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 - D. Presentation of the City of Portales Preliminary Engineering Report for Additional Water Supply.
 - E. Resolution #16-17-11, Authorizing Submission of an Application for Airport Aid to the NMDOT – Aviation Division and Obligation of Sponsor Matching Funds, & Authorization to Accept the Resulting Grant Offer once Tendered, Project No. PRZ-17-01.
 - F. Resolution #16-17-12, Utilities Administrative Policies (superseding Resolution #12-13-10).
 - G. Resolution #16-17-13, A Resolution Authorizing the Mayor's Signature to Execute the 2016 Community Development Block Grant Agreement No. 16-C-NR-I-01-G10 Between the State of New Mexico Department of Finance and Administration/Local Government Division and the City of Portales for a Wastewater Project for Lift Station Rehabilitation.
 - H. Resolution #16-17-14, A Resolution Authorizing Filing an Application for Financial Assistance to the New Mexico Finance Authority for Water Trust Board Funding.
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THE CITY COUNCIL OF THE CITY OF PORTALES met in regular session Tuesday, September 6, 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 (absent)

MAYOR PRO-TEM: Michael G. Miller

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

STAFF PRESENT: Sammy Standefer, City Manager Steve Doerr, City Attorney
Joan Martinez-Terry, City Clerk Roberta Andes, Admin. Assistant
John DeSha, Public Works Director Dennis Hales, I.T. Director
Veda Urioste, Deputy City Clerk Susan Baysinger, Public Wks. Proj. Admin.
Mike Parkey, General Services Director

OTHERS PRESENT: Eamon Scarbrough, Press Cori Snobble, representing the DAR
Justin Howalt, ENMWUA Exec. Dir. Orlando Ortega, Jr., RCCDC Exec. Dir.
Dr. Charles Wilson, Water Consultant Alfredo Cordova
Jennifer Hill, DBS&A Amy Ewing, DBS&A

Mayor Pro-Tem Miller asked Councilor Cordova, to give the invocation, and Councilor Smith, 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 16, 2016.**

Mayor Pro-Tem Miller asked the Council to consider the minutes of the Regular Meeting of August 16, 2016. He asked for corrections or action on the minutes. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Parker made the motion to approve the minutes of the regular meeting of August 16, 2016 as presented. Councilor Smith seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

(B) PROCLAMATION DECLARING THE WEEK OF SEPTEMBER 17 – 23, 2016 AS "CONSTITUTION WEEK IN PORTALES, NEW MEXICO – EL PORTAL CHAPTER, SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION.

Mayor Pro-Tem Miller recognized Cori Snobble of the El Portal Chapter, Society of the Daughters of the American Revolution. He read the proclamation aloud declaring the week of September 17 – 23, 2016 as "Constitution Week in Portales, New Mexico. He gave the proclamation to Cori Snobble and asked her to comment. Ms. Snobble challenged the Council and audience to read the Constitution.

(C) PRESENTATION OF THE ANNUAL CITY OF PORTALES WATER SUPPLY AND DEMAND REPORT FOR 2015.

Mayor Pro-Tem Miller recognized Dr. Charles Wilson, Water Consultant, to give the presentation of the annual water supply and demand report for 2015. Dr. Wilson began his report with the purpose of the report stating that this had been started in about 2000. He stated that the original plan was to document the water supply and demand trends as required by the State of New Mexico--to evaluate the effectiveness of water conservation measures and to meet the New Mexico Office of the State Engineer (NMOSE) funding requirements with an audit of the system and the amount of water used by the community. Dr. Wilson commented that in many communities, where water is not so important, conservation for them is more of a pledge to use the water carefully, but that here in Portales it is a necessity. He stated that the City's groundwater supply is limited. He added that the wells used to supply 1000 gallons a minute as opposed to the current 200 gallons a minute. He commented that it now appears that water from Ute Reservoir will be delayed and that the goal is to reduce water use due to the Ute water delay. He stated that the likelihood of getting Ute water here is growing dimmer. Dr. Wilson told the Council that NMOSE is encouraging water conservation throughout New Mexico. He described the historic water levels in Blackwater wellfield—in 1970 water was just 40' below the surface and that now water is 100' below the surface. He told the Council that documentation of Blackwater wellfield began in 2000 when the City bought the property. He stated that the decline in the wellfield leveled off in 2004 due to precipitation and that now the decline is leveling off because of diminished pumping of water. He stated that the problem is that the yield is dropping. He reiterated on the need for continued conservation. He showed the decline in Blackwater which has slowed to 1.1 feet of decline in 2015 (pumping is less than 200 gallons per minute) and stated that the average remaining aquifer thickness in January 2016 was 35 feet. Wilson told the Council that the City needs more wells and more conservation efforts. He told the Council that the City's water conservation goals are to reduce the annual wellfield demand to 700 million gallons beginning in 2016 and to supplement wellfield demand with treated wastewater for irrigating City parks. He stated that in 2015 the wellfield demand of 960 million gallons for the year was the lowest in 20 years. He commented that in 1995 the City's water demand was 1.4 million gallons a year. He asserted that conservation has helped reduce water use and that heavy rainfall has been part of the drop in water demand. He mentioned that the closing of the Coca Cola Company in Portales has been mostly good due to use of less water. Wilson's report included the categories of users and the effect of conservation on them in 2015: Residential Use was down by 33 million gallons; City use was down by 29 million gallons; Industrial use was down by 54 million gallons; unmetered use was

49 million gallons lower; other uses was down by 5 million gallons; Water Co-op use was 5 million gallons higher for a net lower use of 165 million gallons. His report included water conservation measures and responsibilities: leak detection and repair is the responsibility of the City and residents; education and outreach is the responsibility of the City and local media; conservation water rates is the City's responsibility; low water use landscaping is the responsibility of the residents; universal water metering is the responsibility of the City and that rainwater harvesting (cisterns) is the responsibility of the residents. He added that it is truly up to the City Council to make the residents understand the cost of water. He elaborated on the necessity of conservation water rates to maintain funding for the water system because as demand goes down the revenues go down. He commented on the unaccounted water losses and that overestimated and underestimated losses between 2010 and 2012 have been corrected. He reported that the AWWA water loss audit results in 2015 was 9.1% of total supply down from 15% in 2014. He stated that a loss rate of 9% or better is achieved by half of the comparable utilities surveyed by AWWA. Dr. Wilson commended Public Works Director DeSha for the goal of reducing the loss to 5%. He stated that the 2015 loss rate is more in keeping with the water supply situation. He told the Council that consistent water demand reduction by residents since 1995 was good; good reduction in water losses by the City in 2015; but that enhanced conservation is needed for industrial users and water co-op users. Wilson's recommendations are to continue community education and outreach; pursue conservation with the water co-op and industry; continue adding new wells and continue seeking supplemental water supplies, especially the Ute project. He commented on the benefits of the rainfall today—water ponding will help put water into the City. He asked for questions from the Council. Mayor Pro-Tem Miller commented that this was quite a bit of information for the Council to consider and that questions would come later. He thanked Dr. Wilson for his report.

(D) PRESENTATION OF THE CITY OF PORTALES PRELIMINARY ENGINEERING REPORT FOR ADDITIONAL WATER SUPPLY

Mayor Pro-Tem Miller recognized Jennifer Hill, P.E., and Amy Ewing, P.G., of Daniel B. Stephens & Associates, Inc. (DBS&A) for the presentation of the Preliminary Engineering Report (PER) on additional water supply. Ms. Jennifer Hill introduced herself to the Council and introduced Amy Ewing who would be talking about aquifer storage. Ms. Hill started the presentation by stating that DBS&A has been working for the City of Portales on the PER and did a water source plan for the City as well. She told the Council that the PER is prepared under federal and state guidelines and that the final document was published in March 2016; that it looked at a 20-year period and examined 4 alternatives, recommended alternative phasing and includes environmental information. Ms. Hill told the Council that Alternative No. 1 is no action; Alternative No. 2 is aquifer storage and recovery (ASR); Alternative No. 3 is rehabilitation of existing wells and drilling new wells; and Alternative No. 4 is increased conservation. She told the Council that the recommended projects from the PER are to drill 54 test holes to evaluate where to drill wells; rehabilitate 8 wells and install 49 new wells; build an advanced water treatment facility and booster station for ASR; install 4 direct injection wells and install 33 miles of piping. She stated that communities all over the state will have to look at alternatives for current water supplies. She described using current conservation efforts and compared the City's efforts to those of Santa Fe. She commented that 2026 will be the year that the City's system would not be able to meet the demand. She stated that if the City does not drill any more wells, the supply will drop and that the new wells will drop eventually. Ms. Hill told the Council that Phase 1 (by year 2020) would include rehabilitating 8 wells and installing 14 new wells; drilling 19 test holes; completing the field study for ASR by direct injection; conducting pilot testing of the Advanced Water Treatment Facility (AWT) for direct injection and designing the AWT. She showed the Council the proposed location of test holes; proposed well and injection site in Blackwater wellfield to prolong the life of the wellfield. She showed Council the location of piping to the wellfield. She explained that Phase 2 (by year 2025) would be to drill and install 15 test holes; construct the AWT facility; design and install booster pump station; install piping from the wastewater treatment plant to the injection site and install one (1) injection well. She told the Council that Phase 3 (by year 2035) would be to acquire additional acreage for more wells; drill 20 test holes; install 20 new wells; and install two (2) injection wells. Ms. Hill showed the Council a map of the location that is potential for the additional acreage. She told the Council that the estimated cost for Phase 1

is \$12,795,877; Phase 2 is \$28,142,273; and that Phase 3 is \$20,371,706. She stated that the total cost for the project is \$61,309,856. Ms. Hill turned the presentation over to Amy Ewing.

Ms. Amy Ewing told the Council that she is a hydrologist and began her presentation by talking about ASR in New Mexico. She told them that it is new in New Mexico—the Groundwater Storage and Recovery Act having been authorized in 1999. She stated that the Act calls for conjunctive use of surface/groundwater, which is essential to efficient use of the limited supply. She said that ASR in NM as stated by the Act can reduce capital costs; reduce the declining groundwater levels; promote conservation of water; and serve the public welfare. She stated that permits are required from the NM Office of the State Engineer (NMOSE) and the NM Environment Department (NMED). She told the Council that the NMOSE requires an Underground Storage and Recovery (USR) permit including a demonstration project permit and a full-scale project permit, which take about two (2) years to obtain. She added that the NMED Ground Water Quality Bureau requires a discharge permit. She stated that there are only two (2) full-scale permits in the state. Ms. Ewing stated that discharge permits are not uncommon. She described the different aquifer recharge processes and commented that it all depends on the geology and that there are different reasons for using the different ways to inject water back into the aquifer. She commented that cost is also a consideration. She reported that there are 6 projects in New Mexico: USR-1: Rio Rancho Mariposa WRF; USR-2: ABCWUA Bear Canyon Recharge; USR-3: Rio Rancho Direct Injection; USR-4: ABCWUA DWTP Large-Scale Recharge; USR-5: City of Las Vegas; and USR-6: City of Hobbs. She stated that DBS&A are working on all of the projects. She told the Council that Bear Canyon Recharge is using recharge source water from the North I-25 reuse system from the Rio Grande River, which was permitted in 2014. Ewing commented that the firm had to do quite a bit of work to prove that it is working. She stated that the ABCWUA DWTP large-scale recharge is from San Juan-Chama water diverted from the Rio Grande and treated at the ABCWUA DWTP. She added that the demonstration project is to include a new ASR well and a vadose well at DWTP. She stated that the design is complete and the demonstration permit application is filed with the NMOSE. She reported that the Rio Rancho project is direct injection and that they received their demonstration permit in 2009. She commented that Rio Rancho had recharged 20 million gallons of potable water in 2012 and that they were issued a full-scale permit in May of 2015. Ms. Ewing relayed that the Rio Rancho Mariposa WRF is still in demo because they need more homes built to use as recharge from wastewater. She stated that the City of Las Vegas proposed winter recharge but that they had withdrawn their application because they were not ready to proceed. She commented that the City of Hobbs is moving forward with a demo project.

Jennifer Hill presented the process for ASR for the City of Portales: feasibility study, preliminary design, pilot testing of the facility; design of full-scale facility and construction of pipeline and full-scale facility. Councilor Lucero asked about options for the City. Ms. Ewing responded that options would be infiltration basins or vadose storm wells. City Manager Standefer asked about the amount that can be recovered from the injection process. Amy Ewing responded that in the case of injection wells recovery would be 100%, but that in infiltration basins you have to look at the losses. She commented that Bear Canyon has had 92.5% recovery, but that they were credited with 5% for meter error, and that they now get 97% recovery. She stated that Hobbs will have to dig out the caliche and in Albuquerque it would be infiltration basins. She stated that vadose zone wells are limited in use, but that in areas where they work, they work well. Councilor Lucero asked what happens to the water from rainfall. Public Works Director DeSha responded that it goes down 18th Street to the pond by the old landfill. Amy Ewing commented that storm water is not permitted by the state. DeSha remarked that the State of New Mexico says that storm water is now ours. Ms. Ewing commented that another consideration is that it is a timing issue to catch the water when it falls and then to use it when it is needed. There were no further questions. Mayor Pro-Tem Miller thanked Ms. Hill and Ms. Ewing for the presentation.

(E) RESOLUTION #16-17-11, AUTHORIZING SUBMISSION OF AN APPLICATION FOR AIRPORT AID TO THE NMDOT – AVIATION DIVISION AND OBLIGATION OF SPONSOR MATCHING FUNDS, AND AUTHORIZATION TO ACCEPT THE RESULTING GRANT OFFER ONCE TENDERED, PROJECT NO. PRZ-17-01

Mayor Pro-Tem Miller asked Mike Parkey, General Services Director, to present Resolution #16-17-11, authorizing submission of an application for Airport Aid to the New Mexico Department of Transportation – Aviation Division and obligation of sponsor matching fund, and authorization to accept the resulting grant offer once tendered, Project No. PRZ-17-01. Mr. Parkey stated that the resolution authorizes the Mayor to sign all documents related to the project and directs staff to carry it through and fund the City's match. He stated that it also authorizes the Mayor to sign the grant contract once it is tendered. He stated that the grant is for airport expendables and is a 90/10 match--90% State portion of \$10,000.00 and 10% City portion of \$1,111.00. He told the Council that the City's match has been budgeted. He commented that next year may not be the same amount. He asked for approval. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Lucero made the motion to adopt Resolution #16-17-11, authorizing the submittal of an application to the NM Department of Transportation – Aviation Division as presented. Councilor Parker seconded the motion. Roll call vote by all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.***

(F) RESOLUTION #16-17-12, UTILITIES ADMINISTRATIVE POLICIES (SUPERSEDING RESOLUTION #12-13-10)

Mayor Pro-Tem Miller asked Public Works Director John DeSha to present Resolution #16-17-12, a resolution adopting changes and superseding Resolution #12-13-10, Setting of Portales Utility Administrative Policies. Mr. Desha told the Council that Resolution #16-17-12 updates the existing Utilities Administrative Policy to clarify some of the language. He told the Council that the Utilities Administrative Policies had previously been discussed with the Public Works Committee and the Council. He listed the changes to the policy:

- Minor changes to cover page, table of contents page, and resolution at the end.
- Section 2.2, Page 5 of 11, Item E, "The Public Works Director shall decide deposit amounts for Industrial Accounts. Any appeal shall be heard by the City Manager."
- Section 5.0, Page 6 of 11, "All billings will be due on the 10th of the following month or closest business day thereto. The customer will have until the 15th of the month to pay the utility billing with no late fee assessments."
- Section 7.0, Page 6 of 11, "Delinquent accounts are subject to disconnection and disconnection fee if not paid on or before the 20th of each month. Once delinquent accounts on the "disconnect list" have left the office, the account will be disconnected and the amount due and reconnect fee must be paid before service can be reinstated. No Disconnect Notice will be sent."
- Sections 9.1, 9.2 & 9.3, page 7 of 11, the word "Signed" is added in regarding payment arrangements.

Mayor Pro-Tem Miller asked for questions or comments from the Council. Councilor Robinson asked about the purpose of the wording "any appeal shall be heard by the City Manager" in Item E. City Manager Standefer commented that this would allow Industrial users to appeal a deposit amount. Councilor Robinson expressed concern that this cleaned up version had not been taken back to the Public Works Committee prior to coming to Council. City Manager Standefer responded that the first draft had more changes that included increased fees and that the language listed had been seen by both the Committee and the Council. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Parker made the motion to adopt Resolution #16-17-12, adopting changes and superseding Resolution #16-17-12 setting the Utility Administrative Policies. Councilor Smith seconded the motion. Roll call vote by all Council members present resulted in six (6) votes in support of the motion and Councilor Robinson abstaining. Motion carried.***

(G) RESOLUTION #16-17-13, A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE TO EXECUTE THE 2016 COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT NO. 16-C-NR-I-01-G10 BETWEEN THE STATE OF NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION/LOCAL GOVERNMENT DIVISION AND THE CITY OF PORTALES FOR A WASTEWATER PROJECT FOR LIFT STATION REHABILITATION

Mayor Pro-Tem Miller asked Public Works Director John DeSha to present Resolution #16-17-13, a resolution authorizing the execution of the 2016 Community Development Block Grant (CDBG) Agreement No. 16-C-NR-I-01-G10 between the NM Department of Finance and Administration/Local Government Division (DFA/LGD) and the City of Portales for a Wastewater Project for Lift Station Rehabilitation. Mr. DeSha told the Council that the resolution authorizes signing of the grant contract for the wastewater project for lift station rehabilitations. He told the Council that the resolution shows the amount of the grant as \$473,758.00 of HUD funds passing through DFA with a City cash match of \$47,376.00 and \$62,877.49 as leverage from its joint utility fund toward planning and design engineering services of the project. He asked for their approval. Mayor Pro-Tem Miller asked for questions from the Council. He asked the pleasure of the Council. ***Councilor Smith made the motion to adopt Resolution #16-17-13, approving execution of CDBG Grant Agreement No. 16-C-NR-I -01-G10 with DFA/LGD as presented. Councilor Cordova seconded the motion. Roll call vote by all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried. -***

(H) RESOLUTION #16-17-14, A RESOLUTION AUTHORIZING FILING AN APPLICATION FOR FINANCIAL ASSISTANCE TO THE NEW MEXICO FINANCE AUTHORITY FOR WATER TRUST BOARD FUNDING

Mayor Pro-Tem Miller asked Public Works Director John DeSha to present Resolution #16-17-14, a resolution for financial assistance to the NM Finance authority (NMFA) for Water Trust Board (WTB) funding. Mr. DeSha told the Council that the resolution allows staff to file an application for financial assistance in the amount of \$3,000,000.00 for rehabilitation of Johnson Hill West in a first phase and construction of Johnson Hill East as the second phase. He stated that the resolution designates the Mayor or Mayor Pro-Tem (in the Mayor's absence) as the City's representative to act on behalf of the application; and designates the City Manager as an authorized officer and the Public Works Director as the primary contact on behalf of the application. He asked for Council approval. Mayor Pro-Tem Miller asked for questions or comments. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Parker made the motion to adopt Resolution #16-17-14, authorizing the filing of an application for financial assistance to the NMFA for Water Trust Board funding as presented. Councilor Smith seconded the motion. Roll call vote by all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.***

(I) APPROVAL FOR SITING OF PROPOSED NEW WATER STORAGE TANK AND BOOSTER STATION

Mayor Pro-Tem Miller asked Public Works Director John DeSha to present the siting of the proposed location for the water storage tank and booster station. Mr. DeSha told the Council that the Rotary Park water storage tank needs to be replaced. He stated that the replacement tank would provide more water storage and supplemental pressure and would be the same as the one at Johnson Hill. DeSha showed the Council a drawing of the location for the tank and booster station as identified by the engineer on the City's property in an area close to the hill in the middle of the Walking Trail as the most cost effective of the City's property in the area. He commented that the tank would be about 30 feet tall (booster station would have a small footprint) and that staff needs guidance to know where to send the geo-tank crew to do the site review. He commented that the Rotary Park Tank would be left in place for cell antennas. City Manager Standefer told the Council that once the decision is made it will be difficult to change—it is a big decision. Councilor Lucero

asked if there was an alternative site. DeSha responded that the proposed site is the most advantageous to the City for service to the west side of Portales and that it would be the most cost effective. He told the Council that staff recommendation is to allow the tank to be sited in the area of the Walking Trail and asked for their approval. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Robinson made the motion to approve placing of the water tank on the Southeast corner of the property near the Walking Trail as presented. Councilor Parker seconded the motion. All Council members present voted in support of the motion. No abstentions. Motion carried.***

(J) REQUEST BY ROOSEVELT COUNTY FOR ASSISTANCE WITH PROCESS OF PURCHASING VEHICLES

Mayor Pro-Tem Miller recognized Amber Hamilton, Roosevelt County Manager, to present the request for assistance with the process of purchasing vehicles for the County. Ms. Hamilton told the Council that the County had hired an audit firm to find errors in the County's financial records, which they did. She further stated that the Department of Finance Administration had determined that any entity with capital issues would have to get a fiscal agent for purchasing capital. She commented that the County had received funding for vehicles for the Sheriff's Department. Ms. Hamilton stated that the County would absorb the cost of insurance and anything else involved with the purchase of the vehicles. City Manager Standefer commented that the process is a little more complicated because of the grant funding, but that it is a pass through. Mr. Standefer asked that the Council approve authorizing him to negotiate the contract with Roosevelt County. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Robinson made the motion to authorize the City Manager to negotiate a contract with Roosevelt County for becoming the fiscal agent for purchasing vehicles for the Sheriff's Department. Councilor Lucero seconded the motion. All Council members present voted in support of the motion. No abstentions. Motion carried.***

(K) OTHER BUSINESS/CITIZENS TO BE HEARD

Mayor Pro-Tem Miller asked for items of Other Business.

Comments on NMML Conference: City Manager Standefer briefly commented on the Annual NMML Conference in Hobbs. He stated that the City of Portales' flag at the conference needs to be replaced and that he and staff would be working on a new design for the flag. He commented that he would bring it back to the Council for their review.

First ENMU Greyhound Game at the New Stadium: Councilor Lucero reminded the Council and audience that the first Greyhound football game would be played on Saturday, September 10, 2016 in the new stadium.

Invitation to First Meeting of the Stakeholder's Coalition on Child Hunger: City Clerk Martinez-Terry told the Council that the Roosevelt County Health Council have scheduled the first meeting of the Stakeholder's Coalition as discussed in a previous presentation to Council by Debra Gentry.

ADJOURNMENT:

There being no further business, Mayor Pro-Tem Miller adjourned the meeting at 8:15 p.m.

Joan Martinez-Terry, City Clerk