

(A brief reception was held prior to this meeting honoring Martin Mendoza upon his retirement from the City.)

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  - 1. Request for Approval of Variance for 208 Utah Drive, Owner James Fogg.
- G. Resolution #15-16-17, Resolution Amending Procurement/Purchasing Policy.
- H. Other Business/Citizens to be Heard.

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**THE CITY COUNCIL OF THE CITY OF PORTALES** met in regular session Tuesday, September 8, 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 King called the meeting to order and asked City Clerk Martinez-Terry to call roll. Those present and constituting a quorum were:

MAYOR: Sharon L. King

MAYOR PRO-TEM: Michael G. Miller (absent)

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

STAFF PRESENT: Sammy Standefer, City Manager Pat Gallegos, Police Chief  
Joan Martinez-Terry, City Clerk Steve Doerr, City Attorney  
Veda Urioste, Deputy City Clerk Donna Rutherford, Interim Planning Dir.  
Christine Mitchell, I.T. Tech Karen Chandler, Billing Supervisor  
Marta Quiroz, Admin. Assistant John DeSha, Public Works Director  
Carla Weems, Chief Proc. Ofcr. Susan Baysinger, PW Capital Proj. Dir.  
Chris Mendoza, Water Laborer

OTHERS PRESENT: Rae Arnett, Press Nancy Ann Stressman, DAR Rep.  
Samantha Jean Stressman Riki Seat, DWI Program Coordinator  
Jan Elliott, Exec. Dir. MainStreet Martin Mendoza, Retiree  
Alejandra Mendoza Miguel Mendoza  
John Mendoza Larry Urioste  
Kathy Urioste & Gage Tanya Mendoza  
Heather Mendoza XXX Mendoza, Chris' wife

Mayor Pro-Tem Miller asked Councilor Oscar Robinson to give the invocation, and Carla Weems, Chief Procurement Officer, to lead the Pledge of Allegiance and the Salute to the New Mexico flag.

**(A) MINUTES OF PREVIOUS MEETING(S):**

**1. Regular Meeting of August 18, 2015.**

Mayor King asked the Council to consider the minutes of the Regular Meeting of August 18, 2015. She 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 August 18, 2015 as presented. Councilor Thomas seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

**(B) PRESENTATION OF AWARDS:**

**1. Retirement Award Presentation to Martin Mendoza upon 27 years of Service to the Community.**

Mayor King asked Martin Mendoza to come forward to receive a certificate of appreciation for his service to the community. Mayor King presented Martin with a Certificate of Appreciation for his service to the community with an engraved pocket watch showing his initials and wishes for a happy retirement. Public Works Director stated that Martin will be missed. He stated that Martin has a great deal of institutional knowledge that he will take with him. He thanked Martin for being there when he was needed. City Manager Standefer stated that he had started working for the City next to Martin Mendoza for 15 of the 27 years he had served and that he also knew that his institutional knowledge would be missed. Mayor King thanked Martin for his service. City Manager Standefer asked that the people who came for the reception held for Martin go ahead and go back and that they were welcome to continue partaking of the refreshments.

**2. 20-Year Service Award Presentation to Veda Urioste, Deputy Clerk.**

Mayor King asked Veda Urioste to step forward to receive a certificate of appreciation and 20-year service award pin and a plaque in her honor. Mayor King called Veda Urioste Miss Portales for her service at events held for the community like the free Thanksgiving Dinner. She thanked Veda for her hard work on behalf of the Cultural Affairs Committee and the community. Mayor King asked Ms. Urioste to say a few words. Ms. Urioste commented that 20 years has really gone by fast.

**3. Employee of the Quarter Award for 2<sup>nd</sup> Quarter 2015 Presentation to Johnny Ledbetter, GPS-GIS Mapper.**

Mayor King presented the Employee of the 2<sup>nd</sup> Quarter award to Johnny Ledbetter in his absence. Mr. Ledbetter was unable to attend the presentation. Mayor King asked that everyone congratulate him for his selection for the award by his peers. Public Works Director DeSha commented that Johnny had texted him prior to the meeting that something personal had come up suddenly.

**(C) PROCLAMATION DECLARING THE WEEK OF SEPTEMBER 17 - 23, 2015 AS "CONSTITUTION WEEK IN PORTALES, NEW MEXICO" – EL PORTAL CHAPTER, SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION**

Mayor King asked Nancy Ann Stressman, representative of the El Portal Chapter, Society of the Daughters of the American Revolution, to step to the front of the room to receive the proclamation declaring the week of September 17 through 23 of 2015 as Constitution Week in Portales. Mayor King read the proclamation aloud for the Council and audience. Ms. Stressman received the proclamation and challenged everyone to go home and look up the preamble and the Constitution and read it.

**(D) RESOLUTION #15-16-16, RESOLUTION OF SUPPORT AND COMMITMENT FOR PORTALES MAINSTREET PROGRAM AND APPROVAL OF THE BIENNIAL MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE NM MAINSTREET PROGRAM, THE CITY OF PORTALES AND THE PORTALES MAINSTREET PROGRAM**

Mayor King asked City Manager Standefer to present the resolution of support and commitment for Portales MainStreet Program and approval of the Biennial Memorandum of Understanding (MOU) between the New Mexico MainStreet Program, the City of Portales and the Portales MainStreet Program. Mr. Standefer told the Council that the resolution is to support MainStreet with their New Mexico certifications and potentially the national certification. Mayor King asked for clarification that the resolution is annually and the MOU is biennial. Councilor Robinson commented that the action on the item should be done in two parts. Mayor King and City Attorney agreed. Councilor Lovett asked for clarification regarding the expected contribution of \$35,000.00 to MainStreet mentioned in the MOU. City Manager Standefer stated that the City Council has allocated \$15,000.00 for MainStreet to operate the Yam and have set aside \$20,000.00 in the budget for MainStreet for the fiscal year. He stated that it was the City's hope that this would satisfy the requirement to assist Portales MainStreet with their certification. Mayor King asked the Council's pleasure regarding the resolution. *Councilor Parker made the motion to adopt Resolution #15-16-16 supporting Portales MainStreet. Councilor Thomas seconded the motion. Roll call vote of all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.*

Mayor King asked the Council's pleasure regarding approval of the Memorandum of Understanding (MOU). *Councilor Thomas made the motion to approve the Biennial MOU between the NM MainStreet Program, the City of Portales and the Portales MainStreet Program. Councilor Parker seconded the motion. All Council members present voted in unanimous support of the motion. No abstentions. Motion carried.*

**(E) REQUESTING AUTHORIZATION OF MAYOR'S SIGNATURE ON LDWI (LOCAL DRIVING WHILE INTOXICATED) REVERSION GRANT APPLICATION**

Mayor King asked DWI Program Coordinator Riki Seat to present the request to authorize the Mayor's signature on the LDWI (Local Driving While Intoxicated) Reversion Grant application. Ms. Seat responded that the LDWI program reverted \$2,000.00 back to the State and were told to request more funds. Mayor King asked if the funds requested would allow the program to cover all the schools. She said that she had asked for additional funding (\$30,000.00 for the new Preventionist and \$15,000.00 to make the Teen Court Assistant full time and \$16,000.00 for equipment for the Police Department. Ms. Seat told the Mayor that this would give the program 2-1/2 people working to get DWI programs into the schools. Mayor King asked the pleasure of the Council. *Councilor Thomas made the motion to authorize the Mayor's signature on the LDWI Reversion Grant application. Councilor Lovett seconded the motion. All Council members present voted in unanimous support of the motion. No abstentions. Motion carried.*

**(F) ITEM(S) FROM THE PLANNING COMMISSION:****1. Request for Approval of Variance for 208 Utah Drive, Owner James Fogg.**

Mayor King asked Donna Rutherford, Interim Planning Director, to present the request for approval of a variance for 208 Utah Drive requested by James Fogg, Owner. Ms. Rutherford told the Council that Mr. Fogg had submitted an application for a variance to the setbacks of an R-1 Zone to build a carport. She stated that the carport would extend to within 6 feet of the property line. She reported that the Planning Commission had held their public hearing on August 17, 2015 and had voted unanimously in favor of the request with a vote of 5 for and 0 against. She told the Council that Mr. Fogg will construct the carport to match the façade of the house and will be open on 3 sides. Mayor King asked if the 6 feet would be from the property line--his neighbor's property line or the street. Ms. Rutherford responded that it would be 6 feet from his property line along the street. Mayor King asked if this would be 6 feet from the sidewalk or 6 feet from the curb. City Manager Standefer said that it was 6 feet from the sidewalk and that there is another 10 feet to the curb. Councilor Lovett asked if this approval would set a precedence for other carports. Ms. Rutherford stated that in the past the City did try to eliminate some of the metal carports because people were just putting them anywhere—putting sides on them and putting them into the clear-site triangle. Ms. Rutherford stated that the Planning Commission is trying to get it done the right way. She commented that there are carports along his street that were done without permission. City Manager Standefer responded that every situation is a little different and that the Planning Commission looks at them separately. He added that they have denied some of them due to safety concerns. Standefer stated that he trusted the Planning Commission to review the requests carefully, but that the Council has the final vote. Ms. Rutherford said that Mr. Fogg had told the Planning Commission that he and his wife are older and that they wanted the carport for their safety and convenience. Councilor Thomas asked the distance of the standard setback. City Manager Standefer responded that the standard setback is 20 feet or by the majority of the houses on the street. He stated that not every house in the City has a 20 foot setback and that the distance of the setbacks on the street were considered in the decision by the Planning Commission. Mayor King asked the pleasure of the Council. ***Councilor Thomas made the motion to accept the recommendation of the Planning Commission approving the variance for 208 Utah Drive owned by James Fogg. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

**(G) RESOLUTION #15-16-17, RESOLUTION AMENDING PROCUREMENT/PURCHASING POLCY SUPERSEDING RESOLUTION #14-15-29**

Mayor King asked Carla Weems, Chief Procurement Officer, for a presentation of Resolution #15-16-17, amending the procurement/purchasing policy. Ms. Weems told the Council that the resolution amends the previous procurement/purchasing policy adopted through Resolution #14-15-29. She told the Council that the amendments requested are for (1) correcting a typo in Article 1 – Definitions on Page 5, Item 1, Purchase: last sentence changing “thy” to “the;” (2) Article 1 –Definitions on Page 5, Item 4, Emergency Purchases: striking last sentence “All Emergency situations must be declared by the City Council through resolution;” and (3) Article VII – Special Procurement Procedures on Page 11, Item 3, striking 2<sup>nd</sup> sentence “All Emergency situations must be declared by the City Council through resolution.” She stated that this resolution will supersede Resolution #14-15-29 adopted on June 16, 2015. She asked for adoption of the resolution. Mayor King asked the pleasure of the Council. ***Councilor Lovett made the motion to adopt Resolution #15-16-17, amending the procurement/purchasing policy as presented. Councilor Lucero seconded the motion. Roll call vote of all Council members present voted in favor of the motion. No abstentions. Motion carried.***

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

Mayor King asked for items of Other Business.

**Metropolitan Area:** Councilor Leo Lovett reported that in a recent economic development meeting the group had learned about the benefit of the designation of Metropolitan Area. He requested that City Manager Standefer look into the feasibility the City of Portales qualifying for the designation. He stated that there were funding benefits involved. Mr. Standefer commented that he would talk to Randy Knudson about the designation.

**Issue of Lights in the Downtown Area:** Councilor Robinson asked about the street light replacements. City Manager Standefer reported that the Contractor and State had reached agreement that the replacement of lights will begin September 22<sup>nd</sup> and that it should be completed by October 16<sup>th</sup>. He told the Council that temporary lighting was discussed with the State and that they had agreed to try to get some lighting for Avenue A & B on 1<sup>st</sup> and 2<sup>nd</sup> Streets. Standefer commented that the day after the previous Council meeting the staff had actually met with NMDOT representatives to talk about the problems with lighting.

**Solid Waste Brush Truck Route Schedule:** Mayor King asked that the City Manager look at the schedule for the brush truck. She commented that she had received complaints about a lot of brush in the alleys. City Manager Standefer commented that the brush truck is on the same route as the garbage trucks, but it takes longer to pick up brush and large pieces of trash (furniture, appliances, etc.) than the dumpsters. He stated that he would get the information from the Mayor and take a look at the areas of concern.

**State Highway Commissioner's Meeting:** City Clerk Martinez-Terry reminded the Council that the State Highway Commissioners would be meeting on Thursday, September 17, 2015 at the Yam Theatre beginning at 8 a.m. She further reminded them that a reception would be held for them on Wednesday evening, starting at 6 p.m., September 16, 2015 also at the Yam Theatre. Councilor Thomas asked that staff send reminders.

There was no further business.

**ADJOURNMENT:**

Mayor King adjourned the meeting at 7:05 p.m.

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Joan Martinez-Terry, City Clerk