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- C. Requesting Approval to Execute Agreement with Daniel B. Stephens & Associates for City of Portales Well Design & Specifications.
- D. Ratification of Finance Department's Actions on Bills for May 2015.
- E. Resolution #14-15-29, Adopting Purchasing/Procurement Policy.
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  - 2. Request for Authorization of Mayor/Mayor Pro-Tem's Signature on DWI Juvenile Adjudication Fund (JAF) Grant Agreement No. 16-JAF-23.
  - 3. Request Authorization of a Contract for Professional Services with Mental Health Resources, Inc. for DWI Group Counseling Sessions.
- G. Public Hearing for Ordinance No. 715, An Ordinance Establishing Water/Sewer Surcharge Rate and Dedicated Account.
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  - 3. Action on Ordinance No. 715.
- H. Report from Roosevelt County Health Council on Reorganization.
- I. Renewal of Consolidated Joint Powers Agreement with Portales Municipal School for Portales High School, Wheeler Park, Girls Softball Field and Bill Wahlman Tennis Courts.
- J. Appointments to 2017-2021 Infrastructure Capital Improvements Plan (ICIP) Review Committee.
- K. Other Business/Citizens to be Heard.

**THE CITY COUNCIL OF THE CITY OF PORTALES** met in regular session Tuesday, June 16, 2015, at 6:30 p.m., in the Council Chambers of the Memorial Building, 200 E. 7<sup>th</sup> 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 Leo Lovett Lenard Michael Lucero Dianne Y. Parker	Oscar H. Robinson Antonio O. Salguero (absent) Keith A. Thomas
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STAFF PRESENT:	Sammy Standefer, City Manager Joan Martinez-Terry, City Clerk Veda Urioste, Deputy City Clerk Christine A. Mitchell, I.T. Tech. Marta Quiroz, Admin. Assistant	Marilyn Rapp, Finance Director Steve Doerr, City Attorney Jodi Diaz, Recreation Director Donna Rutherford, Interim Planning Dir. Carla Weems, Chief Procurement Ofcr.
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OTHERS PRESENT:	Josh Lucero, Press Shaun Banther, Press Debbie Gentry, DOH	Nick Chavez Jessie Strauch, DAR Mary Poynor, DWI Teen Ct. Coord.
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Mayor Pro-Tem Miller asked Jessie Strauch, DAR Historian, to give the invocation, and Donna Rutherford, Interim Planning 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 May 28, 2015.**

Mayor Pro-Tem Miller asked the Council to consider the minutes of the Regular Meeting of May 28, 2015. He asked for corrections and, hearing none, asked the pleasure of the Council. *Councilor Thomas made the motion to approve the minutes of the regular meeting of May 28, 2015 as presented. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

**(B) PROCLAMATION DECLARING JUNE 14, 2015 AS “FLAG DAY IN THE CITY OF PORTALES” – EL PORTAL DAUGHTERS OF THE AMERICAN REVOLUTION**

Mayor Pro-Tem Miller invited Ms. Jessie Strauch to step to the front of the room and read the proclamation declaring June 14<sup>th</sup> as “Flag Day in the City of Portales” aloud to her and the audience. Ms. Strauch accepted the proclamation and told the Council that she is the historian for the El Portal Chapter of the Daughters of the American Revolution (DAR). Ms. Strauch told the Council that the DAR has now included the Children of the Daughters of the American Revolution with their group.

**(C) REQUESTING APPROVAL TO EXECUTE AGREEMENT WITH DANIEL B. STEPHENS & ASSOCIATES FOR CITY OF PORTALES WELL DESIGN & SPECIFICATIONS**

Mayor Pro-Tem asked for presentation of the request to execute the agreement with Daniel B. Stephens & Associates for City well design & specifications. City Manager Standefer presented the request since the Public Works Director could not attend this meeting. He told the Council that \$96,000.00 is available in grant funds for the project. He added that negotiations with the firm resulted in the agreement in the amount of \$73,804.00 not including the GRT of \$5,166.00 (total of \$78,971.00). He commented that this would allow a standardized design for the city's water wells so they won't have to be designed every time. Mayor Pro-Tem Miller asked the pleasure of the Council. *Councilor Lovett made the motion to approve the execution of the agreement for well design and specifications with Daniel B. Stephens & Associates as presented. Councilor Robinson seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

**(D) 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 May 2015. Ms. Rapp told the Council she came before them every month to present the bills as a housekeeping item. She reported that the total paid in the month of May was \$2,523,254.26. She commented that the Water and Waste Water Fund expended \$882,396.66 for engineering and construction expenses for the new waste water treatment plant/re-use project for the month of May. 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.

**May 2015**

Pooled Cash Fund	999	\$2,523,254.26
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Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Thomas made the motion to ratify payment of the bills for May 2015 as presented by the Finance Director. Councilor Lucero seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

**(E) RESOLUTION #14-15-29, ADOPTING PURCHASING/PROCUREMENT POLICY**

Mayor Pro-Tem Miller asked Ms. Carla Weems for presentation of the resolution adopting the City's Purchasing/Procurement Policy. Ms. Weems told the Council that the purchasing policy was revised in accordance with state law and that it was submitted to City Attorney Doerr for review. She stated that the final version of the resolution and policy with the corrections as recommended by the City Attorney is the one that was handed out to them at the beginning of the meeting. Councilor Thomas asked for clarification of the purpose of the revision. Ms. Weems responded that it has been completed for compliance with the state purchasing department. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Robinson made the motion to adopt Resolution #14-15-29, approving the Purchasing/Procurement Policy as presented. Councilor Parker seconded the motion. Roll call of all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.***

**(F) ITEM(S) FROM THE DWI PROGRAM:**

Mayor Pro-Tem Miller was asked to move this item to the end of the agenda by the City Clerk. She stated that Mary Poynor, DWI Teen Court Coordinator, was to present the DWI items for Ms. Riki Seat, DWI Program Coordinator, in her absence. She told the Council that staff has contacted Ms. Poynor and that she was delayed and was coming to the meeting.

**(G) PUBLIC HEARING FOR ORDINANCE NO. 715, AN ORDINANCE ESTABLISHING WATER/SEWER SURCHARGE RATE AND DEDICATED ACCOUNT**

**1. Action to enter into public hearing for comments on Ordinance No. 715.**

Mayor Pro-Tem Miller asked for a motion to enter into public hearing to receive comments on Ordinance No. 715, which establishes water/sewer surcharge and dedicated account. He asked City Manager Standefer to briefly describe the ordinance. Mr. Standefer reported that the purpose of the ordinance is for setting up the rates to pay for the new Wastewater Treatment Plant/ Reuse system; to protect the funds collected. He stated that the ordinance establishes the surcharge rate for residential water and sewer accounts beginning July 1, 2015 to be as follows: Residential Water--\$3.00 per account per month and Residential Sewer--\$8.00 per account per month; Commercial Water--\$5.00 per account per month and Commercial Sewer--\$9.00 per account per month. He told the audience that the surcharge would increase for July 1, 2016 as follows: Residential Water--\$3.00 per account per month and Residential Sewer--\$7.00 per account per month; Commercial Water--\$4.00 per account per month and Commercial Sewer--\$9.00 per account per month. Mr. Standefer stated that the ordinance also sets up two accounts to be funded by the city by 2019: a Debt Service Reserve Fund and a Repair and Replacement Reserve Fund. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Parker made the motion to enter into public hearing to receive comments on Ordinance No. 715. Councilor Thomas seconded the motion. All Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.***

Mayor Pro-Tem Miller asked for comments in favor or against the ordinance. There were no comments received.

**2. Action to close the public hearing.**

Mayor Pro-Tem Miller asked for a motion to close the public hearing. *Councilor Hunton made the motion to close the public hearing. Councilor Robinson seconded the motion. All Council members present voted in support of the motion. No abstentions. Motion carried.*

**3. Action on Ordinance No. 715.**

Mayor Pro-Tem Miller asked the pleasure of the Council on Ordinance No. 715. *Councilor Robinson made the motion to adopt Ordinance No. 715. Councilor Hunton seconded the motion. Roll call of all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.*

Mayor Pro-Tem Miller commented that the surcharge will go into effect July 1, 2015 and would show up on the August bills. He stated that a typical residence would see a surcharge of \$11.00 this year. He explained that wording in the ordinance stated that the surcharge would sunset upon satisfaction of the loan. Owen Pierce asked for clarification of the term "sunset." The Mayor Pro-Tem explained that this meant that it would go away. Nick Chavez asked about the commercial and industrial rate. He commented that he thought that commercial users should pay more money than the residential users. He asked if it wouldn't be fair for them to pay more than the residential customers. Councilor Robinson asked if there had been any public relations on the plant--will we see more in the news. City Manager stated that this is the single biggest project that we will do for the City of Portales and its citizens. He said that we can certainly relay more information to the public. Councilor Thomas commented that the City had no option but to build a new plant and that it was not an action taken lightly.

**(H) REPORT FROM ROOSEVELT COUNTY HEALTH COUNCIL ON REORGANIZATION**

Mayor Pro-Tem Miller recognized Debbie Gentry, representative of the Roosevelt County Health Council to speak about reorganization. Ms. Gentry told the Council that she was present to represent the health council. She had a brief PowerPoint presentation for the Council and briefly reviewed it for them. She told them that she had been involved with getting it going again. Gentry said that this report was directed to the Council since the City is the fiscal agent for the Health Council. She briefly reported on health issues in New Mexico: obesity being at a high rate among adults and children due to lack of exercise and lack of proper nutrition; adults without health insurance coverage; no dental care; smokers, drug and alcohol use among youth 9<sup>th</sup> grade to 12<sup>th</sup> grade; binge drinkers, and some of the other health issues in the state. She stated that the Council had found that many college kids don't know where their next meal is coming from. Ms. Gentry told the Council that the goal is to have a food pantry stocked for college kids together by the time school starts again. She mentioned that Keith Wattenbarger had been working with this program for some time. She stated that the state health department has been doing some blood sugar monitoring to recommend that those who need it should see their doctors. She talked about the different programs that others are doing to improve the health and quality of life in the county. She told the Council that the state health department is next to the La Casa Building. Ms. Gentry said that the Southeast Region, which includes Roosevelt County is always worse than the rest of the state. She commented that incidents of asthma are high in this area and that school nurses work on this with the children. She left a hand out for the Council to review at their convenience.

**(I) RENEWAL OF CONSOLIDATED JOINT POWER AGREEMENT WITH PORTALES MUNICIPAL SCHOOLS FOR PORTALES HIGH SCHOOL, WHEELER PARK, GIRLS SOFTBALL FIELD AND BILL WAHLMAN TENNIS COURTS**

Mayor Pro-Tem Miller asked for presentation of the joint powers agreement from Jodi Diaz, Recreation Director. Ms. Dias told the Council that this joint use agreement was up for renewal establishing responsibilities of each entity, and that it had been reviewed by the School Superintendent and by the City Attorney. She stated that the City Attorney had made a few changes to the agreement and that it was ready for their review and approval. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Lovett made the motion to approve the Consolidated Joint Powers Agreement with the Portales Municipal Schools for Portales High School, Wheeler Park, Girls Softball Field and Bill Wahlman Tennis Courts. Councilor Robinson seconded the motion. All Council members present voted in support of the motion. No abstentions. Motion carried.***

**(J) APPOINTMENTS TO 2017-2021 INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP) REVIEW COMMITTEE**

Mayor Pro-Tem Miller asked about the appointments to the ICIP Review Committee. The Mayor Pro-Tem commented that it should probably be the same committee as for the previous year. Councilor Hunton was mentioned on the committee, which included 4 members of the Council as well as 5 staff members. The City Clerk was asked to research and to advise the City Manager of that composition.

**(F) ITEM(S) FROM THE DWI PROGRAM: (moved to the end of the agenda because Mary Poynor, DWI Teen Coordinator, (who was representing the DWI Program Coordinator) was delayed in coming to the meeting.)**

**1. Request for Authorization of Mayor/Mayor Pro-Tems Signature on Local DWI (LDWI) Grant Agreement No. 16-D-J-G-23**

Mayor Pro-Tem Miller asked Mary Poynor, DWI Teen Court Coordinator to present the request to authorize signature on the LDWI grant agreement. Ms. Poynor asked the Council to forgive her late arrival. She reported that the grant was for \$117,517.00 with \$59,000.00 as the City's in-kind match for a total of \$183,000.00. She asked for their approval. City Manager Standefer and City Attorney Doerr were not comfortable with approving them without attorney's review of the grant and specifics of the in-kind match. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Robinson made the motion to authorize the Mayor Pro-Tem's signature on LDWI Grant Agreement No. 16-D-J-G-23 subject to administrative review. Councilor Parker seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.***

**2. Request for Authorization of Mayor/Mayor Pro-Tems Signature on DWI Juvenile Adjudication Fund (JAF) Grant Agreement No. 16-JAF-23.**

Mayor Pro-Tem Miller asked Mary Poynor, DWI Teen Court Coordinator to present the request to authorize signature on the DWI JAF grant agreement. Ms. Poynor told the Council that the JAF grant is for supplemental funds to assist with juveniles that have been referred by the court system. She commented that it was mostly for minor misdemeanors and enhances the funding for the teen court program. She added that this grant bridges the 3 months of summer and that the other grant covers the 9 month school year. Ms. Poynor stated that this helps to make sure there is no lapse in the monitoring of the juveniles in the program. She told the Council that the match is in-kind and not monetary. She stated that some of the money will help in preventive measures to allow the program to go into the schools. She asked for their approval. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Parker made the motion to authorize the Mayor Pro-Tem's signature on JAF Grant Agreement No. 16-JAF-23 subject to administrative review. Councilor Lucero seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

**3. Request Authorization of a Contract for Professional Services with Mental Health Resources, Inc. for DWI Group Counseling Sessions.**

Mayor Pro-Tem Miller asked Mary Poynor, DWI Teen Court Coordinator to present the request to authorize contract with Mental Health Resources, Inc. for DWI Group Counseling Sessions. Ms. Poynor said that she was excited with this program. She stated that the program has repeat DWI offenders that need to go for counselling to start helping with recidivism. She stated that the contract is for \$1,200 per client for 10 clients if possible. Ms. Poynor stated that it will be paid to MHR only if the clients attend the sessions. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Lovett made the motion to authorize contract with Mental Health Resources, Inc. for DWI Group Counseling Sessions subject to administrative review. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

**(K) OTHER BUSINESS/CITIZENS TO BE HEARD**

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

**Trash Receptacles on Main Street:** Councilor Parker commented that the PNB/MainStreet trash cans were overflowing on Main Street and asked who was responsible for dumping that trash. City Manager Standefer responded that the City had not been routinely dumping the trash, but has done so on occasion. Councilor Parker asked if we should talk to them about making sure that someone dumps them. City Manager Standefer commented that historically, the businesses are supposed to take care of their trash cans. He added that if the City has to dump them location of the dumpsters would change. City Attorney Doerr commented that the City has issues—is the City going to do this city-wide? He added that could not do it for a select few. Mr. Doerr commented that the ones down town were put out and dumped by volunteers. Councilor Hunton commented that he did not think that the City should dump them—that it is an issue between Portales MainStreet and the businesses.

**Question by Portales News-Tribune Reporter on Trash at the Skate Park:** Josh Lucero asked if the City was dumping the trash at the skate park. City Manager Standefer responded that City employees would take care of the trash at the Skate Park.

There was no further business.

**ADJOURNMENT:**

Mayor Pro-Tem Miller adjourned the meeting at 7:35 p.m.

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Joan Martinez-Terry, City Clerk