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Celebratory Reception held prior to the meeting honoring Brenda Fenton's 45 years of service to the City of Portales.

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 - 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 Tuesday, July 7, 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
Dianne Y. Parker

STAFF PRESENT: Sammy Standefer, City Manager Dennis Hales, I.T. Director
Joan Martinez-Terry, City Clerk Randy Knudson, City Attorney
Veda Urioste, Deputy City Clerk Donna Rutherford, Interim Planning Dir.
Christine A. Mitchell, I.T. Tech. Chris Williams, Police Lieutenant
Marta Quiroz, Admin. Assistant Susan Baysinger, Public Wks. Dir.
Brenda Fenton, Fire Dept. Adm. Sec. Gary Nuckols, Fire Chief
Lance Hill, Fire Battalion Chief Karen Chandler, Utility Billing Supervisor
Hugh Frank, Fire 2ND Lt/Paramedic Mike Inge, Fire Marshal
Scotty Watson, Lt/Paramedic Blake Martin, Firefighter/EMT Inter.
Levi Miller, Firefighter/EMT Basic

OTHERS PRESENT: Shaun Banther, Press Sandy Chancey, EPCOG
Ray Mondragon, Ec. Dev. Dir. Adam Broomfield
Trish Fenton Chad Cabeldue
Julie Miller

Mayor Pro-Tem Miller asked Susan Baysinger, Public Works Capital Projects Administrator, 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 June 16, 2015.

Mayor Pro-Tem Miller asked the Council to consider the minutes of the Regular Meeting of June 16, 2015. He asked for corrections and, hearing none, asked the pleasure of the Council. ***Councilor Lovett made the motion to approve the minutes of the regular meeting of June 16, 2015 as presented. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

(B) PRESENTATION OF 45 YEAR SERVICE AWARD TO BRENDA FENTON, PORTALES FIRE DEPARTMENT ADMINISTRATIVE ASSISTANT

Mayor Pro-Tem Miller invited Brenda Fenton to step to the front of the room to receive the service award plaque for her 45 years of dedicated service to the City of Portales. (A brief reception was held in the auditorium prior to the Council meeting.) The Mayor Pro-Tem stated that he was honored to make the presentation to Ms. Fenton since they had worked together for about 10 years. He commented that he appreciated the work she did, first coming to work as a Police Dispatcher, then as Department Secretary in the Fire Department. He read the certificate aloud recognizing Ms. Fenton as a Most Valued Employee to the group assembled at the meeting. Mr. Miller recounted experiences that they had shared during his time with the Fire Department. He reminisced about the evacuation of the fire station during the big fire in town. Ms. Fenton talked about working conditions at the beginning of her tenure with the City. She received a standing ovation from the audience and Council. She thanked administration, the Mayor Pro-Tem and the Council for recognizing her years of service. Fire Chief Nuckols addressed Ms. Fenton, the Mayor Pro-Tem and Council, and the group present with words of appreciation for Ms. Fenton and her hard work. He stated that Brenda Fenton had worked for the City for almost a century and that has been a pleasure to work with her. He commented that she made it fun to go to work every day.

(C) RESOLUTION #15-16-01, NOTICE OF PUBLIC MEETINGS & SCHEDULE OF COUNCIL MEETINGS

Mayor Pro-Tem Miller asked City Clerk Joan Martinez-Terry to present Resolution #15-16-01, Notice of Open Meetings and Schedule of Council Meetings. City Clerk Martinez-Terry told the Council that this resolution is the annual notice of public meetings with the attached schedule for said meetings normally adopted at the beginning of the fiscal year. She reported that the resolution was slightly modified from the standard to include additions by the City Attorney. She told the Council that wording had been added to include the process of cancelling of meetings by the Council. The City Clerk asked that the Council adopt Resolution #15-16-01 for posting of the schedule of meetings. Mayor Pro-Tem Miller asked for questions from the Council and hearing no questions, asked the pleasure of the Council. ***Councilor Thomas made the motion to adopt Resolution #15-16-01, Notice of Public Meetings & the Schedule of Council meetings for the new fiscal year. Councilor Hunton seconded the motion. Roll call vote of all Council members present voted in favor of the motion. No abstentions. Motion carried.***

(D) REQUESTING AUTHORIZATION OF MAYOR/MAYOR PRO-TEM'S SIGNATURE ON LITTER CONTROL BEAUTIFICATION GRANT AGREEMENT NO. 16-418-6002-0041

Mayor Pro-Tem Miller asked Deputy City Clerk Veda Urioste to present the grant agreement for the Litter Control & Beautification Grant Agreement No. 16-418-6002-0041. Ms. Urioste told the Council that the City received the grant agreement for 2015-2016 from the NM Clean & Beautiful Program funded through NM Tourism Department in the amount of \$7,000.00. She added that the grant agreement must be accepted by the Council. She told the Council that the purpose of the grant is to establish and continue the local program aiding in litter control and beautification projects. She commented that the program allows the City to hire groups and organizations to clean up the community. Ms. Urioste reported that the big expense this year will go to landscaping and beautifying the Walking Trails located off of Industrial Drive to attract the public to the trail. She reported that the City's match is made up of in-kind for her salary for time spent on the grant; \$1,500.00 for Parks Department employee labor for the clean ups (Great American Cleanup in the Spring and the Trek for Trash in the Fall); the value of the building rental estimated at \$400.00 per event; and donations from local businesses for awards to participants of the Great American Cleanup. She briefly reviewed the amounts of funding for cleanup of dumpsters in alleys, materials, advertising and landscaping costs including trash receptacles around the walking trails; awards and trees for Arbor Day. She asked for the Council's approval and authorization of the grant agreement. Mayor Pro-Tem Miller asked the pleasure of the Council. *Councilor Thomas made the motion to approve the Litter Control & Beautification Grant Agreement No. 16-418-6002-0041 as presented. Councilor Lucero seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.*

(E) ITEM(S) FOR APPLICATION FOR A COMMUNITY DEVELOPMENT BLOCK GRANT WITH DEPARTMENT OF FINANCE & ADMINISTRATION

1. Resolution #15-16-02, 2015 CDBG Fair Housing Policy.

Mayor Pro-Tem Miller asked Susan Baysinger, Public Works Capital Projects Administrator, to present Resolution #15-16-02, 2015 CDBG Fair Housing Policy. Ms. Baysinger told the Council that this resolution reaffirms the Fair Housing ordinance adopted in June of 1991 and the community's commitment to further the fair housing amendment act of 1988 and the Civil Rights Act of 1968. Mayor Pro-Tem Miller asked for questions from the Council. Councilor Lovett asked if there were any changes to previous resolution. Ms. Baysinger responded that the only change was the year listed in the resolution. Mayor Pro-Tem Miller asked the pleasure of the Council. *Councilor Lovett made the motion to adopt Resolution #15-16-02, the 2015 CDBG Fair Housing Policy. Councilor Parker seconded the motion. Roll call vote of all Council members present voted in favor of the motion. No abstentions. Motion carried.*

2. Resolution #15-16-03, 2015 CDBG Citizen Participation Plan.

Mayor Pro-Tem Miller asked Ms. Baysinger to present Resolution #15-16-03, 2015 CDBG Citizen Participation Plan. Ms. Baysinger told the Council that this resolution reaffirms that the City will encourage public involvement from all segments of the population in the CDBG programs through dissemination of information and adopts the plan as a guide to inform the citizens. She commented that the City does things like posting the notice of public meetings that was just adopted on the website, and pass out information at public meetings. Mayor Pro-Tem Miller asked the pleasure of the Council. *Councilor Thomas made the motion to adopt Resolution #15-16-03, the 2015 CDBG Citizen Participation Plan. Councilor Lucero seconded the motion. Roll call vote of all Council members present voted in favor of the motion. No abstentions. Motion carried.*

3. Resolution #15-16-04, 2015 CDBG Section 3 Plan.

Mayor Pro-Tem Miller asked Ms. Baysinger to present Resolution #15-16-04, 2015 CDBG Section 3 Plan. Ms. Baysinger told the Council that this resolution reaffirms the City's commitment to providing beneficial services to residents, continued community infrastructure improvements, employment opportunities for citizens, and ongoing commitment to encourage efforts in the full employment of lower income citizens as achieved included in the Section 3 Plan, which serves as a guide to promote the use of small businesses and hiring of low income residents. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Lovett made the motion to adopt Resolution #15-16-04, the 2015 CDBG Section 3 Plan. Councilor Thomas seconded the motion. Roll call vote of all Council members present voted in favor of the motion. No abstentions. Motion carried.***

4. Resolution #15-16-05, 2015 CDBG Procurement Policy.

Mayor Pro-Tem Miller asked Ms. Baysinger to present Resolution #15-16-05, 2015 CDBG Procurement Policy. Ms. 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. Councilor Lovett remarked that he assumed that this had been updated in accordance with the new state procurement policy. City Manager Standefer stated that the Council had recently adopted a new procurement policy. Councilor Lovett asked if this resolution references the newly updated Procurement Policy, which was confirmed by Mr. Standefer. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Parker made the motion to adopt Resolution #15-16-05, the 2015 CDBG Procurement Policy. Councilor Thomas seconded the motion. Roll call vote of all Council members present voted in favor of the motion. No abstentions. Motion carried.***

5. Resolution #15-16-06, 2015 CDBG Anti-Displacement & Relocation Policy.

Mayor Pro-Tem Miller asked Ms. Baysinger to continue with the next resolution. Ms. Baysinger presented Resolution #15-16-06, 2015 CDBG Anti-Displacement & Relocation Plan, which 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 selected CDBG project would displace residents. Councilor Thomas asked what a one-for-one replacement means. Ms. Baysinger responded that if a project selected moves a family or resident of a property, the City would have to provide housing on a one-for-one basis. Mayor Pro-Tem Miller interjected that these are all CDBG requirements for applying for CDBG funding. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Thomas made the motion to adopt Resolution #15-16-06, the 2015 CDBG Anti-Displacement & Relocation Policy. Councilor Parker seconded the motion. Roll call vote of all Council members present voted in favor of the motion. No abstentions. Motion carried.***

(F) REQUEST APPROVAL OF EASEMENT AGREEMENT FOR 1723 S. AVENUE B—K&B PROPERTY HOLDINGS, LLC

Mayor Pro-Tem Miller asked Donna Rutherford, Interim Planning Director, to present the request for approval of the easement agreement for 1723 S. Avenue B. Ms. Rutherford reported that this is a 12' (twelve foot) encroachment into the City's right-of-way along the south side of the property on West 17th Lane. She stated that the encroachment is a 4' (four foot) chain link fence and that this requires the Council's approval. She asked for questions from the Council. Councilor Lovett asked if this was a new property. Ms. Rutherford responded that it was an existing property with a new owner. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Hunton made the motion to approve the easement agreement for 1723 S. Avenue B with K&B Property Holdings, LLC as presented. Councilor Salguero seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.***

(G) OTHER BUSINESS/CITIZENS TO BE HEARD

Mayor Pro-Tem Miller asked for items of Other Business/Citizens to be Heard from the Council and audience.

Invitation to a Briefing to Elected Officials by USGS: Ray Mondragon, Exec Director,XXXXXX, invited the Council to the briefing to be held 10:00 a.m., Thursday, July 9, 2015 moved to the Clovis Carver Library and that the agenda includes Danielle Sherrin, with the Clean Water Bureau of the New Mexico Environment Department. He stated that she will be talking about the source water protection plan being looked at for Curry and Roosevelt Counties, City of Clovis and City of Portales. He reported that the second person on the agenda is Dr. Stacye Timmons, Hydrologist and the Aquifer Mapping Manager for NM Tech. He commented that NM Tech Archaeologists, Hydrologists and Geologists have been in the area for a couple of months obtaining water samples in Curry and Roosevelt Counties. He reported that the EPCOG had obtained a \$60,000.00 grant to conduct water sampling from both communities. He invited the Council to the extensive briefing. He thanked Susan Baysinger, John DeSha and their staff for their assistance and the Portales News-Tribune and the Clovis News-Journal for their story in the newspaper.

City Manager Standefer told the Council that Ms. Quiroz would poll the Council at the end of the meeting.

Thanks to the City Water Department: Councilor Parker thanked the Water Department for their hard work on the recent water break and commented that they had worked through the rainstorm.

Lights in the Downtown: Councilor Parker asked about replacing of the street lights downtown that were removed by the NMDOT. City Manager Standefer commented that the lights were removed because they were dangerous, but that there has been no response from the NMDOT regarding a timeline for replacing the lights. Councilor Parker asked that the City put up temporary lights in the downtown area for safety.

Cancellation of Council Meeting set for July 21, 2015: Mayor Pro-Tem Miller asked to cancel the Council meeting of July 21, 2015 and reschedule it for July 28, 2015 due to the final budget process. There was no opposition to the request.

(H) 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 Parker made the motion to enter into Closed Session to discuss matters as provided for under state statute for purchasing, acquisition or disposal of real property or water rights. Councilor Hunton 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 Lovett made the motion to convene in open meeting. Councilor Robinson 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 7:30 p.m.

Joan Martinez-Terry, City Clerk