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- F. Resolution #13-14-37, 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 (to install UL Approved Airfield Lighting Circuit Conduit).
- G. Public Hearing on Ordinance No. 710, “An Ordinance Amending Chapter 10.5 of the Portales City Code.”
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THE CITY COUNCIL OF THE CITY OF PORTALES met in regular session Tuesday, February 4, 2014, 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 H. Robinson (absent)
Leo Lovett (absent) 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 Randy Knudson, City Attorney
Jamie L. Rose, Exec. Assistant Pat Gallegos, Police Chief
Gary Nuckols, Fire Chief Susan Baysinger, Public Wks. Proj. Adm.
Dennis Hales, I.T. Director Mike Parkey, General Svcs. Director
Brenda Fenton, Fire Exec. Assistant Shelley Johnson, Recruitment Coord.
Barbara George, Municipal Judge Gary Nuckols, Fire Chief

OTHERS PRESENT: Eric Norwood, Press Amelia Christensen, Pres. MainStreet
Joyce K. Davis, Habitat for Humanity Jaime Villafuerte, ENMU
Sandy Terry Nicky Nave, ENMU
Bobby Terry

Mayor Pro-Tem Jackson asked Jamie L. Rose, Admin. Executive Assistant to give the invocation, and John DeSha, Public Works Director to lead the Pledge of Allegiance and the Salute to the New Mexico flag.

(A) MINUTES OF PREVIOUS MEETING(S):**1. Regular Meeting of January 21, 2014.**

Mayor Pro-Tem Jackson asked the Council to consider the minutes of Regular Meeting of January 21, 2014. Mayor Pro-Tem Jackson asked the pleasure of the Council. *Councilor Parker made the motion to approve the minutes of the regular meeting of January 21, 2014 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 January 29, 2014.

Mayor Pro-Tem Jackson asked the Council to consider the minutes of the Special Meeting of January 29, 2014. Mayor Pro-Tem Jackson asked the pleasure of the Council. *Councilor Thomas made the motion to approve the minutes of the special meeting of January 29, 2014 as presented. Councilor Hunton seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(B) EMPLOYEE OF THE YEAR AWARD PRESENTATION TO JOAN MARTINEZ-TERRY, CITY CLERK/HUMAN RESOURCES DEPARTMENT

Mayor Pro-Tem Jackson asked City Clerk Joan Martinez-Terry to come forward to receive the "Employee of the Year Award" for 2013. He presented the Certificate of Recognition to Martinez-Terry who was chosen by her fellow employees for the honor. He thanked her for her hard work.

(C) APPOINTMENT OF KENT PETERSON AS ALTERNATE MUNICIPAL COURT JUDGE

Mayor Pro-Tem Jackson asked Municipal Court Judge George to present the recommendation to appoint Mr. Kent Peterson as the Alternate Municipal Court Judge. Judge George told the Council that there were two persons interested in the appointment, but that one of them had a conflict of interest and that Mr. Peterson has time and knowledge to do the job. She commented that there has been no alternate Judge since she was appointed to fill the position vacated by Fred Arnold. She told the Council that there is a need for an alternate judge when the Judge must be away from the office. She stated that she would be out of the City for a week in March. Councilor Thomas asked if this was standard procedure. Judge George was the alternate during part of Judge Arnold's term. Councilor Salguero thanked Judge George for consideration of others who were interested in the position. Councilor Parker asked if the office is open when she is gone. Judge George stated that it was open in her absence, but that she cannot open the court without the clerks since the law does not allow her to take money. Mayor Pro-Tem Jackson asked the pleasure of the Council. *Councilor Hunton made the motion to appoint Kent Peterson as the Alternate Municipal Court Judge as recommended. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(D) RESOLUTIONS FOR COMPLIANCE WITH CDBG GRANT REQUIREMENTS:**1. Resolution #13-14-31, 2014 Section 3 Plan.**

Mayor Pro-Tem Jackson asked Susan Baysinger, Public Works Project Administrator, to present the resolutions for compliance with CDBG requirements one at a time. Ms. Baysinger told the Council that Resolution #13-14-31, 2014 Section 3 Plan, serves as a guide to promote the use of small local

businesses and hiring of low income residents. She stated that it reaffirms the City's commitment to provide services to residents, continued community infrastructure improvements, employment opportunities for citizens, and ongoing commitment to encourage efforts for full employment of lower-income citizens. She asked for adoption of the resolution. Mayor Pro-Tem Jackson asked the pleasure of the Council. ***Councilor Parker made the motion to adopt Resolution #13-14-31, adopting the 2014 Section 3 Plan. 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.***

2. Resolution #13-14-32, Community Development Block Grant Program, 2014 Citizen Participation Plan.

Mayor Pro-Tem Jackson asked Susan Baysinger to present Resolution #13-14-32. Ms. Baysinger told the Council that Resolution #13-14-32, 2014 Citizen Participation Plan is a guide to facilitate the dissemination of information to inform the citizens. She stated that it reaffirms that the City will encourage public involvement across citizens from all segments of the population in the CDBG programs. She asked for adoption of the resolution. Mayor Pro-Tem Jackson asked the pleasure of the Council. ***Councilor Salguero made the motion to adopt Resolution #13-14-32, adopting the 2014 citizen participation plan. Councilor Hunton 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.***

3. Resolution #13-14-33, Community Development Block Grant Procurement Policy.

Mayor Pro-Tem Jackson asked Ms. Baysinger to present Resolution #13-14-33, Community Development Block Grant Procurement Policy. Baysinger told the Council that this resolution reaffirms the City's commitment to follow the principals of the federal and state procurement codes and policies as well as acceptable procurement practices. Mayor Pro-Tem Jackson asked the pleasure of the Council. ***Councilor Parker made the motion to adopt Resolution #13-14-33, adopting the CDBG Procurement Policy. Councilor Thomas 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.***

4. Resolution #13-14-34, 2014 Fair Housing Resolution.

Mayor Pro-Tem Jackson asked Susan Baysinger to present Resolution #13-14-34, 2014 Fair Housing Resolution. Ms. Baysinger told the Council that this resolution reaffirms Ordinance No. 542, Fair Housing, as adopted in 1991, and the community's commitment to affirmatively further fair housing amendment act of 1988 and Civil Rights Act of 1968. Mayor Pro-Tem Jackson asked the pleasure of the Council. ***Councilor Hunton made the motion to adopt Resolution #13-14-34, adopting the 2014 Fair Housing Resolution. 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.***

5. Resolution #13-14-35, 2014 Residential Anti-Displacement and Relocation Assistance Plan & Certification.

Mayor Pro-Tem Jackson asked Susan Baysinger to speak about Resolution #13-14-35, Residential Anti-Displacement and Relocation Assistance Plan and Certification. Ms. Baysinger told the Council that this resolution reaffirms the City's commitment to follow one-for-one replacement requirements for lower income housing units, provide relocation assistance and have steps in place to minimize displacement if a

CDBG project would displace residents. Councilor Thomas asked what all this resolution means. Ms. Baysinger responded that, if the City applied for a grant that would displace residents, then we would have a plan in place to provide housing for the displaced residents. Mayor Pro-Tem Jackson asked the pleasure of the Council. ***Councilor Thomas made the motion to adopt Resolution #13-14-35, adopting the 2014 Residential Anti-Displacement and Relocation Assistance Plan & Certification. 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.***

(E) RESOLUTION #13-14-36, 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 (TO SEALCOAT AND RE-MARK RUNWAY 1-19)

Mayor Pro-Tem Jackson asked Mike Parkey, General Services Director, to present Resolution #13-14-36. Mr. Parkey told the Council that the resolution authorizes submission of an application for airport aid to the NMDOT Aviation Division to sealcoat and re-mark runway 1-19. He told the Council that the resolution also obligates City matching funds, and authorizes acceptance of the resulting grant offer once tendered. Councilor Parker asked who would do the work. Mr. Parkey responded that the work would be bid out or the City could go through a state pricing agreement. He asked the Council for approval of the resolution. Mayor Pro-Tem Jackson asked the pleasure of the Council. ***Councilor Parker made the motion to adopt Resolution #13-14-36, authorizing submission of the application for airport aid to the NMDOT – Aviation Division; obligating City matching funds; and authorizing acceptance of any resulting grant offers once tendered to sealcoat and re-mark Runway 1-19. Councilor Thomas 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.***

(F) RESOLUTION #13-14-37, 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 (TO INSTALL UL APPROVED AIRFIELD LIGHTING CIRCUIT CONDUIT)

Mayor Pro-Tem Jackson asked Mr. Parkey to present Resolution #13-14-37. Mr. Parkey told the Council that the resolution authorizes submission of an application for airport aid to the NMDOT Aviation Division and obligates the City matching funds. It also authorizes acceptance of the resulting grant offer once tendered. Mr. Parkey told the Council that the resolution is for the state portion of an FAA grant to get conduit replaced at the airport. He commented that this must be done to satisfy the FAA because even though it is direct buried wire it must be inside approved airfield lighting circuit conduit. He stated that both grant matches are in the budget. Mr. Parkey asked the Council for adoption of the resolution. Mayor Pro-Tem Jackson asked the pleasure of the Council. ***Councilor Lucero made the motion to adopt Resolution #13-14-37, authorizing submission of the application for airport aid to the NMDOT – Aviation Division; obligating City matching funds; and authorizing acceptance of any resulting grant offers once tendered to install UL approved airfield lighting circuit conduit. Councilor Salguero 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) PUBLIC HEARING FOR ORDINANCE NO. 710, "AN ORDINANCE AMENDING CHAPTER 10.5 OF THE PORTALES CITY CODE

1. **Action to enter into Public Hearing to Receive Comments on Ordinance No. 710.**

Mayor Pro-Tem Jackson asked for action to enter into Public Hearing on Ordinance No. 710, An Ordinance Amending Chapter 10.5 of the Portales City Code. City Manager Redmond commented that the amendment was needed due to changes in state law. He stated that the changes would allow the City to work with affordable housing and the proposed stadium. Mayor Pro-Tem Jackson asked the pleasure of the Council. *Councilor Parker made the motion to enter into public hearing on Ordinance No. 710, which amends Chapter 10.5 of the Portales City Code. Councilor Hunton seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

Mayor Pro-Tem Jackson asked for comments for or against the ordinance. City Manager Redmond stated that he was present for questions. There were no questions.

2. **Action to close the Public Hearing on the Ordinance.**

Mayor Pro-Tem Jackson asked for action to close the Public Hearing. *Councilor Thomas made the motion to close the public hearing on Ordinance No. 710. 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 Public Hearing.**

Mayor Pro-Tem Jackson asked for action as a result of the Public Hearing. *Councilor Parker made the motion to adopt Ordinance No. 710. Councilor Thomas seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(L) OTHER BUSINESS/CITIZENS TO BE HEARD

Mayor Pro-Tem Jackson for items of other business.

Status of Portales Inn: Councilor Parker asked about the status of the transfer of the Portales Inn. City Attorney Knudson responded that last Friday was the deadline for the application to be submitted to the MFA, and that it is being reviewed. Councilor Parker said that it was good to hear that the project is moving forward. City Manager Redmond reported that the City now has site control over the building.

Reminder of the Chamber Banquet: Councilor Thomas reminded the Council of the Chamber of Commerce banquet, which is set for 6 p.m., Thursday night at the Yam Theatre.

Comments from Citizen Joyce Davis: Joyce Davis of Habit for Humanity told the Council that she is impressed with the City moving forward on affordable housing and thanked them for the work on curb and gutter in the City through the Community Development Block Grant program. She commented that the next project will put curb and gutter in the area that Habitat for Humanity is working on.

Lights in the Downtown: Councilor Parker asked about the traffic lights in the downtown. Public Works Director DeSha responded that he had spoken to Pat Garcia of the NMDOT regarding the lights downtown and said he was told that the NMDOT is in a holding pattern now. Councilor Hunton asked about the wind damage to the lights around the square, and will there be more damage. DeSha responded that the poles are designed to withstand 60+ mph winds. He spoke about maintenance issues

on the lights. Councilor Parker asked about the traffic lights—when will they be activated. DeSha responded that VisCom, the subcontractor, is not comfortable with turning them on right now.

Lack of Dumpsters at Morrison Park: Councilor Parker asked about dumpsters at Morrison Park. Public Works Director DeSha stated that there are dumpsters on Brazos Street. DeSha commented that a dumpster had been stolen from that park in the past. He stated that he would have the City Solid Waste Department check the area.

ADJOURNMENT:

There being no further business or comments, Mayor Pro-Tem Jackson adjourned the meeting at 7:30 p.m.

Joan Martinez-Terry, City Clerk