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- C. "Employee of the Year 2014" Awarded to Hugh Frank, 2nd Lieutenant/Paramedic, Fire Department.
- D. Award of Bid for 1900 Tons of ½" (Half Inch) Crushed (Cracked) Washed Gravel for the Street Department.
- E. Ratification of Finance Department's Actions Regarding the Bills for January 2015.
- F. Presentation of Audit for FY 2013-2014 by White+Samaniego+Campbell, LLP.
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- I. Resolution #14-15-19, Authorizing the City of Portales to Submit an Application to the Department of Finance and Administration, Local Government Division to Participate in the Local DWI Grant & Distribution Program.
- J. Public Hearing on Ordinance No. 714, An Ordinance Approving Economic Development Projects:
 - 1. Action to enter into Public Hearing to Receive Comments.
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- L. Executive Session/Closed Executive Meeting:
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 - 2. Action to Convene in Open Session.
 - 3. Action Required as a Result of the Closed Session.

THE CITY COUNCIL OF THE CITY OF PORTALES met in regular session Tuesday, February 17, 2015, at 6:30 p.m., in the Council Chambers of the Memorial Building, 200 E. 7th 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 (absent)

CHAIR FOR MEETING: Dianne Y. Parker

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

STAFF PRESENT: Sammy Standefer, City Manager John DeSha, Public Wks. Director
Joan Martinez-Terry, City Clerk Marilyn Rapp, Finance Director
Gary Nuckols, Fire Chief Randy Knudson, City Attorney
Veda Urioste, Deputy City Clerk Susan Baysinger, Public Wks. Adm.
Jamie Rose, Chief Procurement Ofcr. Dennis Hales, I. T. Director
Scott Candelaria, FF/EMT/Paramedic Brenda Fenton, Fire Dept. Secretary
Sally A. Good, P.A.T. Driver Hugh D. Frank, Fire 2nd Lt./Paramedic
Richard Montano, Firefighter/EMT Jared Shearer, FF/EMT/2nd Lt.
Steven Cain, Fire Lieutenant Shannon Lee, Fire Battalion Chief
Tanner Elliott, FF/EMT-Basic

OTHERS PRESENT: Josh Lucero, Press Roxie Samaniego, Auditor/Partner
Patricia George Jerry DeSha
Roper Ruiz Susan D. Looney

Mayor King asked Susan Baysinger, Public Works Capital Projects Administrator, 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 20, 2015.

Mayor King asked the Council to consider the minutes of the Regular Meeting of January 20, 2015. She asked for questions and, hearing none, asked the pleasure of the Council. *Councilor Thomas made the motion to approve the minutes of the regular meeting of January 20, 2015 as presented. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(B) "EMPLOYEE OF THE QUARTER AWARD" (4TH QUARTER/OCTOBER THROUGH DECEMBER 2014) AWARDED TO SALLY A. GOOD, DRIVER, PORTALES AREA TRANSIT

Mayor King asked Sally Good to come forward and receive the 2014 Fourth (4th) Quarter Employee Award. Mayor King stated that Ms. Good was selected by a vote of her peers. The Mayor read the plaque aloud, presented it to Ms. Good, and presented her with a \$25 gift card from the Employee Association. Mayor King asked for other comments. Ms. Good's sister expressed the family's pride in Sally Good's hard work and committed service to the community. Mayor King asked Sally Good for any comments and thanked Sally for her hard work.

(C) "EMPLOYEE OF THE YEAR 2014" AWARDED TO HUGH FRANK, 2ND LIEUTENANT/PARAMEDIC, FIRE DEPARTMENT

Mayor King asked Hugh Frank to come forward to receive the 2014 Employee of the Year Award. She presented the plaque to Hugh Frank and gave him the \$25 gift card from the Employee Association. Mayor King asked Fire Chief Nuckols to say a few words. Chief Nuckols stated that Hugh Frank has been with the Fire Department for 6 years as a Paramedic, Haz Mat Technician with a degree in EMS management. Chief Nuckols stated that he was happy when Mr. Frank got this award. He stated that Frank is customer service oriented, caring and polite and takes care of the citizens very well. Chief Nuckols stated that Frank can fix anything and saves the City money every day.

(D) AWARD OF BID FOR 1900 TONS OF ½" (HALF INCH) CRUSHED (CRACKED) WASHED GRAVEL FOR THE STREET DEPARTMENT

Mayor King asked Chief Procurement Officer Jamie Rose to present the recommendation for award of bid for 1900 tons of ½" (half inch) cracked washed gravel for the Street Department. Ms. Rose told the Council that bids were requested for the gravel and that 3 bids were received. She told the Council that the low bid was for \$29.75 a ton submitted by Nick Griego & Sons, Inc. (The two (2) other bidders were K. Barnett & Sons, Inc. and Valley, Inc.) Mayor King asked for questions or comments and, hearing none, she asked the pleasure of the Council. *Councilor Robinson made the motion to award the bid for 1900 tons of ½" cracked, washed gravel to Nick Griego & Sons, Inc. for their bid of \$29.75 a ton. Councilor Lucero seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(E) RATIFICATION OF FINANCE DEPARTMENT’S ACTIONS REGARDING THE BILLS FOR JANUARY 2014

Mayor King asked Ms. Marilyn Rapp, Finance Director to present the bills for January 2015. Ms. Rapp told the Council she came before them every month to present the bills as a housekeeping item. She told the Council that the total paid in the month of January was \$2,436,213. 86. She reported that the Water and Waste Water Fund expended \$1,131,450.50 for engineering and construction expenses for the new waste water treatment plant. She told the Council that the amounts were within budgeted limits and were necessary for continued operation of the City. She asked for questions from the Council; and for ratification of the bills.

January 2015

Pooled Cash Fund	999	\$2,436,213.85
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Mayor King asked the pleasure of the Council. *Councilor Lovett made the motion to ratify payment of the bills for January 2015 as presented. Councilor Hunton seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.*

(F) PRESENTATION OF AUDIT FOR FY 2013-2014 BY WHITE+SAMANIEGO+CAMPBELL, LLP

Mayor King asked for the audit presentation by the auditor. Roxie Samaniego of White+Samaniego+Campbell, LLP introduced herself and told the Council that she would be going over the highlights of the audit for 2013-2014. She told the Council that the audit opinion is on page 2 and that it is the best one you can get. She stated that there are no reservations regarding the financial statement. She told the Council that page 8 is an overview of the city’s financial position. She commented that the working capital is reflected as 15 to 1 and business are on a 2 to 1 basis (things that we have to pay). She told the Council that half way through the page if the City’s net worth. She stated that the City is worth 15 million dollars with 10 million dollars as assets. Restricted capital is 2.7 million dollars with 2.7 million dollars as unrestricted. She reported that net investments are 12 million dollars with 7 million dollars unrestricted. Page 9 shows that we are down 2% in revenues. She commented that the audit showed that we stayed consistent and were running a tight ship last year. Ms. Samaniego told the Council that increases in revenues is in grants and contributions. She stated that the change to net position is 450 thousand dollars, which is up from last year. She stated that this is not profit but an increase in reserves. She told the Council that the compliance statements are on page 97. She stated that we are in compliance with a few findings. She directed the Council to page 103 for the findings. She stated that that there are no finding in your major programs. Ms. Samaniego told the Council that one finding was the department manager borrowing money from cash receipts and returning it later. She stated that the City implemented new controls to avoid this in the future. Another finding was a walk-through in the billing and collections office—cashiers were not following policies. She stated that the last finding was for the late audit report. She said that the State Auditor can send the audit back for corrections, so the audit will be late because corrections have to be made. She commented that all involved agreed to have the audit completed earlier so that corrections can be done so that the audit won’t be late. She stated that the Clean Water revolving fund was reviewed carefully to make sure we are in compliance, and it was found that the City is in compliance and no issues were found. Ms. Samaniego stated that the financial statements look good and that the Finance Department does an excellent job. Mayor King asked for questions or comments. Ms. Rapp asked the Council to accept the audit report. Mayor King asked the pleasure of the Council. *Councilor Robinson made the motion to accept the audit for FY 2013-2014 as presented by Auditor Samaniego. Councilor Parker seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.*

(G) RATIFICATION OF CONTRACT EXECUTION FOR CONSTRUCTION AND INSTALLATION OF A TREATED EFFLUENT REUSE SYSTEM INCLUDING PIPELINE, STORAGE IMPOUNDMENT & ALL OTHER APPURTENANCES

Mayor King asked Public Works Director John DeSha to report on the request for ratification of the contract for the Construction and Installation of a Treated Effluent Reuse System including pipeline, storage impoundment and all other appurtenances. Mr. DeSha commented that the Council had approved the award at the meeting of January 20, 2015. He told the Council that the pre-construction meeting had been held on Monday prior to this Council meeting and that the contract was signed by all involved. He told the Council that the project has a 335 completion day schedule. He commented that it will be a good project and asked for ratification of the contract. Councilor Thomas asked when the project would begin and be completed. DeSha responded that it is set to begin February 23, 2015 and is set to be completed a year from that date. Councilor Hunton asked City Attorney if his question regarding the qualification statement about judgments, claims or disputes had been answered. City Attorney Knudson responded that it was addressed adequately on the second attachment to this item. Councilor Robinson asked about the Burrowing Owl situation, which had caused a problem for ENMU in a prior project. He asked if there were Burrowing Owls by the impoundment. DeSha responded that the contractor will be having a study as to the number of Burrowing Owls done on this area. Mayor King asked the pleasure of the Council. *Councilor Parker made the motion to ratify the contract execution for construction and installation of a treated effluent reuse system including pipeline, storage impoundment and all other appurtenances. Councilor Lucero seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.*

(H) RESOLUTION #14-15-18, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO SIGN AND SUBMIT TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION FOR THE FY 2015/2016 LOCAL GOVERNMENT ROAD FUNDS

Mayor King asked Public Works Director John DeSha to introduce the resolution authorizing the City Manager or his designee to sign and submit the application for NMDOT 2015/2016 Local Government Road Funds (Cooperative Funds). Mr. DeSha told the Council that the City applies for a co-op project every year for street rehabilitation and maintenance. He told the Council that the project for 2015/2016 is for a total estimated project cost of \$64,684.14. He stated that the state's 75% share is \$48,513.10 and the City's 25% share is \$16,171.03. DeSha told the Council that the requested project area is 2nd Street from Globe to Chicago and North Elgin from 3rd Street to Canadian. He stated that the City's match is made with in-kind contributions of funds, personnel, equipment and materials. He asked for the Council's approval. Mayor King asked the pleasure of the Council. *Councilor Lovett made the motion to adopt Resolution #14-15-18, authorizing the City Manager or designee to sign and submit the application for Local Government Road Funds to the NMDOT. Councilor Hunton seconded the motion. Roll call vote of all Councilors present resulted in unanimous support of the motion. No abstentions. Motion carried.*

(I) RESOLUTION #14-15-19, AUTHORIZING THE CITY OF PORTALES TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION, LOCAL GOVERNMENT DIVISION TO PARTICIPATE IN THE LOCAL DWI GRANT & DISTRIBUTION PROGRAM

Mayor King asked DWI Program Coordinator Riki Seat to present the resolution authorizing the City to submit an application to the Department of Finance and Administration, Local Government Division to participate in the local DWI Grant and Distribution program. Riki Seat told the Council that the anticipated distribution is \$117,572.86 and that the additional grant funds requested is \$66,041.53. She stated that an additional \$14,697.00 was added to distribution funds as a result of HB16, which must be used for

evaluation. Ms. Seat told the Council that the total amount requested for grant and distribution is \$183,614.39. She told the Council that the in-kind match is made up in office space, courtrooms, fees collected, volunteer hours and administrative support. Ms. Seat told the Council that \$63,000.00 of the application is for equipment for the Police and Sheriff departments. She asked for approval by the Council. Mayor King asked the pleasure of the Council. ***Councilor Thomas made the motion to adopt Resolution #14-15-19, approving submittal of the DWI Grant Application No. 15-D-J-G-23 for 2016-17. Councilor Parker seconded the motion. Roll call vote of all Councilors present resulted in unanimous support of the motion. No abstentions. Motion carried.***

(J) PUBLIC HEARING ON ORDINANCE NO. 714, AN ORDINANCE APPROVING ECONOMIC DEVELOPMENT PROJECTS:

1. Action to enter into Public Hearing to Receive Comments.

Mayor King asked the Council to enter into public hearing to receive comments on Ordinance No. 714, an Ordinance approving Economic Development projects. She asked the pleasure of the Council. ***Councilor Parker made the motion to enter into public hearing to receive comments on the ordinance. Councilor Thomas seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.***

Mayor King stated that the ordinance approves past Economic Development projects funded through the Local Economic Development Act and local ordinance. She asked for comments for or against the ordinance. There were no comments received.

2. Action to close the public hearing.

Mayor King asked the Council to close the public hearing on Ordinance No. 714. She asked the pleasure of the Council. ***Councilor Hunton made the motion to close the public hearing. Councilor Robinson seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.***

3. Action on Ordinance No. 714.

Mayor King asked for Council action on Ordinance No. 714. ***Councilor Lucero made the motion to adopt Ordinance No. 714, approving Economic Development projects. Councilor Hunton seconded the motion. Roll call vote by all Councilors present resulted in unanimous support of the motion. No abstentions. Motion carried.***

(K) OTHER BUSINESS/CITIZENS TO BE HEARD

Mayor King asked for items of Other Business.

Commendation of the Public Works Department: Councilor Robinson gave kudos to the Street Department of Public Works for patching holes in the streets after the recent ice and snow damage. He stated that he appreciated it and the citizens appreciate it. He commented that the Street Department has almost covered the whole city. City Manager Standefer agreed that they have been doing a great job.

(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), for

Limited Personnel Matters; and §10-15-1 H.(8), Related to the Purchase, Acquisition, or Disposal of Real Property or Water Rights.

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 and §10-15-1 H.(8), related to purchase, acquisition, or disposal of real property or water rights. Mayor King asked the pleasure of the Council. *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 Thomas 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 Lucero made the motion to convene in open session. Councilor Parker 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 taken during the closed session. Mayor King asked the pleasure of the Council regarding Limited Personnel Matters. *Councilor Hunton made the motion to sign the contract with Sammy Standefer for the position of City Manager. Councilor Robinson seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried*

There was no further business.

ADJOURNMENT:

Mayor King adjourned the meeting at 7:50 p.m.

Joan Martinez-Terry, City Clerk