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- E. Request for Acceptance of FY 2015 5311 Grant for the Portales Area Transit (P.A.T.) System.
- F. Item(s) from the Planning Department:
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  - 2. Application for a Zone Change: Notice of Intent to Adopt Ordinance No. 712, Zone Change from R-1A (Single Family Residential) to PZ (Planned Unit Zone).
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- H. 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), for Limited Personnel Matters.
  - 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, October 7, 2014, at 6:30 p.m., in the Council Chambers at the Memorial Building, 200 E. 7<sup>th</sup> Street, Portales, NM 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: Michael G. Miller

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

STAFF PRESENT: Doug Redmond, City Manager Pat Gallegos, Police Chief  
Joan Martinez-Terry, City Clerk John DeSha, Public Works Director  
Randy Knudson, City Attorney Jamie L. Rose, Assistant to City Manager  
Gary Nuckols, Fire Chief Sammy Standefer, Planning Director  
Dennis Hales, I. T. Director Matthew Wilson, Water Supt.  
Christine A. Mitchell, I.T. Tech Paul Johnson, Parks/Cemetery Supt.  
Susan Baysinger, Public Wks. Proj. Adm.

OTHERS PRESENT: Rick White, Press Makenzie Rose  
Jerry DeSha Johnny Montiel  
Amelia Redmond Bill Marshall  
David Essex

Mayor King asked Susan Baysinger, Public Works Project Administrator, to give the invocation, and Makenzie Rose to lead the Pledge of Allegiance and the Salute to the New Mexico flag.

**(A) MINUTES OF PREVIOUS MEETING(S):**

**1. Regular Meeting of September 16, 2014.**

Mayor King asked the Council to consider the minutes of the Regular Meeting of September 16, 2014. She asked for questions and, hearing none, asked the pleasure of the Council. *Mayor Pro-Tem Miller made the motion to approve the minutes of the regular meeting of September 16, 2014 as presented. Councilor Lucero seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

**(B) RESOLUTION #14-15-09, ACCEPTING GRANT AGREEMENT SAP 14-1678-STB FOR PORTALES WELL FIELD IMPROVEMENTS BETWEEN THE NM ENVIRONMENT DEPARTMENT AND THE CITY OF PORTALES**

Mayor King asked Public Works Director John DeSha to report on Resolution #14-15-09, accepting Grant Agreement SAP 14-1678-STB. Mr. DeSha told the Council that the resolution authorizes the Mayor to execute the grant agreement for \$95,000.00 for planning, design and construction to the Portales well field improvements as allocated by the Legislature through the NM Environment Department. He reported that the language in the appropriation stipulates the conditions of the grant. He stated that the resolution also designates John DeSha as the official representative and Susan Baysinger as the alternate representative and points of contact to sign reimbursement requests and other documents for submittal on the project. Mayor King asked the pleasure of the Council. *Mayor Pro-tem Miller made the motion to adopt Resolution #14-15-09, accepting Grant Agreement SAP 14-1678-STB for Portales Well Field Improvements between the City and the NM Environment Department as presented. Councilor Lucero seconded the motion. Roll call vote by all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.*

**(C) RESOLUTION #14-15-10, THE CITY OF PORTALES ENDORSES AND SUPPORTS GENERAL OBLIGATION BOND ISSUE C**

Mayor King asked that the Council adopt Resolution #14-15-10, endorsing and supporting General Obligations Bond Issue C that will be on the ballot in November's general election. She told the Council that revenues from the bond will make \$139,755,000.00 available for statewide education projects. She stated that Eastern New Mexico University would receive \$11,000,000.00 for the first phase of renovating Golden Library into the Golden Student Success Center, ENMU – Roswell would receive \$3,000,000.00 and ENMU – Ruidoso would receive \$325,000.00. Mayor King asked the pleasure of the Council. *Councilor Robinson made the motion to adopt Resolution #14-15-10, for the City to endorse and support General Obligation Bond Issue C as presented. Councilor Parker seconded the motion. Roll call vote by all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.*

**(D) REQUEST FOR APPROVAL TO PURCHASE A SIXTY FOOT (60') EASEMENT FROM GARY AND SAUNDRA FIELDS, CHARLES AND MAURY MAY TO INSTALL AND MAINTAIN A RECLAIMED WATER LINE**

Mayor King asked Public Works Director DeSha to report on the purchase of the easement. Mr. DeSha asked that the Council approve purchasing a sixty foot (60') easement on the property jointly owned by Gary and Saundra Fields and Charles and Maury May. He told the Council that it would join with an existing thirty foot (30') easement to facilitate the installation and maintenance for a reclaimed water line to the cemetery. He told the Council that the purchase price is \$7,500.00 for the easement. Mayor asked if the \$7,500.00 was for each or was the property owned jointly. Mr. DeSha responded that it was just one payment of \$7,500.00 to be split between the two couples. Councilor Thomas asked where the property was located. Mr. DeSha responded that it was the first field to the east of Valencia School. Councilor Robinson asked if the City would have to do this in the future. DeSha stated that the only other one is the one that Xcel Energy has already in place, and that the state and the railroad will let us through their easements. Mayor King asked the pleasure of the Council. ***Councilor Parker made the motion to approve the purchase of the sixty foot (60') easement from Gary and Saundra Fields, Charles and Maury May for \$7,500.00 total price. Councilor Thomas seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

**(E) REQUEST FOR ACCEPTANCE OF FY 2015 5311 GRANT FOR THE PORTALES AREA TRANSIT (P.A.T.) SYSTEM**

Mayor King asked City Manager Redmond to present the request to accept FY 2015 5311 grant for the Portales Area Transit System. Mr. Redmond asked that the Council accept the P.A.T. grant for an amount up to \$190,230.00 with a city match of \$113,165.00. He told the Council that they had only budgeted \$85,000.00 for the match. He told the Council that his recommendation is to eliminate the capital outlay in the grant and that he had reclassified the P.A.T. director position out of management to a coordinator position. He stated that the savings between these two changes would change the match to the budgeted amount. He commented that he would have to change the hours of operation. Mr. Redmond asked the Council to accept the FY 2015 grant as presented. Mayor King asked the pleasure of the Council. ***Mayor Pro-Tem Miller made the motion to accept the grant for the Portales Area Transit with the City's match capped at \$85,000.00 as presented. Councilor Thomas seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.***

**(F) ITEM(S) FROM THE PLANNING DEPARTMENT:**

**1. Petition for Annexation: Notice of Intent to Adopt Ordinance No. 711, Annexing the New Mexico Christian Children's Home Subdivision.**

Mayor King asked Planning Director Standefer to talk about the notice of intent to adopt Ordinance No. 711, annexing the New Mexico Christian Children's Home Subdivision. Mr. Standefer told the Council that the Christian Children's Home had petitioned the Planning Commission for annexation of the subdivision. He commented that the annexation has to come into the City as R-1A (single family residential), but that the Christian Children's Home wants to rezone it as a PZ (planned unit zone) in a separate ordinance. He stated that Ordinance No. 711 is for annexation and No. 712 is for rezoning the subdivision. He told the Council that the public hearings for both will be on November 4, 2014. Councilor Lucero asked for the location of the subdivision. Standefer stated that it is the only new subdivision off of 19<sup>th</sup> Street. He asked that the Council approve the notices of intent. City Attorney Knudson asked that the Council act on the notices of intent in separate actions. Mayor King asked the pleasure of the Council. ***Mayor Pro-Tem Miller made the motion to approve the Notice of Intent to Adopt Ordinance No. 711, annexing the New Mexico Christian Children's Home Subdivision into the City of Portales. Councilor Hunton seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.***

2. **Application for a Zone Change: Notice of Intent to Adopt Ordinance No. 712, Zone Change of New Mexico Christian Children's Home Subdivision from R-1(A) (single family residential) to PZ (planned unit zone).**

Mayor King asked that the Council consider the Notice of Intent to Adopt Ordinance No. 712, zone change of the New Mexico Christian Children's Home Subdivision from R-1A (single family residential) to PZ (planned unit zone). Mr. Standefer stated that the Christian Children's Home had applied for the zone change. Mayor King asked the pleasure of the Council. *Councilor Lucero made the motion to approve the notice of intent to adopt Ordinance No. 712, authorizing a zone change of the New Mexico Christian Children's Home subdivision from R-1A (single family residential) to PZ (planned unit zone). Councilor Parker seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.*

3. **Application for Approval of a Summary Subdivision of Lot 3, Block 5 of the Benson Addition submitted by Reymundo & Shannon Madrid.**

Mayor King asked Sammy Standefer to present the application for approval of a summary subdivision of Lot 3, Block 5 of the Benson Addition. Mr. Standefer told the Council that the plan submitted by Reymundo and Shannon Madrid is to divide one parcel into 3 parcels. He told the Council that the property met the City's standards for subdividing a lot. He commented that it is zoned R-1A (single family residential). He added that the Planning Commission had approved the subdivision of the lot. Councilor Lucero asked if the owners planned to build apartments. Sammy Standefer responded that the intent is to put manufactured housing on the lots. Mayor King asked the pleasure of the Council. *Councilor Lucero made the motion to accept the recommendation of the Planning Commission to grant the summary subdivision of Lot 3, Block 5, Benson Addition, as submitted by Reymundo and Shannon Madrid. Councilor Parker seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.*

4. **Annual Report of the Planning & Zoning Department.**

Mayor King asked Planning Director Standefer to present the annual report of the Planning & Zoning Department. Standefer presented a brief PowerPoint report to the Council with some numbers to look at from the Planning Department. He reported that building inspections are down in the number of single family homes. He presented a chart that showed the downward trend. He reported that there were no apartments built last year. He told the Council that there were lots of roofing permits issued last year. He commented that since building permit fees were increased for the previous year, revenues from fees had not actually declined. He added that he hoped that the Council had not received too many complaints regarding the increased fees. Standefer showed the Council the fees currently in effect and approved by the Council a year ago. He reported on flood plain management, which the City participates in and gives citizens about a 5% discount on insurance rates. Standefer told the Council that the Planning Commission has a fair amount of experience and that Beverly Bennett is the Chair and Matthew Christensen is the Vice-Chair. He commented that the majority of the planning and zoning applications have come to Council. He told the Council that the Business Registrations are issued by his office and that there are 601 businesses registered this year. He reported that business registration fees are dictated by the state and that his office coordinates with the NM Taxation & Revenue Department. Standefer reported that his office handles reservation and rental of the Memorial Building. He stated that the building was booked for 238 days last year. He asked for questions from the Council. Councilor Thomas commended Standefer on the report. Mayor King thanked him for the report.

**(G) OTHER BUSINESS**

Mayor King asked for items of Other Business.

There were no items of other business.

**(H) EXECUTIVE SESSION/CLOSED EXECUTIVE MEETING:**

- 1. **Action to Convene in a Closed Session/Meeting to Discuss Matters as Provided for under the New Mexico Statutes Pertaining to Open Meetings Referencing §10-15-1 H.(2), for Limited Personnel Matters.**

Mayor King asked for a motion 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.(2), for limited personnel matters. *Councilor Parker made the motion to convene the closed executive session to discuss matters as provided under state statutes pertaining to Open Meetings referencing limited personnel matters. Councilor Hunton seconded the motion. Roll call vote by all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.*

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

Mayor King asked for a motion to convene in open session. *Councilor Parker 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 Required as a Result of the Closed Session.**

Mayor King stated that only those items mentioned in the motion to close the session were discussed by the Council and that no action was required as a result of the closed session.

**ADJOURNMENT:**

Mayor King adjourned the meeting at 8:00 p.m.

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Joan Martinez-Terry, City Clerk