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**THE CITY COUNCIL OF THE CITY OF PORTALES** met in regular session Tuesday, October 18, 2016, at 6:30 p.m., in the Council Chambers of the Memorial Building, 200 E. 7<sup>th</sup> Street, Portales, NM in full conformity with the rules and regulations. Mayor Pro-Tem Miller called the meeting to order in the absence of Mayor King 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 (absent) Jessica J. Smith  
Dianne Y. Parker

STAFF PRESENT: Sammy Standefer, City Manager Randy Knudson, City Attorney  
Joan Martinez-Terry, City Clerk John DeSha, Public Works Director  
Donna Rutherford, Planning Director Dennis Hales, I.T. Director

OTHERS PRESENT: Eamon Scarbrough, Press Monica Eppinger

Mayor Pro-Tem Miller asked Councilor Salguero to give the invocation, and Councilor Smith to lead the Pledge of Allegiance and the Salute to the New Mexico flag.

Mayor Pro-Tem Miller asked that the Council table Item **(D) "Approval of Joint Use Agreement between the City of Portales and Eastern New Mexico University for a Shooting/Firing/Qualifications Range"** to a later meeting. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Robinson made the motion to table Item D. "Approval of Joint Use Agreement between the City of Portales and Eastern New Mexico University for a Shooting/Firing/Qualifications Range" to a later meeting of the Council. Councilor Salguero seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

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

**1. Regular Meeting of October 4, 2016.**

Mayor Pro-Tem Miller asked the Council to consider the minutes of the Regular Meeting of October 4, 2016. He asked for corrections or action on the minutes. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Cordova made the motion to approve the minutes of the regular meeting of October***

**4, 2016 as presented. Councilor Smith seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.**

**(B) RATIFICATION OF FINANCE DEPARTMENT’S ACTIONS ON BILLS FOR SEPTEMBER 2016**

Mayor Pro-Tem Miller asked Finance Director Marilyn Rapp to report on the bills for September 2016. Ms. Rapp told the Council that the amount of the bills for September was \$1,749,882.85. She stated that the Finance/Administration Committee had met and reviewed the bills and recommend approval by the Council. She stated that the expenditures are within budgeted limits. She asked for questions, and ratification of the bills by the Council.

**August 2016**

Pooled Cash Fund	999	1,749,882.85
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Mayor Pro-Tem Miller asked the pleasure of the Council. **Councilor Parker made the motion to approve the bills for September 2016. Councilor Smith seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.**

**(C) RESOLUTION #16-17-18, FIRST QUARTER BUDGET ADJUSTMENTS FY 2016-2017**

Mayor Pro-Tem Miller asked Finance Director Marilyn Rapp to present the First Quarter FY 2016-2017 Budget Adjustments. Ms. Rapp told the council that the Finance/Administration Committee had met, reviewed the budget adjustments and recommend approval by the Council. She told the Council that

- Expenditures in the General Fund for radio equipment was reduced by \$36,100.00 and that the money was moved into other line items within the fund, which was a decrease in Capital Repair/Replacement. She stated that there was no net changed to General Fund;
- Funds were moved from EMS Non-Capital Equipment line item (\$4,000.00) to EMS Maintenance Vehicle/Furniture line item with no net change to the fund;
- Funds were moved in Street Fund (216) increasing Equipment line item by \$11,804.00 from Materials with no net change to the fund;
- Capital Building Projects (312) was increased by \$88,000.00 grant funds;
- CDBG Fund (313) budgeted the matching funds of \$40,754 for the required local match from Water & Wastewater Fund, for which all was budgeted.

Ms. Rapp reported that the adjustments resulted in a positive total net change of \$251,721 to the budget. She asked the Council for questions. Mayor Pro-Tem Miller asked the pleasure of the Council. **Councilor Smith made the motion to adopt Resolution #16-17-18, First Quarter Budget Adjustments for FY 2016-2017 as presented. Councilor Cordova seconded the motion. Roll call by all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.**

**(D) APPROVAL OF JOINT USE AGREEMENT BETWEEN THE CITY OF PORTALES AND EASTERN NEW MEXICO UNIVERSITY FOR A SHOOTING/FIRING/QUALIFICATIONS RANGE**

Item Tabled for a later meeting.

**(E) APPROVAL TO NEGOTIATE JOB ORDER CONTRACTING**

Mayor Pro-Tem Miller asked John DeSha, Public Works Director, to introduce the approval to negotiate job order contracting. Mr. DeSha told the Council that a request for proposal for Job Order Contracting for various job categories was released on July 31, 2016 and closed on August 16, 2016. He stated that several proposals for the categories that included electrical services, plumbing and HVAC services, concrete services, water wellfield services, and SCADA control services. He reported that the proposals were reviewed by an evaluation committee and that the next step is to begin negotiations with the advantageous vendors to fulfill the services on an as-needed basis. He asked for Council approval to negotiate contracts with any and all vendors that are the most cost effective and qualified for each of the categories. He commented that the contracts to be negotiated will be with as many contractors based on man-hours and materials. DeSha told the Council that the contracts will be for one year at a time with renewal up to 4 times. Councilor Parker commented that the Public Schools do that occasionally and that it works very well. She stated that sometimes there are emergency and this process saves time in obtaining services. She added that it gives other contractors the opportunity to do the work. DeSha commented that the bulk of the contractors are local. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Parker made the motion to approve the request to negotiate job order contracts as presented. Councilor Smith seconded the motion. All Council members present voted in support of the motion. No abstentions. Motion carried.***

**(F) RESOLUTION #16-17-19, A RESOLUTION REGARDING SPECIFIC VIOLATIONS OF PORTALES CITY CODE, CHAPTER 9, ARTICLE II, DANGEROUS BUILDINGS OR DEBRIS; AND CHAPTER 13, GARBAGE AND REFUSE**

Mayor Pro-Tem Miller asked the City Manager to present and he turned it over to Planning Director Donna Rutherford to present Resolution #16-17-19, a resolution regarding specific violations of the Portales City Code, Chapter 9, Article II, Dangerous Buildings or Debris; and Chapter 13, Garbage and Refuse. Ms. Rutherford asked the Council to review the pictures of the property. She told the Council that the resolution is requested to authorize the City Attorney to declare the property a public nuisance. She identified the property as two (2) vacant lots on N. Avenue B between Nogal Street and Maple Street. She stated that numerous letters have been sent to the owner, Janis Secunda, to which she has never responded. Rutherford reported that a number of liens have been filed on the property after the City has had to have the property mowed and cleaned up. She stated that the liens amount to almost \$3,000 as a result of the expense to the City. She stated that residents in the neighborhood complain about the skunks, snakes and large junk items dumped on the property. Rutherford told the Council that she had contacted the City Attorneys to try to mitigate the problem. She asked the Council to adopt the resolution authorizing the attorneys to enforce the liens and foreclose on the property. City Attorney Knudson told the Council that the resolution was brought to the Council so that it would authorize a complaint in district court to file a lawsuit against the owner to foreclosure on the liens for the ultimate goal of maintaining the property clean in the future. Mayor Pro-Tem Miller asked if the property taxes on the property were paid. Rutherford responded that she assumed that the property taxes are as current up to the last two years. Mayor Pro-Tem Miller asked the pleasure of the Council. ***Councilor Robinson made the motion to adopt Resolution #16-17-19, a resolution regarding specific violations of the Portales City Code, Chapter 9, Article II, Dangerous Buildings or Debris; and Chapter 13, Garbage and Refuse. 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) OTHER BUSINESS/CITIZENS TO BE HEARD**

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

**Comments from Councilor Robinson:** Robinson thanked staff, Public Works Director and City Manager, for their assistance with the NMDOT to work on U.S. 70. Under a different topic, he asked why the City has not cut down the dead trees in the Cemetery (bringing up a statement by Public Works Director about getting permission to remove the trees). City Manager Standefer responded that staff is waiting for his approval to remove the dead trees citing manpower and timing as the issue holding up the process.

**Update on Animal Control Issue:** Mayor Pro-Tem Miller asked for an update on the issues at the dog pound as introduced by Monica Eppinger at the last Council meeting. City Manager Standefer responded that he and the Police Chief had attempted to contact Monica Eppinger at the phone number she gave them, but that they had been unable to do so. He commented that he had tried an email address from her utility account but hasn't been able to contact her. He added that the animal control division is shorthanded and now even more so with the resignation of the Animal Control Sergeant. He added that it is difficult to man the pound for more hours. He commented that he had been gathering information regarding solutions to the problem.

**Report on Walking Trail around the Reuse Water Lake:** Public Works Director DeSha reported that the Street Department has improved the little road/walking trail around the lake holding reuse water.

**Introduction of new Building Inspector:** City Manager Standefer introduced Building Inspector Anthony Ortega to the Council. He commented that Ortega had successfully passed the state exam for Building Inspector.

There was no further business.

**ADJOURNMENT:**

There being no further business, Mayor Pro-Tem Miller adjourned the meeting at 6:55 p.m.

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Joan Martinez-Terry, City Clerk