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THE CITY COUNCIL OF THE CITY OF PORTALES met in regular session Tuesday, July 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 (absent) Antonio O. Salguero (absent)
Lenard Michael Lucero Keith A. Thomas
Dianne Y. Parker

STAFF PRESENT: Sammy Standefer, City Manager Marilyn Rapp, Finance Director
Joan Martinez-Terry, City Clerk Steve Doerr, City Attorney
Veda Urioste, Deputy City Clerk Donna Rutherford, Interim Planning Dir.
Dennis Hales, I.T. Director Katherine Hall, P.A.T. Coordinator
Tina Nielsen, P.A.T. Dispatcher John DeSha, Public Works Director
Pat Gallegos, Police Chief Jodi Diaz, Recreation Director

OTHERS PRESENT: Alissa Boswell, Press Anna George, Press
Riki Seat, DWI Program Coord. Sandra Whiting

Mayor Pro-Tem Miller asked Oscar Robinson, Councilor, to give the invocation, and Matthew Hunton, Councilor, to lead the Pledge of Allegiance and the Salute to the New Mexico flag.

The Mayor Pro-Tem commented that the New Mexico flag was voted the best flag in the country.

(A) MINUTES OF PREVIOUS MEETING(S):

1. Regular Meeting of July 7, 2015.

Mayor Pro-Tem Miller asked the Council to consider the minutes of the Regular Meeting of July 7, 2015. He asked for corrections and, hearing none, asked the pleasure of the Council. *Councilor Hunton made the motion to approve the minutes of the regular meeting of July 7, 2015 as presented. Councilor Thomas seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(B) ITEM(S) FROM THE PUBLIC WORKS DEPARTMENT:

1. Resolution #15-16-07, A Resolution Authorizing Local Match & Debt Service for Water Trust Board Project No. 344; Water Storage, Conveyance and Delivery; Water Storage System Improvements.

Mayor Pro-Tem Miller asked Public Works Director DeSha to present Resolution #15-16-07, authorizing local match and debt service for Water Trust Board Project No. 344; Water Storage, Conveyance and Delivery; Water Storage System Improvements. Mr. DeSha stated that the Council authorized the filing of an application for assistance from the NM Water Trust Board for water storage system improvements. He stated that the City received a conditional funding letter for a phased project in the amount of up to \$560,000.00 for design engineering for water storage improvements. He told the Council that funding of the project is in a 40% loan of \$224,000.00 and 60% grant in the amount of \$335,000.00 with a City match to the grant of \$84,000.00 if the City takes the full amount. DeSha stated that the 40% loan is for 20 years at 0.25% interest rate (0% interest rate with administrative component of ¼ of 1%) for a total loan repayment of up to \$229,780.63. He stated that the loan is to be paid out of the water and wastewater fund revenues. He asked for approval of the resolution authorizing the local match of \$84,000.00 and verification of loan repayment up to the amount of \$229,780.63. Mayor Pro-Tem Miller asked for questions from the Council. Councilor Thomas asked about the amount of the debt service for the loan. DeSha responded with the amount of the debt. Councilor Thomas clarified that his question was about the amount of the payments on the debt service. City Manager Standefer asked for restatement of the term of the loan. Mr. DeSha responded that it was a 20-year loan at 0.25%. Councilor Thomas asked what the payments would be to pay the loan payments. Mayor Pro-Tem Miller asked that Councilor Thomas look at page 3 of the documents attached to the summary that shows the schedule of loan payments of a little over \$11,000.00 a year. Mayor Pro-Tem Miller asked if the funds were budgeted. Mr. Desha responded that the \$84,000.00 match is budgeted. Councilor Thomas asked if the City had the resources to repay that without raising rates. City Manager Standefer responded in support of the resolution and commented that it would not require rate increases for repayment of this loan. Councilor Robinson asked the Finance Director if she had a problem with the project. She responded that she does not have a problem with the proposed. Councilor Lucero asked if the project is to rehabilitate the current water tanks. DeSha responded that the project would rehabilitate the two Johnson Hill tanks, but that the Rotary Park tank may need to be rebuilt and possibly relocated. Councilor Lucero asked if the tanks had been inspected. DeSha responded that they have been inspected twice. He commented that this is the first time that they had been inspected when the City decided to request Water Trust Board funding. DeSha stated that it had not been inspected in 27 years. Councilor Hunton stated that the Public Works Committee had seen the inspections of the water tanks in past meetings and that the Committee had agreed that it is time to start the work on the tanks, because the City is lucky that repairs don't have to be completed today. Councilor Robinson asked if the recognition of

the local schools would have a place on the water tanks on Johnson Hill through the funding. DeSha responded that Councilor Robinson's suggestions would be taken into consideration as the project goes on and allowed through the funding. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Robinson made the motion to adopt Resolution #15-16-07, a resolution authorizing local match and debt service for Water Trust Board Project No. 344; water storage, conveyance and delivery; water storage system improvements as presented. Councilor Parker seconded the motion. Roll call vote of all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.***

2. Award of Contract for Roll-Offs & Services for the Sanitation (Solid Waste) Department.

Mayor Pro-Tem Miller asked for presentation of the award of contract for roll-offs & services for the Solid Waste Department. Public Works Director DeSha told the Council that the City had advertised the RFP for the roll-offs and services on May 14th and 17th, 2015 and that the bid opening was held on June 11th at 2:00 p.m. with three bids received. He stated that low bids had come in with B & B Waste Management coming in lower than S.O.S. Managed Waste, Inc. He stated that the bid prices had come in as the following:

<u>Bidder's Name</u>	<u>Price ea. trip to Landfill w/30-yd roll-off</u>	<u>Price ea. Trip to Landfill w/40-yard roll-off</u>	<u>Cost per gal. Base Price/Surcharge</u>	<u>No. Trucks/ Roll-offs available</u>
B & B Waste Management	\$115.00	\$125.00	\$2.769/\$0.04	3 / 8
SOS Managed Waste, Inc.	\$125.00	\$135.00	\$3.00/\$3.00	13 / 100+
Ed's Recycling	\$198.00	\$198.00	\$2.79/\$3.00	2 / 50

He clarified that the difference in the number of trucks between B & B Waste Management (B & B) and SOS Managed Waste, Inc. (SOS) is that B & B's proposal is for equipment available to the City and SOS's proposal is for total equipment in their company. Mr. Desha stated that the proposed term is for a one-year period from July 30, 2015 through August 1, 2016 with an option for an additional one-year renewal. He told the Council that the funds are budgeted for FY 15/16 and will be budgeted for FY 16/17 in Solid Waste Professional Services. He added that the City had used B & B Waste Management in the past and that their services had been satisfactory. Recommendation from staff is for Council to award the contract for Roll-Offs & Services to B & B Waste Management. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Parker made the motion to approve the contract for Roll-Offs and Services for Sanitation (Solid Waste) Department with B & B Waste Management as presented. Councilor Thomas seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

3. Request for Acceptance of FY 2016 5311 Memorandum of Agreement for the Portales Area Transit (PAT) System.

Mayor Pro-Tem Miller asked for presentation of the request for acceptance of the FY 2016 5311 Memorandum of Agreement (MOA) for the Portales Area Transit System. Public Works Director DeSha introduced Transit Coordinator Katherine Hall for review of the request for the MOA for funding for FY 2016. Ms. Hall told the Council that the NMDOT had tendered an MOA under the 49 USC 5311 for the following amounts: total is for \$167,657.25 with the Federal amount of \$103,361.00 and Local amount of \$62,296.25. Ms. Hall reported that the funding will be used for Administrative (80/20) in the amount of \$68,441.25; Operating (50/50) in the amount of \$97,216.00 for the transit program. She asked for approval of the MOU between the NM Department of Transportation and the City of Portales. The Mayor Pro-Tem asked for questions. He asked if the local amount was in the budget. City Manager Standefer responded that it is in the budget at \$85,000.00 and that it was brought down from the previous year and the match is \$68,000.00. He added the \$85,000.00 is still needed in the budget as part of the PAT's budget work. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Thomas made the motion to approve the FY 2016 5311 Memorandum of Agreement for the Portales Area Transit (PAT) System as***

presented. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.

(C) ITEM(S) FROM THE FINANCE/ADMINISTRATION COMMITTEE:

1. Ratification of Finance Department's Actions on Bills for June 2015.

Mayor Pro-Tem Miller asked Ms. Marilyn Rapp, Finance Director to present the bills for June 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 June was \$3,350,183.26. She commented that the Water and Waste Water Fund expended \$1,602,844.89 for engineering and construction expenses for the new waste water treatment plant and re-use project for the month of June. Ms. Rapp added that the bills included the LEDA fund payment of \$500,000.00 for the ENMU stadium. She commented that at one time the payment for the stadium was to be paid out over 5 years, but since the money was already allocated it was decided to go ahead and pay it so ENMU could get the project done. She stated 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.

June 2015

Pooled Cash Fund	999	\$3,350,183.26
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Mayor Pro-Tem Miller stated that the Finance/Administration Committee had approved ratification of the bills at their meeting. He asked the pleasure of the Council. *Councilor Lucero made the motion to ratify payment of the bills for June 2015 as presented by the Finance Director. Councilor Robinson seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.*

2. Resolution #15-16-08, 4th Quarter Financial Report for Year Ending June 30, 2015.

Mayor Pro-Tem Miller asked Finance Director Rapp for presentation of Resolution #15-16-08, 4th (Final) Quarter Financial report for the year ending June 30, 2015. Ms. Rapp told the Council that this report is a relatively new requirement that the Council approve and that has to be submitted with the budget. She told the Council that this is so that they have all seen the information and know what's going on. Ms. Rapp stated that she had handed out copies of the full report along with a recap page that looks similar to the recap page presented with the budget. She told the Council that all funds had ended with either zero or a positive cash balance and net transfers are zero as they should be. She stated that the recap page shows the beginning cash balance, revenues to-date, net transfers in and out of the funds, expenditures to-date, adjustments, the quarter ending cash balance, cash and investments and available ending cash. Ms. Rapp commented that she could go into more detail if they wished, but that the Finance Committee had recommended approval of the report. She asked the Council for questions and approval of the report. The Mayor Pro-Tem commented that the Finance Committee had a good two hour meeting and had gone over all this information and recommended that Council approve the 4th financial report. He asked for questions for Ms. Rapp. Mayor Pro-Tem Miller asked the pleasure of the Council. *Councilor Thomas made the motion to adopt Resolution #15-16-08, 4th Quarter Financial Report for year ending June 30, 2015 as presented by the Finance Director. Councilor Parker seconded the motion. Roll call vote of all Council members present voted in favor of the motion. No abstentions. Motion carried.*

3. Resolution #15-16-09, 102nd Fiscal Year Budget Adjustments FY 2014-2015.

Mayor Pro-Tem Miller asked Ms. Rapp for presentation of Resolution #15-16-09, Fiscal Year Budget Adjustments for FY 2014-2015. Ms. Rapp stated that budget adjustments are done at the end of every year for cleanup within the funds and that it reflect exactly what was spent. She told the Council that the main

things that Council needs to look at are in the General Fund—positive adjustments of \$265,381.00 to increase the revenues in General Fund, which is mostly a windfall in gross receipts collections due to construction. Ms. Rapp told the Council that the increase in expenditures in the amount of \$34,928.00 ending with an increase of revenues of \$230,453.00 greater than expenditures. She stated that the rest of the funds are balanced within the funds and commented that the Finance Committee had gone over the adjustments extensively. She told the Council that Street Fund revenues were increased by \$75,200.00 partly for a grant to buy equipment. She added that she had to increase expenditures by \$14,090.00 to buy that equipment. She stated that the Council needs to see the adjustments within the funds that go to the state. She told the Council these are the ones that were not balanced within the funds. She asked for questions. The Mayor Pro-Tem commented that for the most part what Ms. Rapp was saying is that there was nothing out of the ordinary, but the City had more revenue than expected and a few minor changes in expenditures and that the City finished the year in pretty good shape. He added that the Finance Committee had reviewed the budget adjustments. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Hunton made the motion to adopt Resolution #15-16-09, 102nd Fiscal Year budget adjustments for FY 2014-2015 as presented by the Finance Director. Councilor Parker seconded the motion. Roll call vote of all Council members present voted in favor of the motion. No abstentions. Motion carried.***

4. Approval of Mutual Aid Agreement between the City of Portales and Portales Municipal School District for Sale of Non-Potable Water.

Mayor Pro-Tem Miller asked City Manager Standefer for presentation of the Mutual Aid Agreement with the Portales Municipal School District for sale of non-potable water. City Manager Standefer told the Council that City Attorney Doerr had drafted the agreement for Portales Schools to use the well at the cemetery to irrigate the ball fields at the high school. He stated that negotiation of the agreement had been concluded. He added that the City had been getting the well ready for the process. The School will have to bore under the road, which is all their responsibility, and the City will put in a meter for the water and pay for the electricity for the well. He added that the price proposed for sale of the water is \$0.35 (35 cents) per thousand gallons—there's no guarantee of the water and it is definitely non-potable for irrigation only. Standefer told the Council that those are the conditions in the agreement and stated that it should be a win-win for both entities. He added that it would get them off our good water and allow them to water their land. Mr. Standefer asked the Council for questions, and if there were no questions he asked for approval so that the agreement can be forwarded over to the schools for their approval. Councilor Robinson asked, that if this contract was for this year, where is the source of the water. City Manager Standefer responded that the source is the well at the Cemetery and that the City would have to put in the motor and the pump, which is what was planned anyway. He added that the School would bore under the street, the City would meter it and water that went to the School would be charged to the School. Councilor Robinson asked if there was already a pipeline in place. Mr. Standefer responded that the School would have to run the pipe to the well. He added that this could possibly help them in the future with the potential for them to be on the reuse water. Councilor Robinson asked if it would interrupt the school buses on 3rd Street. City Manager Standefer responded that the School would bore under 3rd Street. Councilor Robinson expressed his concern about interruption of the school bus service due to the proposed work. Councilor Thomas asked if the well would have capacity to pump enough water for the Cemetery as well. Mr. Standefer responded that the well was tested and that it pumped 500 gallons a minute and that it could water the Cemetery as well as the ball fields. Councilor Lucero asked if the water is drinkable. Standefer responded that it is possible to bring the well up to drinking water quality but that it would have to meet Environmental Department standards. Councilor Hunton asked if the reuse water is set up to handle the Cemetery. Public Works Director DeSha responded that it would be another option. He told the Council that the benefit of the Mutual Aid Agreement is to get the School off of the City's system. Councilor Robinson asked if it would be a savings to the City. Standefer responded that the benefit is in the savings in water use. He told the Council that this is an agreement for one year only and that the School district understands the situation. Mayor Pro-Tem Miller asked for questions. There were no further questions. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Robinson made the motion to approve the Mutual Aid Agreement with the***

Portales Municipal School district for sale of non-potable water as presented by the City Manager. Councilor Lucero seconded the motion. All Councilors present voted in favor of the motion. No abstentions. Motion carried.

5. Resolution #15-16-10, Establishing Rates for Recreation Center After-School Program.

Mayor Pro-Tem Miller asked City Manager Standefer for presentation of Resolution #15-16-10, establishing rates for Recreation Center After-School program. City Manager Standefer told the Council that the resolution establishes the rates for the after-school program, which the Council has not done in the past. He commented that rates have been increased in the past by action of the City Manager. He added that he has had to look at the rates this year. He pointed out the schedule of rates included in the resolution, which are Option #1: \$10 per child per day; Option #2: \$20 per child per week; Option #3: \$50 per child per calendar month; and Option #4: \$150 per child per semester. He stated that it is a dramatic increase over what has been charged before. He added that the cost is \$1.33 an hour if the customer pays \$20 per week. Councilor Thomas commented that it is a fair rate. Mayor Pro-Tem Miller stated that there was a lot of discussion at the Finance/Administration Committee meeting. He commented that the issue of hardship situations was also discussed and it was decided that the City Manager could work out a payment plan. City Manager Standefer stated that there have been a lot of complaints from day care facilities about competition with them. He added that the City Recreation Center would eventually have to be certified by the state. The Mayor Pro-Tem stated that the Finance/Administration Committee had recommended approval of the increase after a lot of discussion. Councilor Thomas stated that he felt that it was a very big jump all at one time and that it might be better to raise the rates over a number of years. City Manager Standefer agreed that it would be an issue for those people with multiple children, but that he doesn't believe that the costs are out of line. Councilor Parker asked if the rates were per child. Standefer responded that that was correct and that the rates would be effective August 1st. Councilor Robinson stated that he is opposed to raising the rates because there would be a lot of people who would not be able to participate. His other reason was that the Recreational Advisory Board had not had an opportunity to present it to the public for input. He stated that he was totally against the increase because the community was not able to give their opinion. The Mayor Pro-Tem stated that he thought that it was a fair decision and that it was presented in time for the new budget and that it is an attempt by Administration to continue the program. He added that there may come a time that the City would have to do away with the program. Councilor Parker asked how many kids are in the program. Recreation Director Jodi Diaz responded that there are about 70 kids a day on regular basis. Councilor Parker asked if she knew the percentage of the kids who would need assistance. Ms. Diaz responded that most of the parents can afford to pay—maybe 10% of the kids need assistance. She commented that she had asked parents and that most of them had stated that they would continue to send their kids to the Center. City Manager Standefer stated that the biggest reason for the increase is to offset the cost of staff. Standefer stated that he had looked at the budget and that the Summer Program breaks even, the After-School Program does not—he added that the City spends \$100,000 to pay for it. Councilor Thomas commented that the rate increase is pretty sudden. Standefer told the Council that he had reviewed prices at other City's recreation centers before setting the new rates. Councilor Hunton commented that he pays daycare costs and that this proposal is really inexpensive. He did express his concern about the timing of the rate increase—maybe it should be looked at in January or October. He added that two weeks is such a short time to put it into place. City Manager Standefer stated that he anticipates adjustments and that he has confidence that Ms. Diaz will be instrumental in assisting with that adjustment period. Councilor Hunton commented that he would have preferred a little rate structure for multiple children. Councilor Thomas agreed that the issue is timing. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Parker made the motion to adopt Resolution #15-16-10, establishing rates for the after-school program at the Recreation Center as presented by City Manager Standefer. Councilor Hunton seconded the motion. Roll call vote of the Council members present resulted in four (4) Councilors voting Aye and two (2) Councilors, Robinson and Thomas, voting Nay. No abstentions. Motion carried.***

(D) Public Hearing for FY 2015-2016 Final Budget:**1. Action to enter into public hearing for Presentation of the Final Budget for FY 2015-2016 & to Receive Comments.**

Mayor Pro-Tem Miller asked for a motion to enter into public hearing for presentation of the final budget for FY 2015-2016 and that he wanted to hold the public hearing and after the public hearing was closed the Council could begin discussion on the budget, if that was acceptable to the Council. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Robinson made the motion to enter into public hearing to hear the presentation of the final budget for 2015-2016. Councilor Hunton seconded the motion. Roll call of all Councilors present resulted in unanimous support of the motion. No abstentions. Motion carried.***

Mayor Pro-Tem asked the Finance Director to present the final budget for FY 2015-2016. Ms. Rapp gave a short PowerPoint presentation on the budget. She asked the Council to look at changes between the interim and final budget. She reported that she would be focusing on the General Fund and Water fund because those are the ones that had the most changes. She added that between the interim and final budget, the two funds had started out in a better position than was initially estimated. She commented that beginning cash had increased slightly. She told the Council that small changes had been made to reflect decreases or increases needed; outside funding agencies were funded out of beginning cash with no guarantee of continuation as follows: Roosevelt County Chamber of Commerce - \$5,000; RCCDC - \$5,000; and Portales MainStreet - \$20,000 to be paid quarterly (to be talked about separately after the presentation). She added that Workers Comp Premiums were reduced by \$15,000. She stated that net increase to the General Fund expenditures was a little over \$67,000. Ms. Rapp told the Council that the increase in beginning cash and investments was due to gross receipts tax construction windfall of approximately \$700,000. She commented that the construction windfall cannot be counted on, but can be used for capital. She stated that the transfer from Water Fund was reduced by \$500,000. She added that the final budget still budgets to spend \$908,640 of beginning cash, but that this is not sustainable if revenues and expenditures happen as budgeted. Ms. Rapp told the Council that the Water & Sewer Fund changed due to revenue changes due to loan revenue of \$224,000 from the Water Trust Board; a grant in the amount of \$336,000 from the Water Trust Board; anticipated legislative and NMFA grants in the amount of \$67,500; and a \$291,000 in federal grant revenue. She stated that the net increase to revenues was \$918,500 and that if the grants don't come in, the Fund won't have the expenditures. She reviewed the expenditure changes from the interim budget were: \$120,000 for test wells; \$84,000 Water Trust Board match; \$560,000 Water Trust Board loan/grant for water system; \$37,500 NMFA grant for water master plan; \$12,500 required match for NMFA grant; \$30,000 anticipated legislative grant and \$50,000 for fencing and paving at the wastewater treatment plant. She commented that expenditures increased a little more than revenues. Ms. Rapp added that the Water & Sewer considerations are that beginning cash and investments are a little lower than the interim budget, but that the City is investing in the infrastructure. She commented that the increase in capital assets are not reflected in the slide. She thanked the Council for their assistance and asked for comments or questions.

2. Action to close the public hearing

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

Mayor Pro-Tem Miller told the Council that the Finance/Administration Committee had discussed the requests from outside agencies in detail. He pointed out that Jan Elliott had stated, in the presentation to the Committee that the Portales MainStreet Program's plan is to be sustainable in a year. He added that the Committee had voted in support of the funding for Portales MainStreet, but that it is a one-time contribution. The Mayor Pro-Tem stated that the Roosevelt County Chamber of Commerce can go back to the Lodger's Tax Advisory Board for future funding and that the RCCDC requested only the \$5,000. He commented that

Portales MainStreet had requested \$25,000 but were only recommended for \$20,000. The Council questioned whether the City would ask for deliverables to release the funding and is this money to manage the Yam. City Manager stated that he believes that Portales MainStreet has worked to rejuvenate the downtown. He spoke in support of the program. Councilor Robinson asked what the City would see from their efforts and asked why the City has to give them \$20,000. The Mayor Pro-Tem commented that in the past a City employee managed the Yam. Councilor Robinson brought up the fact that the MainStreet manager and the Chamber's promotion manager had been done by one person. Standefer responded that the City had to pay for a manager—that it was Georgia Gonzales and Nicole Wilkening in the past. He commented that as it branched off, the City pulled away and that the Lodger's Tax Advisory Board gave them funding. Councilor Robinson commented that there was a way to measure their effectiveness in the past. Councilor Thomas said that he felt that the City would get a great return in investments because they bring new business into the community—that MainStreet is bringing in more people to the City. City Attorney Doerr suggested that this is a budgetary item and that the City Manager is also working on a contract for services. Mayor Pro-Tem Miller told the Council that MainStreet's justification for assistance is that they will need to be certified as a Downtown MainStreet Program, and that he had asked the MainStreet director if they were not redundant in working on the same things as the Chamber. He stated that he was satisfied with the response. He commented that certification would allow them to get grant funding. City Manager Standefer stated that the budget requires implementing a hiring freeze and capital purchases after the first quarter and that City personnel would be watching the budget carefully. Mayor Pro-Tem Miller stated that he is comfortable with the budget. He added that the City Manager and Finance Director have done a great job. He stated that it all depends on people spending money in Portales adding that this will be the first year of claw backs by the state, and commented that the Council has not put in a gross receipts tax increase this year. He added that there will be a point in time that this will have to be done. Councilor Parker commented that she is confident that everyone is aware of the restrictions placed upon them by the budget and that the City Manager, the Finance Director and the Finance/Administration Committee know the budget. Standefer commented that Ms. Rapp works very hard to get the budget done. Councilor Robinson reiterated his concerns about raising fees at the Recreation Center and then turning around and giving funds away to an agency.

3. Action on Resolution #15-16-11, Approval of Final Budget for FY 2015-2016.

Mayor Pro-Tem Miller asked the pleasure of the Council on the final budget for FY 2015-2016. *Councilor Thomas made the motion to adopt Resolution #15-16-11, approval of the final budget for FY 2015-2016 as presented. Councilor Lucero seconded the motion. Roll call vote of all Council members present resulted in five (5) votes in favor of the motion. Councilor Robinson voted against the motion. Motion carried.*

Councilor Hunton asked what the funding was for the Portales MainStreet Program and stated that they need to justify the funding. City Attorney Doerr stated that the contract to run the Yam is separate from the \$20,000 that General Fund will give them. He stated that the \$20,000 is for salary for the MainStreet Program. City Manager Standefer stated that the Yam is the City's building and that he would like it to work to the City's advantage and to theirs as well. He stated that he would like the City to help them so that they can help the City.

(E) REQUEST FOR APPROVAL OF CONTRACT FOR DWI TEEN COURT COORDINATOR ASSISTANT.

Mayor Pro-Tem Miller asked DWI Program Coordinator Riki Seat to present the request for approval of the contract for Teen Court Coordinator Assistant. Ms. Seat told the Council that Sandra Whiting was selected by the evaluation Committee made up of members of the DWI Task Force for DWI teen court assistant funded through the Juvenile Adjudication Grant approved by the Council two weeks ago. She asked for questions from the Council. Mayor Pro-Tem Miller asked the pleasure of the Council. *Councilor Hunton*

made the motion to approve the Contract for DWI Teen Court Coordinator Assistant with Sandra Whiting. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.

(F) ITEM(S) FROM PLANNING DEPARTMENT:

1. Re-Appointment(s) of Planning Commission Members.

Mayor Pro-Tem Miller asked Interim Planning Director Donna Rutherford to present the reappointments of the Planning Commission members. Ms. Rutherford told the council that the Planning Commission had met the previous night and that Matt Christensen, Beverly Bennett and Keith Thomas had accepted reappointment to the Commission. She commented that Ms. Bennett is the Chair person and Matt Christiansen is the Vice Chair. She asked for reappointment by the Council. Mayor Pro-Tem Miller asked the pleasure of the Council. *Councilor Hunton made the motion to approve reappointment of Matt Christensen, Beverly Bennett and Councilor Keith Thomas to the Planning Commission for a two-year term. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

2. Year-End Planning Department/Planning Commission Reports.

Mayor Pro-Tem Miller asked for Ms. Rutherford to give the year-end report of activities in the Planning Department. Ms. Rutherford reported that building inspections had increased in revenues; although permits were down in general. She presented a PowerPoint presentation that showed a 3-Year comparison of fees. She stated that there is a little more in revenues adding that housing is up a little, and roofing will be up next year. She reported that permit fees were at \$22,120.00 and that the previous year it had been \$21,000. She reported that she is working on becoming certified for Floodplain Management. She presented a listing of the Planning Commission members and their years of experience. She stated that Veronica Pena and Scott Davis are the newest members on the Commission. She told the Council that the Planning Commission has a lot of experience. She reported that the Commission had heard applications for annexation of the Christian Children Home Subdivision on 18th and Avenue B. She commented that the Christian Children Home is putting in duplexes to assist students and other single parent families. She stated that they had reviewed subdivision replats for a couple of people (one for Reymundo and Shannon Madrid and the other was for Gary Fields) two zone changes and one for changing a zone to C-2 for a business. She reported that there were a total of 594 business registrations for the year with 76 new businesses, 43 home-based, 98 contractors, 481 renewals and 75 that closed. She commented that the number of registrations were higher in the previous year. She reported on the rentals of the Memorial Building and showed a slide of the rentals for the year. Ms. Rutherford stated that there are a few that are not charged like non-profits, state, health council, and county. She also reported on Code Enforcement, which was taken over by the Planning Department last year. She stated that the Code Enforcement Officer had sent 53 yellow reminder notices in April; 628 in May, and 627 in June. She reported that 6 letters of violation in April, 33 letters in May and 49 in June. Councilor Thomas asked what the violations were. Ms. Rutherford stated that they were all for weed violations. She told the Council that the ones that do not comply are being sent to Municipal Court and that 16 people were sent to court over the course of the year. She reported that there were 16 car violations and towed 3 cars. Mayor Pro-Tem Miller thanked Ms. Rutherford for the report.

(G) SELECTION OF VOTING DELEGATE & ALTERNATE FOR NMML ANNUAL BUSINESS MEETING

Mayor Pro-Tem Miller asked the Council to select a voting delegate and alternate for the annual NM Municipal League business meeting to be held in September. He commented that traditionally the Mayor

and Mayor Pro-Tem are chosen by the Council to represent the City as delegate and alternate respectively. The Councilors present had no objection.

(H) 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.

Report on Clean & Beautiful Grant Activity: Deputy City Clerk Veda Urioste praised the Parks Department for the work they had done with gravel, rocks and plants paid for by the grant to beautify the Walking Trail located at the Softball Complex. She added that dog waste stations had also been a part of the effort to beautify the Walking Trail and commented that more dog waste stations had been purchased for other parks.

Request to Cancel the first meeting in August:

City Clerk Martinez-Terry requested approval to cancel the 1st Council meeting in August because of this meeting being so close to the end of the month. Mayor Pro-Tem and Council were not opposed.

Complaint on Water Leak at Juniper and Avenue L: Councilor Lucero asked if the Water Department was aware of the water bubbling up in the intersection of Juniper and Avenue L. Public Works Director stated that this is on the list for the Water Department to repair but that the department is down to 2 people in the field—Dakota Freeman and Chris Mendoza. City Manager Standefer commented that the department has lost some employees, and that if the leak is in a meter, it is worked on as it comes up on the list. Councilor Lucero asked if the City Manager had contacted Mrs. Ortega. Mr. Standefer stated that he was not able to reach her, but that he would do so.

Compliments/Praise of Staff: Councilor Hunton thanked the staff for their work on the budget preparations.

Councilor Robinson thanked the Street dept. for their work on the pot holes.

Portales Cemetery Arch/Trees on 1st & 2nd Streets: Councilor Thomas asked if there was a plan to put the cemetery arch back up. City Manager Standefer responded that replacing the arch is being reviewed.

He asked if the City planned to put trees back on 1st and 2nd street. City Manager Standefer commented that the state highway is still having the contractor correct their errors. Councilor Thomas asked the City Manager to check on the trees for 1st & 2nd streets.

City Building Inspector: Councilor Thomas asked Mr. Standefer if he planned to hire a building inspector. Standefer responded that it is not planned at this time. Councilor Thomas reminded the Council and City Manager of the evaluation of the City Manager was due.

Street Lights in the Downtown Area/Trees in the Median by ENMU: Councilor Parker asked about the street lights downtown. City Manager Standefer responded that the NMDOT has not done anything yet. He commented that temporary lighting for the downtown area will be researched.

Councilor Parker commented that the trees in the median by ENMU are branch out from the bottom of the trees and asked if the City could do something. Mr. Standefer responded that the highway project is still under contract that the City cannot touch the median because it would release the State of liability for the project.

Mayor Pro-Tem Miller asked for items of other business. There was no further business.

ADJOURNMENT:

Mayor Pro-Tem Miller adjourned the meeting at 8:10 p.m.

Joan Martinez-Terry, City Clerk