

TABLE OF CONTENTS FOR COUNCIL MEETING HELD DECEMBER 15, 2015:

- A. Minutes of Previous Meeting(s):
 - 1. Regular Meeting of December 1, 2015.
- B. Presentation of Award(s):
 - 1. Retirement Award Presentation to Jerry L. Rose, Street Superintendent, (27 years of service to the Community).
 - 2. Retirement Award Presentation to Mike J. Stroik, Chief Wastewater Treatment Operator (30 Years of Service to the Community).
- C. Ratification of Finance Department's Actions on the Bills for November 2015.
- D. Notice of Intent to Adopt Ordinance No. 716, An Ordinance Approving an Economic Development Project.
- E. Resolution #15-16-25, Authorization to Submit the FY 17 EMS Fund Act Grant.
- F. Item(s) from the DWI Program:
 - 1. Requesting Authorization of Mayor's Signature on Amended Contract for Professional Services with Mary Poynor, DWI Teen Court Coordinator.
 - 2. Requesting Authorization of Mayor's Signature on Contract for Professional Services with Michael O. Gilchrist for Prevention Specialist (NMDOT DWI Funding).
- G. Resolution #15-16-26, Adoption of Project Agreement between the New Mexico Department of Transportation, Traffic Safety Division (Grantor) & the City of Portales (Grantee) under the Traffic Safety Act, NMSA 1978, Sections 66-7-501 through 66-7-511.
- H. Annual Water Conservation and Use Report.
- I. Approval of Easement with Eastern New Mexico Water Utility Authority (ENMWUA).
- J. Other Business/Citizens to be Heard.

THE CITY COUNCIL OF THE CITY OF PORTALES met in regular session Tuesday, December 15, 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 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
Lenard Michael Lucero Keith A. Thomas
Dianne Y. Parker (absent)

STAFF PRESENT: Sammy Standefer, City Manager John DeSha, Public Works Director
Joan Martinez-Terry, City Clerk Randy Knudson, City Attorney
Veda Urioste, Deputy City Clerk Marilyn Rapp, Finance Director
Gary Nuckols, Fire Chief Marta Quiroz, Admin. Assistant
Pat Gallegos, Police Chief Susan Baysinger, PW Projects Adm.
Chris Valdez, Police Sgt. Jerry Rose, Street Supt.
Michael J. Stroik, Chief WWTP Oprtr.

OTHERS PRESENT: Alisa Boswell, Press Eamon Scarbrough, Press
Riki Seat, DWI Program Coordinator Michael Gilchrest
Gayla Brumfield, ENMWUA Justin Howalt, ENMWUA
David Lansford, Mayor of Clovis Jerry DeSha
Faye Rose Norma Stroik
Darrin Stroik Amy Stroik

NOTE: "A small reception was held prior to this meeting honoring Street Superintendent Jerry L. Rose and Chief Wastewater Treatment Plant Operator Michael J. Stroik upon their retirement from the City."

Mayor King asked Councilor Robinson to give the invocation, and the City Manager Sammy Standefer led the Pledge of Allegiance and the Salute to the New Mexico flag.

(A) MINUTES OF PREVIOUS MEETING(S):

1. Regular Meeting of December 1, 2015.

Mayor King asked the Council to consider the minutes of the Regular Meeting of December 1, 2015. She asked for corrections or action on the minutes. Mayor King asked the pleasure of the Council. *Councilor Hunton made the motion to approve the minutes of the regular meeting of December 1, 2015, 2015 as presented. Councilor Salguero seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(B) PRESENTATION OF AWARD(S):

1. Retirement Award Presentation to Jerry L. Rose, Street Superintendent (27 Years of Service to the Community).

Mayor King asked Jerry Rose to come forward to receive a Certificate of Appreciation and a gift upon his retirement. Mayor King read the certificate of award aloud to him and the audience and congratulated Mr. Rose Jerry for his service. She presented him with the gift of a pocket watch commemorating his 27 years of service to the City and community. Public Works Director John Desha complimented him for his hard work, commitment and support. He thanked him for his service.

2. Retirement Award Presentation to Mike J. Stroik, Chief Wastewater Treatment Operator (30 Years of Service to the Community).

Mayor King asked Mike Stroik to come forward to receive a Certificate of Appreciation and a gift upon his retirement. Mayor King read the certificate of award aloud to him and the audience. She presented him with the gift of a pocket watch commemorating his 30 years of service to the City and community. She thanked Mr. Stroik for his service. Public Works Director DeSha told the Council and audience that he had leaned on Mike from the start. He commented that he will miss him sorely. Mr. Stroik thanked those who had worked with him over the last 30 years.

(C) RATIFICATION OF FINANCE DEPARTMENT’S ACTIONS REGARDING BILLS FOR NOVEMBER 2015

Mayor King asked Marilyn Rapp, Finance Director, to present the bills for November 2015. Ms. Rapp told the Council that the amount of the bills for November 2015 was \$1,324,095.14. She commented that a large expenditure was for engineering expenses for the wastewater treatment plant and reuse line. She stated that these expenditures were necessary for the continued operation of the City and are within budgeted limits. She asked for questions and ratification of the bills by the Council. Mayor King asked the pleasure of the Council.

November 2015

Pooled Cash Fund	999	1,324,095.14
------------------	-----	--------------

Councilor Lovett made the motion to approve the bills for November 2015. Councilor Lucero seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.

(D) NOTICE OF INTENT TO ADOPT ORDINANCE NO. 716, AN ORDINANCE APPROVING AN ECONOMIC DEVELOPMENT PROJECT

Mayor King asked City Manager Standefer to present Ordinance No. 716, An Ordinance Approving an Economic Development Project. City Manager Standefer deferred to Randy Knudson, City Attorney, who told the Council that the funds to be awarded to Ready Roast Nut Company are coming from the State Economic Development Department to the City. He stated that the ordinance will be heard, hopefully, at the next Council meeting. He stated that the State will be present to give their input. He commented that application for economic development was actually to the state and not the City. He added that the City Manager and City Attorneys have been working on the Inter-Governmental Agreement and the Project Participation. Mayor King asked the pleasure of the Council. *Councilor Hunton made the motion to publish the notice of intent for Ordinance No. 716 as presented. Councilor Salguero seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(E) RESOLUTION #15-16-25, AUTHORIZATION TO SUBMIT THE FY 17 EMS FUND ACT GRANT

Mayor King asked Fire Chief Nuckols to present request to authorize submission of the FY 17 EMS Fund Act Grant through Resolution #15-16-25. Chief Nuckols told the Council that this is the annual NM Department of Health EMS Fund Act Grant that the Portales Fire Department applies for every year. He reported that the department receives this allotment based on the departments ALS level of service, call volume and formula funding through the EMS Bureau. He told the Council that the amount received for this year is \$16,833.00 for a shift command vehicle. He stated that the department is requesting \$20,000.00, but expecting between \$15,000.00 and \$20,000.00 for EMS supplies. Chief Nuckols recommended that the Council adopt the resolution authorizing the Mayor's signature on the grant application. Mayor King asked the pleasure of the Council. *Councilor Lucero made the motion to adopt Resolution #15-16-25, authorizing submission of the EMS Fund Act grant application as presented. Councilor Hunton seconded the motion. Roll call vote of all Council members present resulted in support of the motion. No abstentions. Motion carried.*

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

1. Requesting Authorization of Mayor's Signature on Amended Contract for Professional Services with Mary Poynor, DWI Teen Court Coordinator.

Mayor King asked Riki Seat, DWI Program Coordinator, to present the amended contract for DWI Teen Court Coordinator Mary Poynor. Ms. Seat told the Council that reason for amending the contract is that Ms. Poynor has an illness that does not allow her to travel. She added that Ms. Poynor needs to be part time to allow her time to rest. The amended contract changes the scope of work deleting the travel requirement and reducing the contract amount from \$23,000.00 to \$17,000.00. Councilor Hunton asked if travel is necessary for completion of the contract. Ms. Seat responded that the assistant will do the traveling needed. Mayor King asked the pleasure of the Council. *Councilor Lovett made the motion to approve the amended contract with Mary Poynor as presented. Councilor Hunton seconded the motion. All Council members present voted in support of the motion. No abstentions. Motion carried.*

2. Requesting Authorization of Mayor's Signature on Contract for Professional Services with Michael O. Gilchrist for Prevention Specialist (NMDOT DWI Funding).

Mayor King asked Riki Seat, DWI Program Coordinator, to present the contract for Prevention Specialist. Ms. Seat told the Council that this contract had to be let for proposals because the contractor LeeAnn King resigned and moved to Texas. Ms. Seat told the Council that only one proposal was submitted for the contract. She reported that the DWI Task Force had evaluated the proposal submitted by Michael Gilchrest and are recommending that the Council approve the contract. Mayor King asked the pleasure of the Council. ***Councilor Lovett made the motion to approve the contract with Michael Gilchrest for Prevention Specialist as presented. Councilor Salguero seconded the motion. All Council members present voted in support of the motion. No abstentions. Motion carried.***

(G) RESOLUTION #15-16-26, ADOPTION OF PROJECT AGREEMENT BETWEEN THE NEW MEXICO DEPARTMENT OF TRANSPORTATION, TRAFFIC SAFETY DIVISION (GRANTOR) & THE CITY OF PORTALES (GRANTEE) UNDER THE TRAFFIC SAFETY ACT, NMSA 1978, SECTIONS 66-7-501 THROUGH 66-7-511

Mayor King asked Police Chief Pat Gallegos to present the resolution adopting the project agreement between the NM Department of Transportation and the City of Portales under the Traffic Safety Act. Chief Gallegos told the Council that the project agreement is for overtime pay for four (4) different activities. He commented that this is the same project agreement as in the past, but that one activity was separated into two. Mayor King asked for questions. There being no questions, Mayor King asked the pleasure of the Council. ***Councilor Salguero made the motion to adopt Resolution #15-16-26, adopting the project agreement between the NM Department of Transportation and the City of Portales as presented. Councilor Lucero seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

(H) ANNUAL WATER CONSERVATION AND USE REPORT

Mayor King asked Dr. Charles Wilson, the City's water consultant, to give his annual report. Dr. Wilson told the Council that he appreciated the opportunity to present his PowerPoint report on last year's water supply and demand. He told the Council that the report documents water supply and demand trends; evaluates the effectiveness of water conservation; and must meet the NM Office of State Engineer (NMOSE) grant funding requirements. Dr. Wilson told the Council that the remaining high capacity of the City's groundwater supply is limited. He added that delivery of surface water from Ute Reservoir may be delayed and that the conservation goal is to reduce water demand to allow for that delay. He stated that the NMOSE is strongly encouraging water conservation throughout New Mexico. He reported that new things in the report were the following: AWWA Water Loss Control Audit results for 2014 were included; the NMOSE GPCD (Gallons Per Capita per Day) calculator results for 2014 were included; ad conservation goals and measures were expanded per NMOSE guidance. Dr. Wilson reported that the change to the supply side in 2014 were two (2) new wells added to the system; 2 old wells no longer pumped; average aquifer depletion rate is lower due to new wells; and new water meters provide better measurement of groundwater pumping. He showed the Council the graph on historic water levels in the black Water well field, which include 42 wells in the well field; the history goes back to 1975 you can see where the depth was at the time they were drilled. Dr. Wilson praised Public Works Director John Desha for his clever ideas to extend the life of the wells. He commented that the report shows that the wells won't go totally dry and that the reason why the wells are leveling off is because the yields are dropping. He stated that the levels are getting down to an equilibrium point for each of the wells. Dr. Wilson stated that aquifer depletion in the wells shows the depletion rate starting in 2011--average remaining aquifer thickness is 36 feet--this was in January 2015. He reported on the change to the demand side in 2014: demand was 29 million gallons lower in residential use and 19 million gallons lower in use by ENMU; industrial use was 43 million gallons higher; water losses were 29 million gallons higher; other uses were 1 million gallons higher for a net total use of 25 million gallons higher. He stated that conservation has helped with the lower residential use. He commented that Industrial use is higher and water losses are higher. He commented that other uses are commercial and city

use. Dr. Wilson reported on the next graph that shows the total wellfield demands. He told the Council that the main thing in this graph is the pink line which is the actual use –the other lines are for 2001 without conservation measures estimated use that shows that the city is doing much better than estimated in 2001. He reported that the next graph is the demand by category and residential use is very good since it is going down—industrial use is going up; Roosevelt County Water cooperative (co-op) is static; unmetered has gone up; and ENMU's use went down. (The unmetered is the difference between what is pumped and what is sold.) Dr. Wilson went on to the next graph and talked about achieving the conservation goal-- 1) is the total water pumped achieved by use of treated wastewater and achieved from water conservation. He stated that when, and if, the water comes in from the Ute Reservoir, then the City won't have to be concerned about water conservation. He commented that, under the current conditions, Ute water would suffice. Dr. Wilson listed water conservation measures needed: leak detection and repair; education and outreach; conservation water rates; conservation water audits; drought resistant landscaping; universal water metering and rainwater harvesting/cisterns. He stated that leak detection and repair will require education of the water co-op and industrial users of the City's water. He commented that the City sells water to the co-op, which is an independent water utility company, and that this is considered exporting water to the company. He stated that the co-op users have a responsibility for conserving water as well as the City's users do. He added that education and outreach should be expanded. He stated that better municipal leak detection and repair is required (must have this done and is being done by the new meters put in by Public Works Director DeSha). He reported that pumping was overestimated between 2009 and 2010, and then in the following years pumping was underestimated. He stated that the pumping trend is going up, but should be going down. He reported that the AWWA (American Water Works Association) water loss audit shows it graphically—in 2014 losses were 15% of the total supply (a good rate is 10% or better). He stated that high losses are acceptable only if there is enough water available according to the AWWA. He stated that this is not the case here in Portales. He commented that long term needs are considered to be a 50 year supply.

Dr. Wilson told the Council that community education and outreach should be focused on the four largest use categories: Residential water demand reductions have been consistent since 1995; Industrial water demand is variable can be high—enhanced conservation is needed; Roosevelt County Co-op's water demand is essentially flat—enhanced conservation is needed; and lastly, the City of Portales must control its losses in the water system (bad meters)—system upgrades are needed. He reiterated that the co-op should assist with conservation.

Recommendations by Dr. Wilson:

- pursue enhanced conservation with industrial users and the water co-op;
- implement a long-term distribution system upgrade;
- continue adding new wells; and
- continue seeking supplemental water supplies, essentially the Ute Water Project.

Concluded the presentation and stated that the findings in this report should be seriously considered. Mayor King asked about the university's use of the water. Dr. Wilson commented that about 10 years ago, the City started urging ENMU to put in their own wells and landscaping improvements. He stated that their wells do not impinge on the city's water supply. He spoke about the wells at the cemetery – takes the water load off of the city's wellfield and takes it directly from the well supply under the cemetery. Councilor Robinson asked if the state engineer gives licenses for wells in the city, and, if so, is there a master list. Dr. Wilson responded that the state is not allowing new wells in the area of the Roosevelt County basin. Wells are recorded by the state. Councilor Robinson asked why they wouldn't be able to get off the city's system. Dr. Wilson responded that municipal wells must meet the state's standards, which don't apply to private wells – it is up to the home owners. Dr. Wilson commented that there is water under the city and that people who use their own wells are doing the city a favor by not using the city's well system water. Councilor Robinson suggested that this would be good for the City. Councilor Lovett stated that the residents should be applauded for their conservation efforts. City Manager said that the heavy users use 370,000 gallons of water a day. Randy Knudson asked about finding out the co-op's use of the water. Dr. Wilson said that the

co-op is an independent company and has to go through permitting from the state. Councilor Robinson asked about the potential for raising the rates for the co-op. Dr. Wilson responded that this would be one way to encourage conservation. He suggested that the City talk to them about their conservation plans. He commented that education and outreach are the tools to use to get cooperation from co-op. There were no more questions. Mayor King thanked Dr. Wilson for his report.

(I) APPROVAL OF EASEMENT WITH EASTERN NEW MEXICO WATER UTILITY AUTHORITY (ENMWUA)

Mayor King reminded the Council that this easement agreement for a pump station on City land was presented by the ENMWUA a month prior. She commented that the Council expressed concern about the effect to Xcel Energy who plan to build power lines on the same land. Justin Howalt, Executive Director of ENMWUA, reported that he had contacted Xcel Energy about their plans, and that Xcel Energy had informed him that the pump station would not impact their infrastructure. Howalt told the Council that Xcel and their engineers have no problem with the ENMWUA easement agreement. Mayor King commented that this should alleviate the Council's concerns—that Xcel Energy has said that they can work with the ENMWUA to put in their lines. She stated that at this time Dairy Farmers of America (DFA) has not granted an easement to Xcel Energy. Mayor King introduced Clovis Mayor Lansford and Gayla Brumfield, ENMWUA Board Chairperson, present at this meeting. Mr. Howalt promoted the Ute water project stating that the ENMWUA has obtained \$1.4 Million from the Water Trust Board for the transmission lines. He stated that the plan is to put in pipeline as they go along to get the process started and get pipe in the ground as soon as possible. Councilor Hunton asked why the push to get the pump station started instead of getting the whole pipeline installed first. Mr. Howalt responded that ENMWUA has \$750,000.00 of federal money to get the pump station completed. He added that the pump station would use some of the City of Portales' system already in place to take the water to Elida. Howalt stated that \$8 Million in funds have been obtained from the federal government. He added that projects like this are not built overnight and that there is competition with other projects for federal funding. Gayla Brumfield told the Council that the engineers at CH2MHill have stated that this pump station will help the City of Portales. Councilor Lovett commented that it seems that the ENMWUA is trying to get the cart before the horse. He commented that timing is a big concern—not knowing when the pump station will be used. Mayor King stated that the City Manager at the time had discussed use of the pump station. Howalt commented that the first water distribution pipeline at the Authority intends to build is the one from CAFB to Portales. He stated that that this was not the easement requested is not the original location planned for the pump station and that the change was guided by the previous City Manager and the Public Works Director. Councilors Robinson and Hunton asked about the authority of the City to give away something we don't own. City Attorney Knudson stated that the land is owned by the City but will revert back to DFA when the IRBs are completed. Councilor Hunton asked why DFA can't just grant the easement. City Attorney Knudson responded that the reason is that the pump station has to hook into the city lines. Mr. Howalt stated that the project was designed in coordination with the City of Portales. Councilor Hunton commented that his concerns have always been the location and timing for the pump station. Mayor King asked the pleasure of the Council. ***Councilor Hunton made the motion to "not" approve the easement in this location as requested by the ENMWUA. Councilor Lovett seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

(J) OTHER BUSINESS/CITIZENS TO BE HEARD

Mayor King asked for items of Other Business. Mayor King asked for comments from the Council, staff and audience.

Mayor's Christmas Party for the City Employees Children: Mayor King reminded the Council and audience of the Christmas planned for the children of the City employees from 5 to 7 p.m. on Thursday

evening at the Yam Theater. She stated that the Mayor's Christmas tree will be decorated by several employees' children on Wednesday at the City Hall.

CDBG Public Hearing: Susan Baysinger reminded the Council that the schools have an agreement on use of water from the well.

Chamber Ambassadors Event: Councilor Hunton told the Council and audience that the movie hosted by the Ambassadors on Friday, December 18, 2015 will start at 5:15 p.m. He reported that the movie is Elf.

Alisa Boswell introduced Eamon Scarbrough as the new Portales News-Tribune reporter replacing Jackie Johnson. Mr. Scarbrough told the Council that he likes Portales being a native.

ADJOURNMENT:

There being no further business, Mayor King adjourned the meeting at 7:55 p.m.

Joan Martinez-Terry, City Clerk