUSING PROGRAM PURSUANT TO THE AFFORDABLE HOUSING ACT; DEFINING TERMS; ESTABLISHING APPLICATION REQUIREMENTS AND REVIEW CRITERIA; AND ESTABLISHING PROCEDURES TO ADMINISTER AN AFFORDABLE HOUSING PROGRAM

Mayor Pro-Tem Jackson asked City Manager Redmond to introduce Ordinance No. 709. City Manager Redmond told the Council that the ordinance is intended to establish an affordable housing program in Portales. He reminded them that a plan had been in the works for over three (3) years to allow the City to work with developers for affordable housing. He told the Council that the ordinance had been submitted to the NM Mortgage Finance Authority for their review, and that approval is expected. He added that the ordinance must be approved before the end of January. He commented that the ordinance is a boiler plate from the state, and that it will allow them to do certain things—donate land, negotiate tapping fees, etc. Redmond told the Council that each project would have to come to them for their approval. He told the Council that the ordinance had also been submitted to them and to the City Attorney for approval and asked them to approve a notice of intent. Mayor Pro-Tem Jackson asked the pleasure of the Council. *Councilor Parker made the motion to adopt a Notice of Intent for Ordinance No. 709. Councilor Lucero seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(F) RESOLUTION #13-14-23, A RESOLUTION SUPPORTING THE INTERIM GROUNDWATER/CANNON AIR FORCE BASE INTERCONNECTION PHASE OF THE EASTERN NEW MEXICO RURAL WATER SYSTEM AS A PRIORITY FOR 2014 CAPITAL OUTLAY FUNDS FOR THE EASTERN NEW MEXICO RURAL WATER AUTHORITY

Mayor Pro-Tem Jackson asked City Manager Redmond to present the resolution supporting the interim groundwater/Cannon Air Force Base interconnection phase of the Eastern New Mexico Rural Water system. City Manager Redmond stated that the consultants for the Ute project had come to the meeting held recently by the ENMRWA to request support for the funding request for CAFB interconnection phase to the state legislature as a priority. He commented that the resolution does not change our part of the project, it only affects CAFB. Councilor Thomas commented that he understood that this was a vote of confidence for the project. Mayor Pro-Tem Jackson asked the pleasure of the Council. *Councilor Lovett made the motion to adopt Resolution #13-14-23, which supports the interim groundwater/Cannon Air force Base Interconnection Phase of the Eastern New Mexico Rural Water System as a priority for 2014 capital outlay funds for the ENMRWA. Councilor Parker seconded the motion. Roll call vote of all Council members present resulted in a unanimous vote in favor of the motion. No abstentions. Motion carried.*

(G) RESOLUTION #13-14-24, A RESOLUTION SUPPORTING THE APPLICATION BY THE STATE OF NEW MEXICO FOR FUNDING FROM THE NATIONAL CEMETERY ADMINISTRATION STATE CEMETERY GRANT PROGRAM FOR THE PLACEMENT OF VETERANS' CEMETERIES IN THE STATE OF NEW MEXICO AND FOR A VETERANS' CEMETERY TO BE LOCATED IN THE PORTALES/CLOVIS MICROPLEX

Mayor Pro-Tem Jackson asked City Manager Redmond to present the resolution supporting the application by the State of New Mexico from the National Cemetery Administration Cemetery Grant Program. Mr. Redmond told the Council that Veterans Affairs had held hearings about six (6) weeks ago to talk about a national cemetery in New Mexico. He commented that the City will submit the resolution as part of our plans to dedicate 5 to 10 acres of land in Portales as a veterans' cemetery. He asked for the Council's support to pursue the national cemetery. Councilor Thomas asked about the land that would be used for this cemetery—and asked if Portales was running out of land at the present cemetery. Public Works Director DeSha responded that there was about three (3) years of lots left at the Portales

Cemetery. Councilor Robinson told the Council that the resolution had come up at the recent EPCOG meeting, and that he had voted in favor of it, but was happy to hear that Portales is submitting an application for Portales to have the cemetery. He wanted it to be on the record that he had voted for it at the EPCOG meeting. City Manager Redmond stated that the Governor had written letters to the Mayors in the state. Councilor Parker asked what the timeline was for the decision. Mr. Redmond responded that it would be within a year or two. He added that the City needs to proceed rapidly and that the only ones submitting a request are Portales and Clovis. Councilors Lucero and Salguero asked what the economic benefit would be to the City. Mr. Redmond responded that people would come to Portales to visit the veteran's cemetery and would visit the restaurants and motels in the community. He asked for their support. Mayor Pro-Tem Jackson asked the pleasure of the Council. ***Councilor Parker made the motion to adopt Resolution #13-14-24 supporting the application by the State of New Mexico for funding from the National Cemetery Administration State Cemetery Grant Program for placement of Veterans' Cemeteries in New Mexico and for a Veterans' Cemetery to be located in Portales. Councilor Lucero seconded the motion. Roll call vote of all Council members present resulted in a unanimous vote in favor of the motion. No abstentions. Motion carried.***

(H) OTHER BUSINESS/CITIZENS TO BE HEARD

Mayor Pro-Tem Jackson for items of other business.

Request for Update on Santa Cop Program: Councilor Parker asked Lt. David Meeks to report on the Santa Cop program. Lt. Meeks reported that the Police Department had recruited kids from Portales High School to wrap presents here in the Memorial Building, and that the giveaway will be from 12 noon to 4 p.m. this coming Saturday. Councilor Lovett asked what type of help is needed. Meeks answered that the need is for more adults to assist—that they have twelve (12) adults now. He commented that there will be hot dogs and drinks for the helpers. Councilor Parker thanked Lt. Meeks for the report.

There being no further business, Mayor Pro-Tem Jackson continued with the agenda items.

(I) EXECUTIVE SESSION/CLOSED MEETING:

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

Mayor Pro-Tem Jackson asked for action to enter into closed executive session. ***Councilor Hunton made the motion to enter into closed executive session to discuss matters as provided under the New Mexico Statutes pertaining to Open Meetings for attorney-client privilege pertaining to threatened or pending litigation and for purchase, acquisition, or disposal of real property or water rights. Councilor Robinson seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

2. **Action to Convene in Open Session.**

Mayor Pro-Tem Jackson asked for a motion to convene in open session. ***Councilor Lovett made the motion to convene in open session. Councilor Lucero seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

3. Action as a Result of the Closed Executive Session.

Mayor Pro-Tem Jackson stated that only the references in the motion to close the session were discussed and that no action was taken during the closed session. He asked for a motion from Council as a result of the closed session. *Councilor Parker made the motion to authorize City Manager Redmond to enter into agreement on the hotel known as the Portales Inn. Councilor Hunton seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

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