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THE CITY COUNCIL OF THE CITY OF PORTALES met in regular session Tuesday, May 3, 2016, 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

COUNCIL MEMBERS: Veronica A. Cordova Oscar H. Robinson
Chadrick H. Heflin Antonio O. Salguero
Jim Lucero Jessica J. Smith
Dianne Y. Parker

STAFF PRESENT: Sammy Standefer, City Manager John DeSha, Public Works Director
Joan Martinez-Terry, City Clerk Chris Williams, Police Lieutenant
Steve Doerr, City Attorney Christine Mitchell, I.T. Tech.
Gary Nuckols, Fire Chief Carla Weems, Chief Procurement Ofcr.
Veda Urioste, Deputy City Clerk Melissa Lopez, Cashier/Clerk
Brenda Fenton, Fire Admin. Assistant Susan Baysinger, Public Wks. Proj. Adm.
Mike Inge, Fire Captain/Marshal Blake Martin, Firefighter/EMT
Hugh Frank, Fire/EMT Lieutenant Andrew Bernal, Firefighter/EMT
Steven Cain, Fire/EMT Lieutenant Artie James, Firefighter/EMT Basic
Scott Tweedy, Fire/EMT Lieutenant

OTHERS PRESENT: Eamon Scarbrough, Press Alisa Boswell, PN-T Editor

Victoria Cordova
Robin Inge

Emma Mitchell

Mayor King asked Susan Baysinger, Public Works Projects Administrator, to give the invocation, and John DeSha, Public Works 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 April 19, 2016.

Mayor King asked the Council to consider the minutes of the Regular Meeting of April 19, 2016. She asked for corrections or action on the minutes. Mayor King asked the pleasure of the Council.

Councilor Lucero made the motion to approve the minutes of the regular meeting of April 19, 2016 as presented. Councilor Heflin seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.

(B) PROCLAMATION DECLARING MAY 15TH – 21ST AS "EMERGENCY MEDICAL SERVICES WEEK" IN PORTALES, NEW MEXICO

Mayor King invited Fire Chief Nuckols to come forward to receive the proclamation declaring May 15th through 21st, 2016 as "Emergency Medical Services Week in Portales, New Mexico. She read the proclamation aloud and asked the Chief to say a few words. Chief Nuckols told the Mayor and Council that he would celebrate with a cook out for the Department and their families. Alisa Boswell, Editor of the Portales News-Tribune commented that she had recently found out that the fire departments in New Mexico were unique when she interviewed firefighters in Oklahoma and asked about joint fire/ambulance services in the state. She said that their responses were that they do not do both.

(C) PRESENTATION OF EMPLOYEE OF THE QUARTER AWARD FOR 1ST QUARTER 2016 TO MICHAEL R. INGE, CAPTAIN/FIRE MARSHAL, PORTALES FIRE DEPARTMENT

Mayor King asked Mike Inge, Fire Captain/Marshal, to come forward to receive the Employee of the Quarter Award for 1st Quarter 2016 as selected by his peers in the City. The Mayor asked Fire Chief Nuckols to say a few words about Mike Inge. Chief Nuckols said that Mike had worked for the Clovis Fire Department for 26 years, and now 10 years with the Portales Fire Department. He commented that Mike has been in the fire service for almost 40 years. Chief Nuckols stated that the City was fortunate that he came to Portales. He added that Mike works hard at safety and mitigation. He called Mr. Inge a rock in the department. Brenda Fenton, Fire Administrative Assistant, commented that Mike is easy to work with. Mayor King asked Inge to say a few words. Mike said that he appreciates the opportunity that the Chief has given him.

In a separate action, Mayor King presented City Clerk Martinez-Terry with flowers, a plaque and a proclamation for Municipal Clerk's Week – May 1st through 7th, 2016. This recognition of service was a complete surprise to the Clerk.

(D) PRESENTATION OF CERTIFICATES TO 2016 FAIR HOUSING COLORING CONTEST WINNERS:

1. **Chanelle Ellis, 5-7 Age Group.**
2. **Jillian Garcia, 8-10 Age Group.**
3. **Lucio Ramirez, 11+ Age Group.**

Mayor King asked Susan Baysinger, Public Works Projects Administrator, to talk about the presentation of certificates for the 2016 Fair Housing Coloring Contest. Ms. Baysinger said that the children were not able to attend but that the Fair Housing Ordinance requires that the City hold an activity on fair housing. She stated that staff has held a coloring contest in collaboration with Recreation Director Jodi Diaz at the Center. She commented that 14 kids participated and talked about fair housing, color pictures relating to fair housing and get a certificate of participation. She told the Council that the 1st place winners of the contest were as follows: Chanelle Ellis, 5-7 age group; Jillian Garcia, 8-10 age group and Lucio Ramirez, 11+ age group. She commented that she would give the kids their prize bags and certificates.

(E) Department Report(s):

1. Fire Department – Gary Nuckols, Fire Chief, Portales Fire Department.

Mayor King asked Chief Nuckols to present the report on the Fire Department. Chief Nuckols gave the Council a copy of the reference material for his report. He began his presentation talking about the picture of the Fire Department personnel in Class A uniforms. He spoke about the personnel that includes the following: Administrative staff—Chief Gary Nuckols, Fire Marshal Michael Inge and Administrative Assistant Brenda Fenton; Shift Commanders—Shannon Lee, T.J. Cathey, and Lance Hill; Battalion Chiefs—Steven Cain, Scott Watson, and Hugh Frank; 2nd Lieutenants—Jared Shearer, Gary Rains and Dathan Culpepper; A-Shift Personnel—Blake Martin, Scott Tweedy, Kaleb Broome and Artie James; B-Shift Personnel--Chris Standridge, Duane Rogers, Richard Hall, and an open position; and C Shift Personnel—Andrew Bernal, Scott Candelaria, Levi Miller and an open position. The Chief spoke about the core responsibilities of each shift. A-Shift tasks include vehicle maintenance, inspections/pre-fire plans, hydrant inspections, pumper test/records, and daily Fire/EMS Training by Lieutenant. B-Shift tasks include all the same responsibilities as A-Shift but include hose testing/records and uniforms/purchasing records. C-Shift's responsibilities include public education, Pharmacy purchasing/control, EMS direction along with the tasks required of the other two shifts. Chief Nuckols talked about the Fire Marshal division and the duties and tasks, which include Fire inspections and pre-fire plans handled by Fire Marshall Inge and Scott Candelaria, assistant. He commented that Fire Marshal investigations are handled by Fire Marshal Inge and assistants Candelaria, Watson and Frank. The Chief spoke about the hazardous materials team, which includes Dathan Culpepper, Scott Watson and Hugh Frank, nationally certified technicians. He spoke about the public education program that the Fire Personnel work with—the Fire Buddy Program for 1st and 2nd grade children and the station tours during National Fire Prevention and EMS weeks for pre-kindergarten and kindergarten children. Other components of the public education campaign include fire safety, smoke house, CPR classes, fire extinguisher classes and presentations for daycares and preschools, senior citizens, adult daycare and presentations for other requesting groups. Chief Nuckols talked about Fire Service Certifications for all Fire Department personnel at Firefighter I and II levels. He stated that all personnel are certified at NIMS IC 300-700 levels; all command staff are certified Fire Officers and Fire Instructors; Fire Marshal certified personnel include Inge and Candelaria. Fire Investigations 1 certified personnel include Inge, Candelaria, Frank and Watson. He spoke about Wildland certification for all personnel. Mayor King asked who would take the lead on a grass fire. Chief Nuckols responded that it depended on the districts adding that the County fire departments know their business. He told the Council that 2 Fire Department personnel must be SCBA certified technicians; 1 person must be certified Bauer Compressor air quality testing. He added that all Battalion Chiefs and Lieutenants have completed First Line Supervisor/Officer training. He responded to a question from Councilor Heflin about the SCBAs. Chief Nuckols reported that there are 12 EMT/Paramedics; 5 EMT

Intermediates with 1 testing for Paramedic and 5 EMT Basics with 4 testing for Intermediate level. He told the Council that Lance Hill and Scott Watson are Emergency Services Instructors. Nuckols told the Council that the NM Public Regulatory Commission regulates the Fire Department and conducts inspections on a yearly basis. He reported that the NM Board of Pharmacy regulates pharmaceuticals at the Fire Department and conducts annual inspections, but that Pharmacist LaDawna Brooks does the quarterly review for compliance. He stated that the Fire Department is also regulated by the NM EMS Bureau relating to their Standard Operations Plan, and that the State Medical Direction Committee, the Secretary of Health and the local Service Medical Director are involved with their compliance. Chief Nuckols told the Council that he coordinates the EMS Director Training with Battalion Chief Hill assisting him with quality improvement and assurance. The Chief listed the department fleet and explained that the 700 numbered units are fire units and include fast-attack brush units, pumpers, the aerial apparatus (ladder truck) and 2 tankers. He explained that the 800 numbered units are the 4 ambulances. He talked about the other units in the fleet, which includes the Fire Safety House, the hazmat decontamination trailer, mass casualty trailer and the command hazmat trailer. Nuckols talked about the required training for department personnel in 2015 with 6,329 man hours for fire training and 3,360 man hours for 2015 EMS training for a total of 9,680 man hours of training. He briefly went over a 3-year trend in service calls with the Council. He reported on outside funding sources for the department: \$194,691 from Fire Protection Fund; \$95,903 from Fire Protection Fund carryover; and \$19,499 from EMS Fund Act. He talked about the billing revenues over a 3-year period with the collection rates between 76.5% and 79.0%. He talked about promotions in the department in 2015: Battalion Chief T.J. Cathey; Lt. Hugh Frank and 2nd Lt. Dathan Culpepper. He listed the Comprehensive Plan Accomplishments:

- New ladder truck
- 2 fast attack brush trucks
- New ambulances
- 4 new Lifepack 15 Cardiac Monitors
- Debt service retired Unit 710 Class A pumper
- 4 air assist gurneys
- Land acquisition and site control for Station 2
- Station 2 plan and design firm selected and funded.

Chief Nuckols told the Council that Department goals for 2016 – 2018 are entry of 3 personnel into Paramedic Program; management training for officers, improvements to Station 1; continue to work on Station 2; seek out funding opportunities for a Class A pumper and to provide exemplary service to the customer. Councilor Robinson told Nuckols that he appreciated his report and asked about reporting of department demographics to outside agencies. Nuckols responded that this is done in the Clerk's office. He stated that the intergovernmental grants do not require matching funds by the City. He concluded his report.

(F) INFORMATIONAL ITEM FROM PUBLIC WORKS DEPARTMENT – 2016 PROPOSED POOL OPERATIONS

Mayor King asked City Manager Standefer and Public Works Director DeSha to report on the 2016 proposed pool operations. Mr. Standefer told the Council that the proposal includes cutting back a day for the pool to be open—propose to close on Monday and have it open the rest of the week. He reported that fees have been changed to full dollar amounts to eliminate making change at the pool. He stated that one of the biggest increases in fees is for pool party rentals in moving the fee for up to 40 people from \$75.00 to \$125.00. He commented that staffing of 3 lifeguards is required even for a small group. The Council had a few questions regarding pool lessons, pool rentals and the date of the opening and closing of the pool. Mr. Standefer responded that there is normally no problem in opening of the pool, but that at the end it is difficult to know when the pool will have to close because the City cannot have the pool open without enough lifeguards to run it. Councilor Salguero complained about the lack of lifeguards at the end of the

season. Public Works Director DeSha responded that the lifeguards are high school and college students and that the City tries to retain them as much long as possible during the month of August. He added that lifeguards, since they are students, want to have some time off before they go back to school. City Manager Standefer commented that this is the same in other departments during the summer season. The Council had questions regarding lifeguard training and the number of lifeguards needed. DeSha stated that the number of lifeguards depended on the number of bathers at the pool and that staff plans for 300 bathers, which is the maximum at the pool. Councilor Salguero asked about closing of the pool on Mondays. Mr. DeSha answered that pool maintenance will still have to be done on Monday but that it will give staff time to maintain the pool. The Council asked about loss revenue, and Standefer and DeSha responded that the cost for running the pool is \$1,000 a day. Councilor Robinson asked about the pool being open for the 2 Monday holidays in the summer. Mr. DeSha said that the pool would be open for both Memorial Day and 4th of July holidays. Councilor Robinson asked about the problem of the water leaking from the bottom of the pool a couple of years ago. Mr. DeSha said that the leaking problem had been fixed. Mayor asked about the proposed punch cards. DeSha responded that the City would try the punch card system to try to get away from having cash at the pool. Councilor Salguero brought up the concession stand and cost of concessions. DeSha stated that he had been told to control the costs and inventory. The Council discussed the feasibility of vending machines at the pool. Mr. DeSha commented that he had attempted to get a vending machine a couple of years ago, but that vendors want to have an air conditioned room for their machines so they can sell chocolates. Mr. DeSha told the Council that the increased fees were to attempt to offset costs. Mayor King commented that the fees for pool parties should be higher than proposed instead of increased fees for the kids. Councilor Lucero commented that he would like to see the increases done in steps instead of all at once. The Council was concerned about finding out about revenues at the pool, the cost of concessions and swimming lessons. Councilor Smith asked about lowering the cost of water in agreement with Councilor Salguero. Mr. DeSha responded that this could be done, but that the City has a water fountain at the pool for the patrons to use. Mayor Pro-Tem Miller expressed concern that the fees should be decided soon to give the public time to become aware of the changes. City Manager Standefer said that staff would take the Council's considerations in finalizing the proposed pool operations changes.

(G) APPROVAL TO ENTER INTO A CONTRACT WITH BEASLEY, MITCHELL & CO., CPAs FOR AUDIT FY 2015-2016

Mayor King asked Chief Procurement Officer Carla Weems to present the request to approve a contract with Beasley, Mitchell & Co., CPAs for Audit FY 2015-2016. Ms. Weems told the Council that the City had received clearance to contract for audit at the end of March. She said that she had requested informal quotes from several audit firms to perform the audit for the City. She reported that one firm declined to submit a quote and the other firms did not respond. The City received one quote from Beasley, Mitchell & Co. for \$24,912 including the cost of a single audit and gross receipts. She commented that their quote was the same as the amount they had charged the City for the previous audit. Ms. Weems told the Council that the recommendation of the Finance Department is to enter into contract with Beasley, Mitchell & Co. for a period of one (1) year. Mayor King asked the pleasure of the Council. ***Mayor Pro-Tem Miller made the motion to approve entering into contract with Beasley, Mitchell & Co., CPAs for one (1) year as recommended by the Chief Procurement Officer. Councilor Heflin seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

(H) RESOLUTION #15-16-45, A RESOLUTION DECLARING SURPLUS PROPERTY FOR TRANSFER

Mayor King asked Lt. Chris Williams to present the resolution declaring City property as surplus for transfer. Lt. Williams told the Council that the Police Chief and the City Manager had worked together on the issue of the K-9 Vax since the department had lost the original handler and the replacement handler. They discovered that the City of Lovington had a handler and needed a K-9. City Manager Standefer told the

Council that the reason the City had bought a dog initially was with the belief that it could have recouped the cost in confiscations, but that the state made a change to the law so it hasn't been beneficial. He asked that the Council adopt the resolution. Councilor Robinson asked why the transfer was being done by resolution. City Manager Standefer commented that the K-9 is on fixed assets and that this is the proper way to process the transfer. Mayor King asked the pleasure of the Council. ***Councilor Robinson made the motion to adopt Resolution #15-16-45, declaring K-9 Vax as surplus and authorizing the transfer. Councilor Heflin seconded the motion. Roll call vote of all Council members present resulted in support of the motion. No abstentions. Motion carried.***

(I) PUBLIC HEARING FOR ORDINANCE NO. 717, AN ORDINANCE AMENDING CERTAIN PORTIONS OF THE PORTALES CITY CODE AS IT PERTAINS TO THE TYPES OF QUALIFYING ENTITIES AND ECONOMIC ACTIVITIES WHICH MAY QUALIFY AND PARTICIPATE IN AN ECONOMIC DEVELOPMENT PROJECT

1. Action to Enter into Public Hearing to Receive Public Comments.

Mayor King asked for a motion to enter into public hearing to receive comments on Ordinance 717, amending portions of the Portales City Code as it pertains to the types of qualifying entities and economic activities which may qualify and participate in an economic development project. Mayor King asked the pleasure of the Council. ***Mayor Pro-Tem Miller made a motion to enter into public hearing on Ordinance 717. Councilor Heflin seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

Mayor asked for comments from the audience. City Attorney Doerr said that the purpose of the amendment was for a change to qualifying entities and for changes allowing certain economic activities. Alisa Boswell asked for the purposes of the changes. City Manager Standefer said that it is to broaden the opportunities for marketing the Portales Inn.

2. Action to Close Public Hearing.

Mayor King asked for a motion to close the public hearing. Mayor King asked the pleasure of the Council. ***Mayor Pro-Tem Miller made a motion to close the public hearing on Ordinance 717. Councilor Heflin seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

(J) ACTION AS A RESULT OF THE PUBLIC HEARING FOR ORDINANCE NO. 717, AN ORDINANCE AMENDING CERTAIN PORTIONS OF THE PORTALES CITY CODE AS IT PERTAINS TO THE TYPES OF QUALIFYING ENTITIES AND ECONOMIC ACTIVITIES WHICH MAY QUALIFY AND PARTICIPATE IN AN ECONOMIC DEVELOPMENT PROJECT

Mayor King asked City Manager Standefer to clarify the changes to the wording in the ordinance. City Manager Standefer and City Attorney Doerr told the Council that the changes were to delete the word "and" and add the word "or" in Section 1 and Section 2 of the ordinance. Mayor King asked the pleasure of the Council. ***Mayor Pro-Tem Miller made a motion to adopt Ordinance No. 717 with correction of the wording as clarified by the City Manager and City Attorney. Councilor Heflin seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

City Attorney Doerr told the Council that they will see a new ordinance on Economic Development in the near future that will consolidate all the minor changes instead of making changes piecemeal.

(K) OTHER BUSINESS/CITIZENS TO BE HEARD

Mayor King asked for comments from the Council, staff and audience.

Complaint from Citizen: Mayor King asked Lt. Williams to look into a complaint on a semi-truck parking on the sidewalk from a lady in the 600 block of S. Main. She said that the lady's complaint was that she couldn't walk to the mail boxes with her walker with the truck parked on the sidewalk. Lt. Williams responded that the Police Department had responded to the complaint, but that they will revisit the complaint.

Recommendation to New Councilors: Mayor King recommended that the new Councilors attend the Municipal Officials Leadership Institute (MOLI) if possible. She commented that the next training is May 18 – 20, 2016 at La Posada of Santa Fe. She stated that it is beneficial program.

Comments from PN-T Editor Alisa Boswell: Alisa Boswell handed out a copy of the newspaper to the Councilors and Mayor. She reported that the newspaper had closed its printing department. She said that they have been working to get printing of the newspaper out of Santa Fe. She stated that it will be in color in the future.

Ms. Boswell told the Council that the Portales News-Tribune will be doing stories on the law enforcement agencies in the community—Portales Police Department, Dispatch and Sheriff's Department. She asked the Councilors to consider buying an ad in the newspaper to honor the Police Officers and Sheriff Deputies.

Reminder from Public Works Department: Public Works Director DeSha reminded the Council of the voluntary watering schedule. He reminded them that there is no watering on Monday and no watering from 10:00 a.m. to 6:00 p.m.

Report on Golden Acres: Council Salguero reported on the meeting of the Golden Acres Board of Directors. He stated that the Board was concerned about the land where the contractor Combs is working to put in an alley. He told the Council that the Board had complained about kids climbing over the barriers and are scaring the residents. They are also concerned about issues of rain flooding the apartment. The City Manager says that he has talked to the contractor and will continue to speak to him. He said that he would get back to Councilor Salguero.

City's Fence on Kilgore & 3rd Street: Councilor Robinson asked the City Manager and Public Works Director DeSha to look at the fence at the corner of Kilgore & 3rd Street.

Request for Aquifer Storage Workshop: Mayor asked if the City Manager was still going to set up an aquifer storage workshop for the Council.

ADJOURNMENT:

There being no further business, Mayor King adjourned the meeting at 8:30 p.m.

Joan Martinez-Terry, City Clerk