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- J. Executive Session/Closed Meeting:
 - 1. Action to Convene in a Closed Meeting to Discuss Matters as Provided for under New Mexico Statutes Pertaining to Open Meetings Referencing Section 10-15-1 H.(8) for Purchase, Acquisition or Disposal of Real Property or Water Rights.
 - 2. Action to Convene in Open Meeting.
 - 3. Action Required as a Result of the Closed Session.

THE CITY COUNCIL OF THE CITY OF PORTALES met in regular session Thursday, May 28, 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 Pro-Tem Miller 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 (absent)

MAYOR PRO-TEM: Michael G. Miller

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

STAFF PRESENT:	Sammy Standefer, City Manager	Marilyn Rapp, Finance Director
	Joan Martinez-Terry, City Clerk	Randy Knudson, City Attorney
	Christine A. Mitchell, I.T. Tech.	John DeSha, Public Works Director
	Marta Quiroz, Admin. Assistant	

OTHERS PRESENT:	Alisa Boswell, Press	Jan Elliott, MainStreet Exec. Director
	Mary Lou Rowley	Joshua Hagen, Boy Scouts of America
	Elliott Fite	Sandy Chancey, EPCOG Exec. Director

Mayor Pro-Tem Miller asked Councilor Salguero to give the invocation, and Marta Quiroz, Administrative Assistant, to lead the Pledge of Allegiance and the Salute to the New Mexico flag.

(A) MINUTES OF PREVIOUS MEETING(S):**1. Regular Meeting of May 5, 2015.**

Mayor Pro-Tem Miller asked the Council to consider the minutes of the Regular Meeting of May 5, 2015. He asked for corrections and, hearing none, asked the pleasure of the Council. *Councilor Parker made the motion to approve the minutes of the regular meeting of May 5, 2015 as presented. Councilor Lovett seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(B) RATIFICATION OF FINANCE DEPARTMENT'S ACTIONS ON THE BILLS FOR APRIL 2015

Mayor Pro-Tem Miller asked Ms. Marilyn Rapp, Finance Director to present the bills for April 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 April was \$2,809,968.95. She reported that the Water and Waste Water Fund expended \$1,749,636.85 for engineering and construction expenses for the new waste water treatment plant and re-use project for the month of April. She told the Council that the amounts were within budgeted limits and were necessary for continued operation of the City. She commented that the Finance/Administration Committee had reviewed the bills and recommended approval. She asked for questions from the Council; and for ratification of the bills.

April 2015

Pooled Cash Fund	999	\$2,809,968.95
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Mayor Pro-Tem Miller asked the pleasure of the Council. *Councilor Lovett made the motion to ratify payment of the bills for April 2015 as presented by the Finance Director. Councilor Lucero seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.*

(C) ITEM(S) FROM ADMINISTRATION/FINANCE DEPARTMENT:**1. Presentation of Interim (Proposed) FY 2015-2016 Budget.**

Mayor Pro-Tem Miller asked for presentation of the Interim Budget for FY 2015-2016. City Manager Standefer deferred to Marilyn Rapp, Finance Director, for the presentation. Mayor Pro-Tem Miller told the Council that this is the Interim Budget, which means that it is a draft of the budget and that after the books are closed for the current fiscal year on June 30, 2015, the Council will have to approve a final budget, so if there are questions or any wanted changes, there will be time for that to take place. This is something that needs to be sent in to the Department of Finance & Administration to show that the City is working on a plan and that the final budget is being worked on for submittal by the end of July. Ms. Rapp asked for the slide show to be projected onto the screens. Ms. Rapp agreed with Mayor Pro-Tem Miller that this is the interim budget and that the Council would get a second crack at it in July. It was talked about extensively in Finance/Administration Committee and the Committee's motion was to recommend approval to the Council. Ms. Rapp began the presentation by stating that she would be spending most of the time in presentation on the General Fund. She told the Council that the projected beginning balance is \$2.2 million; fund revenues of \$7.2 million; net transfers in of \$591,909; fund expenditures of a little over \$8.7 million leaving an ending cash balance of \$1.3 million of which the City must keep a 1/12 reserve, which is \$730,618 leaving an ending balance of \$574, 637 that could be budgeted at a later date. She commented on the challenge in putting this budget together that includes "windfall money" of about \$500,000, which should not be used for operations. She stated that this increase is due to larger than estimated gross receipts tax received this year

because of large construction projects that cannot be counted on in the years ahead. She added that along with this is the need to reduce transfers from the Enterprise Funds to General Fund, which staff could not do this year. She commented that this is a goal that they have asked to do and want to continue to do. She stated that the state requires a 1/12th reserve of expenditures. She commented that the revenues are \$1.4 less than fund expenditures. She stated that if everything is spent as budgeted, next year there would have to be drastic changes. She stated that staff is sounding a cautionary bell that we have enough to get through this year. Ms. Rapp showed the Council a slide that showed that General Fund reserves have been increasing, but warned that one bad year would mean cutting programs and services to be able to meet the 1/12th required reserve. She reported that back in 03-04, the City had budgeted about \$89,000 more than the required reserves. She stated that we want to keep sufficient reserves. She outlined the goals discussed with and set by the City Manager:

- Examine programs and services to determine how best to meet the needs of the citizens.
- Evaluate levels of required services and charges for those services.
- Consider all revenue sources for possible increases.
- Find ways to contain costs while still providing acceptable levels of service.

She stated that continuing conversations will be held on these goals. In General Fund capital from the windfall amount, the budget includes some capital in the interim budget, but is not scheduled to be spent until 3 to 6 months into the fiscal year to make sure that things are looking alright. She explained that the budget shows \$200,000 transferred into Fund 312 for building repairs and maintenance. She commented that one most pressing need is the replacement of the Senior Citizens Building roof and that, even if we find other sources for the replacement, the City has other pressing needs on our buildings. In addition, the budget includes \$200,000.00 to be transferred into Fund 301 for vehicles and equipment. Ms. Rapp listed the planned vehicles and equipment:

- \$91,673 for Police vehicles (3 police cars, 1 animal control truck suggestions)
- \$11,592 for VOIP equipment lease (telephone system)
- \$24,332 for replacing Street Department truck totaled in accident
- \$72,403 for Parks equipment

She commented that things can change in the final budget, but that this is the way it is allocated at this time. Ms. Rapp invited the Council to ask any questions they might have about the presentation so far.

Ms. Rapp went on to review the Special Revenue funds Recap that have dedicated revenue sources and are funded with grants or special allocations from the state. She commented that these are not a problem they are in and out. She asked for questions. Mayor Pro-Tem Miller commented that these are pass through funds that have to be spent for specific things such as the EMS that has to be budgeted and spent. Councilor Lucero asked if they were one-time funds. Mayor Pro-Tem Miller stated that they could be recurring every year but are for specific projects or equipment. He explained that some funds can be kept for special projects as long as it is justified such as funds for the fire substation. Ms. Rapp reported on the Capital and Debt Service Funds Recap and listed them for the Council:

- 301 includes expenditures for vehicles and equipment
- 312 is the Building Fund that is used for building repair and maintenance
- 313 is the required match for CDBG application
- 315 is \$40,000 for updating the five-year Comprehensive Plan
- 402, 403 and 404 are for debt service

She asked for questions from the Council. Councilor Robinson asked how debt service funds are handled when the City pays off a debt like Blackwater well field. He asked what happens to the funds after the debt is paid and how is it discussed in the budget. Ms. Rapp asked to clarify "what happens to reserves after the debt is paid." He responded affirmatively. She explained that part of those reserves are in Fund 403 and for

the final budget they will be transferred into the Waste Water Treatment Plant Reserve Fund—taking the money left over from paying off Blackwater and rededicating it to the wastewater treatment plant and reuse project. She stated that she hadn't moved the money yet, but will do so for the final budget. She explained that this money does not go back into the General Fund for expenditures; the City is rededicating it for debt services. Mayor Pro-Tem Miller stated that the money shown in this slide is for the Recreation Center debt service, which will be paid off in 2019.

Ms. Rapp went on to review the Solid Waste Fund, which is one of the City's Enterprise Funds. She stated that the projected beginning balance is \$1.4 million; fund revenues of \$1.4 million; fund transfers out of \$275,000 to General Fund; expenditures of \$1.1 million with an extra \$1500.00 in that fund for an ending cash balance of \$1.4 million. She stated that the projected revenues are budgeted to decrease by 4.5%, of which 93% is due to the loss of funds that the County won't be paying for county residents. She commented that there are some plans in place to start charging county residents but that those have not been finalized yet, so that has not been budgeted. She stated that expenditures are estimated to decrease by 2.43%, which is due to a reduction in tipping fees. Ms. Rapp stated that this may need to be revisited due to contract renegotiations. She asked for questions.

Ms. Rapp reviewed the Water and Wastewater Fund next. She told the Council that the Fund is projected to have a \$3 million beginning balance with fund revenues of almost \$16 million of which \$11 million is loan proceeds. She stated that even though loan proceeds are not revenue, that is the way that the City must account for the funds, they fall into the revenue column. She reported that \$1 million is being transferred out to General Fund; \$220,000 to Fund 551, which is a conservation fund; and another \$300,000 to Fund 553, which is a wastewater treatment plant replacement reserve fund. She explained that the WWTP replacement reserve fund has to have slightly over one year of debt service in that fund within 6 years. She told the Council that the money that would have gone into the Blackwater Debt Service fund would go into the WWTP replacement reserve fund to build up that fund in the least painful way to comply. Ms. Rapp reported that the City has a lot of projects going on in this fund: have the WWTP & Reuse Project; and improvements going on in the well field. She explained that this is why the City is digging into its reserves—a little over \$600,000 going toward infrastructure, which is a valid reason to get into the reserves. The City must maintain its infrastructure—water, wastewater which are very important. She asked for questions from the Council.

Ms. Rapp reported on the Airport Fund, which is the last big enterprise fund. She stated that the General Fund is transferring in \$46,591 with beginning cash of \$0, fund revenues of \$237,813. She commented that the transfer was increased a little from the previous year for matches for airport grants and general increases in expenditures. She stated that the airport grant is budgeted at \$33,000. She asked for questions from the Council.

Ms. Rapp moved on to other Enterprise funds that are much smaller. She reported on the Yam Convention Center, which does not capture all the expenses for the Yam, but does capture small maintenance, utilities and the like. She reported beginning cash of \$20,000; fund revenues of \$10,500; fund expenditures of \$10,000 and ending balance of \$20,500. Water Conservation Reserve fund with beginning balance of \$1 million; fund revenues of \$290,000; transfers in of \$422,086; fund expenditures of \$838,150, which include Ute Water dues, SCADA improvements, and AMR (projects that help the City with water conservation). She explained that SCADA is for the water wells (to help monitor the water wells). She reported on the WWTP Reserve fund which will be fully funded in the final budget and the WWTP Replacement Reserve fund that will need to be fully funded within 6 years.

Ms. Rapp reported on the Trust and Agency Funds, which includes the Unemployment Fund for paying unemployment claims with \$36,000 being transferred into this fund; GRT fund is an in and out account budgeted as a payable; Criminal Justice Fund is money that goes to the state and Economic Development Fund that is supported with our infrastructure GRT tax with \$1.2 million as beginning balance, \$271,000 in revenues and is budgeted to fully expend all money in the fund, which is money that has to be spent on

economic development projects during the year so that any funds left over are carried over to the next fiscal year. She asked for questions from the Council.

Ms. Rapp presented the recap of all funds, which are projected as a beginning balance of \$12 million; revenues of a little over \$26 million; transfers balance themselves out; expenditures of \$29,599,749 with an projected ending cash balance and investments of \$9.4 million. She explained that the beginning cash is an estimate and that when the books are closed at the end of the fiscal year, the beginning cash balance will be finalized. She told the Council that the next steps are a review of all revenues; evaluation of programs and services; implement a hiring freeze beginning July 1st and delay of capital purchases up to 3 months. She stated that these are steps that the City should take to stay out of trouble and so that it is planning ahead. Ms. Rapp asked for questions. Mayor Pro-Tem Miller stated that the Finance Committee had given the budget a good review, a lot of questions were asked. He commented that the City Manager and Finance Director did not mention the hold-harmless claw back that will start this July. He stated that the City would lose about 6% in the claw back, which is about \$51,000 and is included in this budget. He commented that the legislature allowed cities to consider the implementation of additional gross receipts tax that has not yet been discussed by the Finance Committee, but may be a part of the review of revenues. He stated that the staff has done a pretty good job with the budget. He added that the Committee appreciated the attempt to reduce the transfers out from the Enterprise Funds. Miller stated that a certain amount of transfers are justified but not as much as is actually transferred. He told the Council that this is an interim budget for DFA to review and then for a final budget in July. He asked for comments from the City Manager. Mr. Standefer told the Council that it will be a tight beginning of the fiscal year, but that staff will be working to make sure that the budget is reviewed carefully. He asked that the resolution approving the interim budget be approved by the Council. Mayor Pro-Tem Miller stated that it was the recommendation of the Finance/ Administration Committee to approve sending the interim budget to the full Council for approval.

2. Resolution #14-15-27, Approval of Interim (Proposed) FY 2015-2016 Budget.

Mayor Pro-Tem Miller asked the pleasure of the Council on Resolution #14-15-27, approval of the interim budget for FY 2015-2016 as presented. *Councilor Lovett made the motion to adopt Resolution #14-15-27, approving the Interim Budget for FY 2015-2016 as presented. Councilor Parker seconded the motion. Roll call of all Councilors present resulted in unanimous support of the motion. No abstentions. Motion carried.*

(D) NOTICE OF INTENT TO ADOPT ORDINANCE NO. 715, AN ORDINANCE ESTABLISHING WATER/SEWER SURCHARGE RATE AND DEDICATED ACCOUNT

Mayor Pro-Tem Miller asked City Manager Standefer to present the Notice of Intent for Ordinance No. 715, an ordinance establishing water/sewer surcharge rate and dedicated account. Mr. Standefer told the Council that the reason for this ordinance is for setting up the rates to pay for the new Wastewater Treatment Plant/ Reuse system; to protect the funds adding that there is no need for it to generate more money than needed. He stated that the ordinance establishes the surcharge rates as shown on the ordinance follows:

a) Residential water accounts:	\$3.00	July 1, 2015
and an additional:	\$3.00	July 1, 2016
total as of July 1, 2016:	\$6.00	
b) Residential sewer accounts:	\$8.00	July 1, 2015
and an additional:	\$7.00	July 1, 2016
total as of July 1, 2016:	\$15.00	
c) Commercial/multi-user water accounts:	\$5.00	July 1, 2015
and an additional:	\$4.00	July 1, 2016

	total as of July 1, 2016:	\$9.00	
d)	Commercial/multi-user sewer accounts:	\$9.00	July 1, 2015
	and an additional:	\$9.00	July 1, 2016
	total as of July 1, 2016:	\$18.00	
e)	Roosevelt Water Co-Op	\$4200/month	July 1, 2015
	and an additional:	\$4,200/month	July 1, 2016
	total as of July 1, 2016:	\$8,400/month	

Mr. Standefer stated that the two accounts to be set up and funded are the Debt Service Reserve Fund and Repair and Replacement Reserve Fund to be fully funded by 2019. He commented that the public hearing is scheduled for June 16, 2015. Mayor Pro-Tem Miller commented that the ordinance contains a sunset clause upon satisfaction of the loan in accord with guidance from the Finance/Administration Committee and the Public Works Committee. He stated that these rates will go away when the payments are complete. Councilor Robinson commended the Staff and the Finance/Administration Committee and staff for their work on the surcharge. Councilor Salguero asked if the rates for the Roosevelt County Water Co-op are for water only. Mr. Standefer answered that this is correct. Councilors Lucero and Hunton commended the staff for taking the comments from the public into consideration in setting up the surcharge rates and funds. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Robinson made the motion to approve the notice of intent for Ordinance No. 715, an ordinance establishing water/sewer surcharge rate and dedicated account as presented. Councilor Hunton seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.***

(E) RESOLUTION #14-15-28, APPROVING PARTICIPATION IN THE PROGRAMS OF THE EASTERN PLAINS COUNCIL OF GOVERNMENTS (EPCOG) FOR FY 2015-2016 AND APPOINTMENTS TO BOARD OF DIRECTORS – COUNCIL REPRESENTATIVE AND ALTERNATE

Mayor Pro-Tem Miller asked the City Manager to present the resolution approving participation in the programs of the EPCOG. City Manager Standefer asked that Ms. Sandy Chancey, Executive Director of the EPCOG, to update the Council on the resolution approving participation in the EPCOG for FY 2015-2016 and appointment to the Board of Directors. Ms. Chancey thanked the Council for being a long-time member of the EPCOG. She told the Council that the EPCOG is taking on additional contracts. She stated that EPCOG had conducted a job fair in November, which is part of the services to the member communities. She reported that the audits are current; that there were 5 findings, 3 of which were for late audits. Ms. Chancey told the Council that the current representatives from the Council are Councilor Robinson and Councilor Lovett. She told the Council that the EPCOG is here to assist with capital project planning. She asked for questions from the Council. Councilor Lovett asked if they provided assistance with CDBG projects. Ms. Chancey responded that the EPCOG has assisted with several projects and have worked with them more in the last couple of years. Councilor Hunton asked about the annual membership fee, which Ms. Chancey responded that it is for \$2,964.00 for FY 2015-2016. Councilor Robinson invited the Council to the annual meeting on June 10th, 2015 in San Jon, NM. Ms. Chancey asked that the Council renew membership in the EPCOG. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Hunton made the motion to adopt Resolution #14-15-28, approving participation in the programs of EPCOG for FY 2015-2016 and appointments to the Board—Councilor Robinson as Representative and Councilor Lovett as Alternate. Councilor Parker seconded the motion. Roll call of all Councilors present resulted in unanimous support of the motion. No abstentions. Motion carried.***

(F) ITEMS FROM THE DWI PROGRAM.:

- 1. Renewal of Contract for Professional Services for DWI Program Coordinator.**

2. **Renewal of Contract for Professional Services for DWI Case Manager.**
3. **Renewal of Contract for Professional Services for DWI Prevention Specialist.**
4. **Contract for Professional Services for DWI Teen Court Coordinator.**

Mayor Pro-Tem Miller asked DWI Program Coordinator Riki Seat to talk about the contracts. Ms. Seat told the Council that the contracts run from July to June every year. She reported that the task force had met and approved contract renewals for each of the 3 contract positions—DWI Program Coordinator; DWI Case Manager; and DWI Prevention Specialist. She reported that the DWI Teen Court Coordinator position had been put through the RFP process and that a contract for the position is also on this agenda. She told the Council that a pay raise was included in the contracts for DWI Case Manager and DWI Teen Coordinator. She stated that the contracts were substantially the same contracts as in the past other than the pay raises. She asked for their approval. Mayor Pro-Tem Miller asked City Attorney Knudson if the contracts had been reviewed. Mr. Knudson responded that those had been reviewed by City Attorney Doerr and that he had not expressed any concern to him. Mayor Pro-Tem Miller asked if the contracts could be approved all together or had to be motioned separately. Knudson responded that they could approve them in one motion but to name them in the motion. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Parker made the motion to approve the renewal of contract for professional services for DWI Program Coordinator; renewal for professional services for DWI Case Manager; renewal of contract for professional services for DWI Prevention Specialist; and contract for professional services for DWI Teen Court Coordinator as presented. Councilor Lovett seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

(G) REQUEST FOR EASEMENT FOR 165 YUCCA DRIVE, BUYER JACOB BULLOCH—ENCROACHMENT REQUIRING COUNCIL APPROVAL

Mayor Pro-Tem Miller asked for presentation of the request for an easement for 165 Yucca Drive. City Manager Standefer told the Council that the request was submitted by Jacob Bulloch as represented by Mary Lou Rowley. He told the Council that the property has several encroachments into the City right-of-way of which the largest is 11.7 feet. He added that a fire hydrant runs right under a shed and added that if necessary the easement could be terminated if an alternative to the issue of the hydrant. He asked for questions from the Council. Councilor Lovett asked to confirm that the City has the ability to terminate the easement, and suggested that the buyer be given the information regarding the problem. Mr. Standefer stated that this would be made clear. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Lovett made the motion to approve the easement for the encroachments onto city right of way at 165 Yucca Drive for new owner Jacob Bulloch as presented. Councilor Hunton seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.***

Mary Lou Rowley asked if the location of the fire hydrant was going to be an issue, the buyer might cancel on the sale. Mr. Standefer assured her that the City would look for alternatives.

(H) REPORT OF FINDINGS ON CEMETERY TREES BY CASEY HILDEBRANDT, CERTIFIED ARBORIST & RECOMMENDATION FOR MITIGATION OF HAZARDS

Mayor Pro-Tem Miller asked City Manager Standefer to report on the findings by the certified arborist on the condition of the trees at the Cemetery. Mr. Standefer told the Council that an arborist had been hired because the City had received so many complaints from the public about the condition of the cemetery trees. He told the Council that the City wants to start putting in new trees in the cemetery and start anew. Standefer reported that Casey Hildebrandt, Certified Arborist, had found that the trees west of the main gate are dead and are a structural hazard. He stated that he would like to see the trees removed west of the gate and replaced with 5' foot trees from the tree farm located at the cemetery. He told the Council that the City has conifers from Blackwater Farms to transplant into the Cemetery. He reported that the trees were

planted in the 30s and that they have exceeded their life span. He told the Council that the cemetery needs to be cleaned up. Hunton asked about the eastern side of the entrance to the Cemetery. Mr. Standefer commented that the tree at the west side of the gate is still pretty good. Councilor Salguero questioned the trees marked for destruction. Mr. Standefer said that the trees west of the gate need to be replaced and also some of the trees to the east of the gate--many trees are dead and several of them are dangerous. City Attorney Knudson asked what the risk of the trees is to the city. Mr. Standefer responded that the dead trees are at risk of falling and that this is a liability to the city. Councilor Robinson said that it is not only a risk, but the trees are ugly adding that this report shows that the City has a plan so that the public should understand that we need to remove some trees and maintain other trees. Mr. Standefer told the Council that the focus is the 3rd street side of the cemetery. He added that the City will have to do it in the winter. Mr. Standefer asked for support and guidance from the Council on how to proceed. Mayor Pro-Tem Miller said that he agreed to the plan. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Robinson made the motion to approve the plan to mitigate the risk to the City by the dead trees at the Cemetery as presented in the findings of Certified Arborist Casey Hildebrandt. Councilor Parker seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.***

(I) OTHER BUSINESS/CITIZENS TO BE HEARD

Mayor Pro-Tem Miller asked for items of Other Business.

Boy Scouts Recognized by Mayor Pro-Tem: Mayor Pro-Tem Miller recognized a Boy Scout in the audience and asked him to identify himself. Josh Hagen identified himself as a Boy Scout of America to the Council and stated that he was working on his Citizenship and Community Merit Badge. He was asked to sign the Council sign in sheet for attendance of the meeting.

District Court's Continued Use of the Memorial Building: Councilor Hunton asked the City Manager if District Court was still using the building and offices. City Manager Standefer responded that they were still using the facility and would be using it until sometime in July. He told them that it has been inconvenient for City activities and events. Councilor Lovett asked if the City intended to charge them for use of the building. Mr. Standefer commented that the County is actually required to provide the space for District Court.

Councilors Concerned over Potholes: Councilor Parker expressed concern over the condition of potholes all over the City. She asked what the City planned to do. City Manager Standefer said that City personnel have been and would be working on the potholes. He agreed that 18th street is going to be one of the worst in town, but that the Contractor working on the recycle line will be putting it back a bit better. He added that a crew is running all the time.

Citizen Addressed the Council: Mayor Pro-Tem Miller asked for comments from the floor. Mr. Thomas E. Fite identified himself and told the Council that he would answer any questions they might have about the MainStreet presentation. Mayor Pro-Tem Miller asked the Council if they had any questions. There were no questions from the Council.

(K) EXECUTIVE SESSION/CLOSED MEETING:

- 1. Action to Convene in a Closed Meeting to Discuss Matters as Provided for under New Mexico Statutes Pertaining to Open Meetings Referencing Section 10-15-1 H.(8) for Purchasing, Acquisition or Disposal of Real Property or Water Rights.**

Mayor Pro-Tem Miller asked for a motion to convene in closed session as provided for under NMSA pertaining to open meetings relating to Section 10-15-1 H.(8) for purchasing, acquisition or disposal of real

property or water rights. *Councilor Hunton made the motion to enter into Closed Session to discuss matters as provided for under State statutes. Councilor Parker seconded the motion. Roll call vote of all Councilors present resulted in unanimous support of the motion. No abstentions. Motion carried.*

2. Action to Convene in Open Meeting.

Mayor Pro-Tem Miller asked for a motion to convene in open meeting. *Councilor Parker made the motion to Convene in Open Meeting. Councilor Lucero seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.*

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

Mayor Pro-Tem Miller 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 nor required as a result of the closed session.

There was no further business.

ADJOURNMENT:

Mayor Pro-Tem Miller adjourned the meeting at 8:05 p.m.

Joan Martinez-Terry, City Clerk