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THE CITY COUNCIL OF THE CITY OF PORTALES met in regular session Tuesday, June 7, 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 Marilyn Rapp, Finance Director
Joan Martinez-Terry, City Clerk Pat Gallegos, Police Chief
Steve Doerr, City Attorney Dennis Hales, I.T., Director
Veda Urioste, Deputy City Clerk Marta Quiroz, Admin. Assistant
Jodi Diaz, Recreation Dir. Donna Rutherford, Planning Dir.

OTHERS PRESENT: Eamon Scarbrough, Press Riki Seat, DWI Program Dir.
Ludell Heflin Leta Grimes
Vincent M. Soules Ray Mondragon

Mayor King asked Veronica Cordova, Councilor, to give the invocation, and Pat Gallegos, Police Chief, to lead the Pledge of Allegiance and the Salute to the New Mexico flag.

(A) MINUTES OF PREVIOUS MEETING(S):

1. Regular Meeting of May 17, 2016.

Mayor King asked the Council to consider the minutes of the Regular Meeting of May 17, 2016. She asked for corrections or action on the minutes. Mayor King asked the pleasure of the Council.

Councilor Parker made the motion to approve the minutes of the regular meeting of May 17, 2016 as presented. Councilor Cordova seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.

(B) PROCLAMATION DECLARING JUNE 14, 2016 AS "FLAG DAY IN PORTALES, NEW MEXICO" – EL PORTAL CHAPTER, SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

Mayor King stated that it appeared that there was no one present from the El Portal Chapter, Society of the Daughters of the American Revolution (DAR) to receive the proclamation declaring June 14, 2014 as "Flag Day in Portales, New Mexico. She read the proclamation aloud to the group present. The proclamation urged all citizens to join with the DAR to recognize the veterans in the community.

(C) RATIFICATION OF FINANCE DEPARTMENT’S ACTIONS ON BILLS FOR MAY 2016

Mayor King asked Finance Director Marilyn Rapp to report on the bills for May 2016. Ms. Rapp told the Council that the amount of the bills for May 2016 was \$1,447,805.01. She stated that the expenditures included \$63,798.00 for a culvert cleaner and \$30,473.00 for a ¾ ton pickup. She commented that the 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.

May 2016		
Pooled Cash Fund	999	1,447,805.01

Mayor King asked the pleasure of the Council. ***Councilor Lucero made the motion to approve the bills for May 2016. Councilor Parker 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. 720, AN ORDINANCE AMENDING ORDINANCE NO. 691 THAT REPEALED AND REPLACED ORDINANCE NO. 654, CHAPTER 19 OF THE PORTALES CITY CODE

Mayor King asked City Manager Standefer to introduce the Notice of Intent for adoption of Ordinance No. 720, an ordinance amending Ordinance No. 691 that repealed and replaced Ordinance No. 654, Chapter 19 of the Portales City Code. The City Manager told the Council that language needs to be put into the personnel policy to handle grant funded positions. He stated that the amendment puts in a definition of "Grant Funded Employee" and adds a new section on describing benefits for the grant funded employee. He asked for approval to publish the Notice of Intent setting the public hearing. Mayor King asked the pleasure of the Council. ***Councilor Robinson made the motion to approve the notice of intent to adopt Ordinance No. 720 as presented. Councilor Heflin seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

(E) RESOLUTION #15-16-49, A RESOLUTION DECLARING SURPLUS PROPERTY FOR TRANSFER

Mayor King asked Police Chief Gallegos to present the resolution declaring surplus property for transfer. Chief Gallegos told the Council that the department requests adoption of the resolution to declare the Humvees as surplus and allow the transfer of two of them to Eddy County. He stated that he was still looking for another governmental entity for the third Humvee. He commented that the City has had them for 4 or 5 years and that there has not been a great deal of use for them. Councilor Parker asked what their purpose was in the department. Chief Gallegos responded that the initial purpose for them was for flood

mitigation. He stated that they are operational. Councilor Heflin asked if the department had used them during the snowstorm. Chief Gallegos answered that they were not used. He stated that the department had vehicles that were better suited for bad weather conditions. He commented that the Humvees were hot in summer and freezing in winter. Councilor Lucero asked if Roosevelt County didn't want them. Chief Gallegos said that he would check with the County. Mayor King asked the pleasure of the Council.

Councilor Parker made the motion to adopt Resolution #15-16-49, declaring the Humvee vehicles as surplus and allow transfer of two of them to Eddy County and the third to another entity. Councilor Salguero seconded the motion. Roll call vote of all Council members present resulted in support of the motion. No abstentions. Motion carried.

(F) DEPARTMENT REPORT(S):

1. Recreation Department – J. Diaz, Recreation Director.

Mayor King asked Recreation Director Jodi Diaz to present her department report. Ms. Diaz presented a PowerPoint on the Recreation Department, which includes the After-School Program, the Summer Program and City Sports. She listed the department staff besides her position: After-School Program Director Ashley Nelson (full-time); Sports Coordinator T. J. Garcia (full-time); Recreation Specialists (part-time) Richard Hernandez and Damian Mendoza; ENMU Work Studies Natalie Garcia and Ariel Sotres; and itsQuest Temp worker Beatriz Caporal. She told the Council that the After-School Program provided tutoring by the ENLACE program; arts and crafts; sports; fitness; wheeled activities and dances. She stated that the After-School Program has 68 full members with 40 other memberships for a total of 108 participants. She reported that the Summer Program provides Swimming; Field Trips; ENMU Days; educational presentations; fun in the sun; and similar activities to the After-School Program. She reported that the Summer Program can handle a maximum of 75 participants. She stated that there are currently 71 participants enrolled. Ms. Diaz reported that City Sports include Tackle Football (Junior League 69 and Senior League 60 participants); Volleyball (Junior League 60 and Senior League 66 participants); Flag Football (95 participants); Cheer (22 participants); Basketball (417 participants); Softball (Pee Wee 28, Junior 55 and Senior 39 participants) and Soccer (Fall 140 and Spring 252 participants). She listed the funding sources for the programs as follows:

- After-School Program.....General Fund
- Summer Program.....User Fees and Hubbard Grant
- City Sports.....User Fees and Sponsorships
- Senior Center.....General Fund

She talked about fundraisers and events put on by the Recreation Center, which includes the annual Haunted House that has had as many as 400 people going through the house at \$5.00 each at the door, five (5) dances put on annually and participation in the ENMU Homecoming Parade. She reported that Family Night was open to all kids and that the event had 19 families participating. She stated that the Drive 4 Ur Community event was held on Sunday to raise funds for the Center. She told the Council that Big Valley Automotive through Ford Motor Company was offering a \$20 donation to the Recreation Center for each test drive taken for a total up to \$6,000. She said that she had been in Ruidoso for the Hubbard Grant awards on Sunday, but that the City Manager had attended the fundraiser in her absence. She stated that the event had gone over well. Ms. Diaz told the Council that partnerships are with Portales Schools and ENMU. She stated that the Recreation Program's short term goals are to add adult sports; larger fundraisers; and to improve facilities. She reported that the long term goals include permanent indoor/outdoor facilities and to become self-sufficient through user fees. She commented that proposed improvements to the recreation center included a shock-resistant floor, ceiling replacement, upgrading storage and activity rooms and expanding the Center to include a gym for volleyball and basketball. Councilor Parker asked if the Program required background checks. Ms. Diaz responded that it does and that many of the employees are already run through background checks through ENMU. Councilor Robinson commented that it is a pleasure to work

with the Recreation Program. Ms. Diaz told the Council that the department must have staff that is certified to hold the Sports Program. Mayor King thanked Ms. Diaz for her report.

(G) REQUESTING AUTHORIZATION TO APPROVE FIRST AMENDMENT TO NMDOT CONTRACT NO. TS03991 – PROJECT AGREEMENT FY 2017-2018 (UNDERAGE DRINKING PREVENTION)

Mayor King asked City Manager Standefer to introduce the request to approve the first amendment to the NMDOT Contract No. TS03991, project agreement FY 2017-2018 for underage drinking prevention. City Manager Standefer told the Council that this grant contract is for a Prevention Specialist. He stated that the contract expires June 30, 2016 and that the amendment extends the grant for another two years. Mayor Pro-Tem Miller asked about the amount of the contract and when it would expire. City Manager Standefer responded that the contract was for \$36,000 each year for another two years to expire in 2018. He asked for questions and approval of the amendment. Mayor King asked the pleasure of the Council. ***Councilor Parker made the motion to approve the first amendment to NMDOT Contract No. TS03991 as presented. Councilor Smith seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

(H) INFORMATION/DISCUSSION ITEM:

1. Transmission and Access Easement with Roosevelt Wind Ranch, LLC.

Mayor King asked City Manager Standefer for the information on the Transmission and Access Easement with Roosevelt Wind Ranch. Mayor Pro-Tem Miller said that he wanted to declare that he has a business connection to the company now known as Infinity Renewables. City Manager Standefer asked that City Attorney Steve Doerr present this item for discussion. Mr. Doerr told the Council that the 2011 easement, which expires on August 11, 2016, covers the full 3,800 acres in the Blackwater Well Field, but that the company has given the legal description of the specific area where they intend to put in transmission lines. He told the Council that it is not an automatic or mandatory renewal. He commented that this easement came about several years ago when there was interest in wind generators. He added that the company had paid a fee for the easement and that it will expire in August. Doerr commented that staff wants to have a more definite idea of what they want to do with the easement. He told the Council that the easement with the company will be on the Council's agenda prior to the expiration date.

(I) APPROVAL OF RIGHT-OF-WAY EASEMENT FOR 111 S. AVENUE B WITH FOSTER & FOSTER PARTNERSHIP

Mayor King asked that City Manager Standefer present the right-of-way easement for 111 S. Avenue B with Foster & Foster Partnership. Mr. Standefer told the Council that the property is being purchased by Foster & Foster and that the front of the building, which used to be a pawn shop and later a computer café, extends into the City right-of-way and that on the north side of the property it has a gas line in the right-of-way. He stated that it is just an easement for the gas line to be maintained in the right-of-way. He asked for Council approval of the easement. Mayor King asked the pleasure of the Council. ***Mayor Pro-Tem Miller made the motion to approve the right-of-way easement for 111 S. Avenue B with Foster & Foster Partnership as presented. Councilor Heflin seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

(J) APPROVAL OF TOWER LEASE AGREEMENT BETWEEN THE CITY OF PORTALES AND CINGULAR WIRELESS PCS, LLC. FOR SITE LOCATED AT 1716 S. AVENUE I, PORTALES, NM 88130, IN THE COUNTY OF ROOSEVELT, STATE OF NEW MEXICO

Mayor King asked City Manager Standefer or City Attorney Doerr to present the Tower Lease Agreement with Cingular Wireless for the site located at 1716 S. Avenue I. City Attorney Doerr told the Council that the site is the overhead water tower in Rotary Park. He said that the agreement is a 5-year agreement because the City does not want to go beyond 5 years due to the possibility of the tank being taken off line. He stated that additional terms were put into the agreement so that the City can terminate the agreement after 5 years or extend it for another 5 years with a 12 month notice. Doerr added that there are restrictions as to what the leasee can do with the tower; that they must remove their own equipment when the agreement expires; and that they cannot do anything to interfere with the SCADA system in place on the tower. Councilor Robinson asked about the fact that the tower will be taken off-line. City Manager Standefer responded that the City will probably remove the tower, but not within 5 years. Mayor King pointed out a typo on the agreement in item 4. Term and Relocation (c) If Landlord "deter" determines." City Attorney Doerr said that the extra letters "deter" would be removed from the final agreement. Mayor King asked the pleasure of the Council. ***Councilor Robinson made the motion to approve the tower lease agreement with Cingular Wireless PCS, LLC with the correction of the typo pointed out by Mayor King. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

(K) OTHER BUSINESS/CITIZENS TO BE HEARD

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

EPCOG Information Presented by Ray Mondragon: Ray Mondragon, Economic & Community Development Director for the Eastern Plains Council of Governments (EPCOG), introduced Vincent Soule, Transportation Planner, to the Council. He commented that Vincent had worked with the ENLACE program at ENMU and that he has been with EPCOG for 8 months. Mr. Soule told the Council that the NMDOT has changed the planning procedures on applying for their funds. He reported that he had sent the City a letter of appointment to SERPO's Policy and Technical Committees and is waiting on appointments.

Mr. Mondragon told the Council that he has been working with Orlando Ortega, RCCDC Economic Development Director, for the fall job fair to be held here in the Memorial Building and asked that the City sponsor the job fair. He added that Karl Terry of the Chamber will also be working on the job fair.

Mr. Mondragon reported that they had recently held their board meeting and that they were pleased to have Councilors Parker and Smith in attendance. He announced that Councilor Robinson had been re-elected Vice Chair in his absence to the meeting. He added that Councilor Robinson has been a member of the EPCOG Board of Directors for 16 years representing the City. He reported that the "Cry of the Wilderness Award" was given to Councilor Robinson by the previous winner. He asked that Councilors Parker and Smith present the award to Councilor Robinson. Councilor Robinson told the Council and audience that he appreciated the opportunity to represent the City on the EPCOG Board. Robinson commented that all the people at EPCOG are sincere about their work and about our side of New Mexico.

Mayor King's Report: Mayor King reported that she had attended the NMML Board meeting on Friday and Saturday. She stated that there were problems with Taxation & Revenue. She commented that she had gone to swear in the Girls State group on Monday.

City Manager's Report: City Manager Standefer talked about the walk through and open house of the Portales Inn for the companies interested in submitting an RFP. He commented that 16 to 20 companies had expressed interest in the Portales Inn.

City Manager Standefer stated that the leak on Canadian Street will be addressed starting June 22nd.

ENMU Stadium Tour: Councilor Robinson spoke on the tour of the new stadium on Saturday. He stated that Stephen Doerr was instrumental in making the stadium a reality.

ADJOURNMENT:

There being no further business, Mayor King adjourned the meeting at 7:20 p.m.

Joan Martinez-Terry, City Clerk