

Mary Poynor, DWI Teen Ct. Coord. Pat Garcia, NMDOT
 John Guldemann, Constructors, Inc. Ray Mondragon, EPCOG

Mayor King asked Councilor Lovett to give the invocation, and Police Chief Jones to lead the Pledge of Allegiance and the Salute to the New Mexico flag.

(A) MINUTES OF PREVIOUS MEETING(S):

1. Regular Meeting of March 5, 2013.

Mayor King asked for Council to consider and approve the minutes of the Regular Meeting of March 5, 2013 as presented. *Councilor Hunton made the motion to approve the minutes of the regular meeting of March 5, 2013 as presented. Councilor Salguero seconded the motion. All Council members present voted in favor of the motion. Motion carried.*

(B) UPDATE OF U.S. HIGHWAY 70 IMPROVEMENTS

Mayor King asked for a report on U.S. Highway 70 improvements. John Guldemann reported that his company had opened up the roadway and pulled up more curb. He commented that the City will see more concrete pours by Avenue K. He told the Council that Constructors, Inc. will be prepping for curbs and will pour 1,000 feet of curb at a time. Guldemann told the Council that their plan is to start working by the Super 8 to do a mill and replace of asphalt to be completed in about a week. He commented that some cross streets will be closed when concrete is curing. Pat Garcia of the NMDOT commented that the street lights will be coming back up. Councilor Robinson stated that there was concern by the school bus barn about the closure of the intersection of Avenue K and Highway 70. Guldemann responded that it was temporary and that Constructors, Inc. will be paving Avenue K and Avenue J to get them out of the way first. Councilor Hunton asked if the concrete work will stop when the work begins by the Super 8. Guldemann responded that the work would continue, because there will be two crews working. Mayor King thanked Guldemann and Garcia for the report.

(C) RATIFICATION OF FINANCE DEPARTMENT’S ACTIONS REGARDING BILLS FOR THE MONTH OF FEBRUARY 2013

Mayor King asked Marilyn Rapp, Finance Director, to report on the City's bills for February 2013. Ms. Rapp told the Council that the Finance/Administration Committee had met and reviewed the bills for February 2013, which were in the amount of \$1,691,365.60. She told the Council that the bills included a large expense in the amount of about \$350,000.00 for the waterline on Los Lomas property out by the well field. She commented that they did not have any questions about the bills.

November 2012		
Pooled Cash Fund	999	\$1,691,365.60

Mayor King asked for action from the Council. *Councilor Robinson made the motion to ratify the payment of the bills for February 2013 as presented. Councilor Lovett seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(D) 2013 PORTALES CITY SPORTS YOUTH BASKETBALL UPDATE

Mayor King asked for the update on the 2013 youth basketball season from Michael Doerr, Sports Activities Director, but first, she congratulated him on the new baby. Mr. Doerr told the Council that there was a written report, but that he would report on issues occurring during the basketball season. He reported that there is another league operating in the City and that they have taken the Jake Lopez building for practices, which exacerbated the shortage of practice facilities for the City's basketball league. He commented that the teams had to double up and share a gym, but that the coaches and players had done a great job of functioning anyway. He commented that there are more and more private leagues beginning to gain momentum. Doerr stated that the Roosevelt County Little League (RCLL) wants to absorb the girls' softball league. He stated that the community does depend on the City League. He added that there are people in the community that want the competition and then there are others that want their kids to participate, but at a reasonable cost. He told the Council that the City's program was short about 40 kids from the previous year. Doerr commented that the program may have to look at options, especially in basketball. He commented that this year the teams were just about perfect. He stated that citizens were counting on the City's programs because of cost. Mayor King asked Mr. Doerr if there was a problem with scheduling with the schools. Doerr responded that there were minimal problems in scheduling with the schools due to the fact that Michael Rackler, who represents the schools, is on the Recreational Advisory Board. Mayor Pro-Tem Jackson asked Doerr if the City used the junior high school gym for practice. Doerr responded that the program used the cafeteria and added that he wanted to delay the league just slightly. He commented that many of the teams go to tournaments, and that phone numbers are given to those who are interested. He commented that the new junior high school gym and the old gym could be used for tournaments. Mayor Pro-Tem Jackson suggested that Doerr put together a proposal for using the gyms for tournaments. Councilor Thomas asked if the City program was going to fight to get the kids back. Doerr responded that the City league is working in the City and that the other league is going out of town. He stated that the City League would not bash the other leagues. Mayor commented that the City League will not go away because of cost. She stated that other leagues cost much more. Michael Doerr commented that county teams are very supportive of the City League. Councilor Robinson stated that a representative of RCLL came to the recent Recreational Advisory Board meeting, and that they want to take the girls softball program over. Doerr commented that this may be a way for the City to give one sport to the RCLL. Mayor Pro-Tem Jackson commented that the girls want to go into the RCLL, but that the City program was not ready to move that way. Councilor Robinson told the Council that Michael Doerr has done a wonderful job this year, in spite of criticism. He commented that he has done a lot of work to keep the program together this year. Mayor King thanked Doerr for his report.

(E) PUBLIC HEARING TO RECEIVE COMMENTS ON ORDINANCE NO. 701, AN ORDINANCE PROVIDING FOR THE ANNEXATION OF PROPERTY INTO THE CITY OF PORTALES TO BE KNOWN AS THE INDUSTRIAL AIRPORT ADDITION, WHICH CONTAINS 362.922 ACRES OF LAND**1. Action to enter into Public Hearing to Receive Comments on the Ordinance.**

Mayor King asked for a motion to enter into Public Hearing to receive comments on the ordinance annexing property to be known as the Industrial Airport Addition into the City of Portales. *Councilor Lovett made the motion to enter into public hearing. Councilor Hunton seconded the motion. Motion carried. No abstentions.*

Mayor King asked Planning Director Sammy Standefer for comments. Standefer briefly reviewed the annexation of the property, which will square up the property out by the airport. He commented that it

would also allow the purchase of land that would provide railroad access to the Industrial Park. There were no further comments.

2. Action to close the Public Hearing.

Mayor King asked for a motion to close the public hearing. *Mayor Pro-Tem Jackson made the motion to close the public hearing. Councilor Salguero seconded the motion. All Council members present voted in favor of the motion. Motion carried. No abstentions.*

3. Action on Ordinance No. 701.

Mayor King asked the pleasure of the Council regarding Ordinance No. 701. *Mayor Pro-Tem Jackson made the motion to adopt Ordinance No. 701, providing for the annexation of property into the City of Portales to be known as the Industrial Airport Addition, which contains 362.922 acres of land. Councilor Thomas seconded the motion. All Council members present voted in favor of the motion. Motion carried. No abstentions.*

(F) RESOLUTION #12-13-32, AUTHORIZING THE MAYOR TO EXECUTE THE NEW MEXICO AV-DIV GRANT (APPLICATION) FOR IMPROVEMENTS TO THE PORTALES MUNICIPAL AIRPORT

Mayor King asked Mike Parkey, General Services Director to introduce Resolution #12-13-32. Parkey told the Council that the purpose of the resolution is to authorize the Mayor to execute the application for a grant to the NMAD for state funding for improvements to the airport. He stated that the FAA requires the application to the state first before they will grant any funds for the project through an AIP grant. He commented that the estimated funds from the AIP grant would be \$166,666.00 with the portion from the FAA estimated at \$150,000.00 (90%); the state portion of \$8,333.30 (5%) and the City's portion also in the amount of \$8,333.30 (5%). Parkey told the Council that the project is for a crack seal of Runway 1-19 first, and then in subsequent applications would seal coat and restripe it. Councilor Lovett asked if the City's match is budgeted. Mr. Parkey stated that it will be in the budget for 2013-2014. He asked for approval. Mayor King asked the pleasure of the Council. *Councilor Lovett made the motion to adopt Resolution #12-13-32, authorizing the Mayor to execute the New Mexico Av-Div grant application for improvements to the Portales Municipal Airport. Councilor Thomas seconded the motion. Roll call vote of all Council members present resulted in unanimous support of the motion. Motion carried.*

(G) AWARD OF BID—"A MINIMUM OF 800 TONS UP TO 1600 TONS OF 5/8" CRACKED, WASHED GRAVEL (ROCK) FOR THE CITY OF PORTALES STREET DEPARTMENT

Mayor King asked Public Works Director John DeSha to introduce the gravel bids. DeSha stated that the City must go out for bids for gravel routinely. He stated that the bids received were as follows:

Constructors, Inc.	\$39.44 per ton delivered
K. Barnett & Sons	\$28.65 per ton delivered

He told the Council that the gravel would be used for chip sealing city streets this summer in congruence with the state cooperative grant. He asked that the Council award the gravel bid to K. Barnett & Sons for their lower bid. Mayor King asked the pleasure of the Council. *Councilor Hunton made the motion*

to award the gravel bid to K. Barnett & Sons for their lower bid of \$28.65 per ton delivered. Councilor Salguero seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.

(H) DISCUSSION REGARDING POTENTIAL FUNDING SOURCES FOR THE WASTE WATER TREATMENT PLANT RECONSTRUCTION/CONSTRUCTION

Mayor King asked Public Works Director John DeSha to facilitate the discussion regarding potential funding sources for the Waste Water Treatment Plant construction. DeSha told the Council that the issue of funding was brought to them because the City of Portales has the opportunity to apply and obtain funding through the NM Drinking Water Bureau for a 0% interest loan. He told the Council that the City doesn't have to use the loan, if it is not the avenue that the City wishes to use; however, he is bringing it to the Council now because the interest rate will be increasing. He commented that, if a loan is approved, the interest rate would be at the 0% rate. Councilor Thomas asked how much time does the City have to reserve the interest rate. DeSha responded that we had time as long as the City can show it is moving on the project. He added that it is a 20-year loan and stated that this is only a placeholder for the funding. Councilor Lovett asked if there was a down side to applying for the funding now. DeSha stated that there was no down side and that this funding was brought to the administration's attention by an employee of the environment program. Mayor Pro-Tem Jackson asked how the City could qualify. DeSha responded that the criteria is a combination of things, which includes the economy. Councilor Thomas asked how far out the engineer was on the design. Public Works Director DeSha stated that it should be done very soon. Consensus on applying for funding was indicated by the Council.

(I) SELECTION OF SEARCH COMMITTEE FOR CITY MANAGER SEARCH

Mayor King asked for a motion to table the selection of a search committee for City Manager Search. *Mayor Pro-Tem Jackson made the motion to table the selection of a search committee for City Manager search. Councilor Robinson seconded the motion. All Council members present voted in favor of the motion. Motion carried.*

(J) REQUESTING APPROVAL OF CONTRACT FOR PROFESSIONAL SERVICES WITH MENTAL HEALTH RESOURCES, INC. FOR GROUP EDUCATION SESSIONS FOR TEEN COURT OFFENDERS

Mayor King asked DWI Program Director Riki Seat to introduce the contract with Mental Health Resources, Inc. Riki Seat asked that the Council hear Mary Poynor, DWI Teen Court Coordinator, on the request for a contract with Mental Health Resources, Inc. (MHR). Ms. Poynor thanked the Council for the opportunity to speak to them. She told the Council that the program is allowed to request funding through the Juvenile Adjudication grant. She explained that an agreement has been negotiated with MHR for services, which includes group educational sessions for teen court offenders to cover the following topics: Substance Abuse, Anger Management, Truancy, Personal Responsibility, Shoplifting, Alcoholic Prevention, Domestic Violence and Suicide Prevention. The fee for the counseling sessions is \$20.00 per youth per session. Ms. Poynor asked for questions. Mayor King asked if the funding for this was in the grant. Riki Seat, DWI Program Coordinator, responded that there is \$8,000.00 in the current budget for these services. Ms. Poynor stated that the State of New Mexico has reserved money for the purpose of assisting youth. City Attorney Knudson commented that the contract is a standard contract used currently by the City. Councilor Robinson disclosed that he sits on the Board of MHR for the record. Mayor King asked the pleasure of the Council. *Councilor Robinson made the motion to approve the contract for professional services with Mental Health Resources for counseling services*

as presented. Councilor Lovett seconded the motion. All Council members present voted in favor of the motion. Motion carried.

(K) NOTICE OF INTENT TO ADOPT ORDINANCE NO. 703, AN ORDINANCE TO PROHIBIT PANHANDLING AND TO PROHIBIT AGGRESSIVE PANHANDLING AT ALL TIMES AND PLACES WITHIN THE CITY OF PORTALES

Mayor King asked for an introduction of the notice of intent for Ordinance No. 703. City Attorney Doerr told the Council that the notice of intent sets forth the date for the public hearing to receive comments on the ordinance that prohibits panhandling and aggressive panhandling at all times and places within the City of Portales. Mayor King asked the pleasure of the Council. *Councilor Thomas made the motion to approve the Notice of Intent for Ordinance No. 703 on prohibiting aggressive panhandling. Councilor Hunton seconded the motion. All Council members present voted in favor of the motion. Motion carried.*

Councilor Lovett asked for a copy of the penalty provision from the City Code. City Attorney Doerr said he would send it to the Council stating that it follows state statute. He commented that the reason the City uses statutory references to the Code is because that way the code stays current in spite of any changes that the state makes to statutes.

(L) OTHER BUSINESS/CITIZENS TO BE HEARD

Mayor King asked for items of other business starting with staff.

Card from Newtown, Connecticut: Mayor King reported to Council that she had received a postcard from Newtown, Connecticut thanking the Council and community for the many cards of condolence sent out from the community upon the massacre of the children of Newtown.

TriState CareFlight Open House: Mayor King reported that anyone not attending the open house recently held by TriState CareFlight at Roosevelt General Hospital missed a neat event. She told the Council and audience that they had a great attendance with J-4 Barbecue serving about 240 people over the 3 hour period.

Speeding Traffic on Commercial Street: Police Chief Jones reported that patrols will be watching people who are speeding down Commercial Street between Avenue B & Avenue I. Councilor Robinson stated that he had seen a Sheriff's Deputy issuing a ticket to a person speeding around 3 p.m. today.

Leadership New Mexico: Councilor Thomas reported that he had attended the Leadership New Mexico program and had found it to be very enlightening. He commented that he is finishing the program in April and recommended it to anyone who can attend.

Hold Harmless Provision: Councilor Lovett asked that the City Manager present information to the Council regarding the Hold Harmless provision and the long term effect on the City. Mayor King suggested a workshop.

Compliments on Remodel of the new Council Chambers: Mayor Pro-Tem Jackson complimented staff on the remodel of the new Council Chambers.

Steiner Field: Councilor Robinson commented on the work going on at the Steiner Field with the City and Schools working together to turn the field into a youth sports field. The Mayor asked that City Manager Howell investigate the cost for a sign to indicate the purpose of the field. Mayor King said that School Superintendent Fowler had asked for the City to provide water for the field.

Miscellaneous Items from City Manager & Mayor: City Manager Howell told the Council that the form at their desks is to obtain a code for the front door to the Memorial Building. Mayor King asked Sammy Standefer to get a map to put up in the new Council Chambers. City Manager Howell reminded the Council of the legislative update to be presented at the NMML District meeting to be held in Tucumcari on April 5, 2013. He told the Council that he and the Public Works Director would be out of town to look at a wastewater treatment plant starting March 27, 2013. He reported that the City had been awarded \$151,000.00 by the Legislature for water improvements in the City. He commented that this money would be used to continue improvements on Avenue D between 2nd Street and University. Mayor King asked Sammy Standefer to bring the example of the logo for the wall behind the Councilor's desk area.

Comments from EPCOG Representative: Ray Mondragon complimented the Council and staff for the new council chambers. He reported that EPCOG had planned a post-legislative forum for the communities in Roosevelt and Curry Counties. He stated that this would give the communities and opportunity to ask questions. He told the Council that he had sent out an email notice to all communities in the area. He reported that the LGMC has contacted health care officials in the area and that the education officials would meet tomorrow. Mondragon stated that input from all groups involved in the OEA grant process should be collected by the deadline in May.

(J) EXECUTIVE SESSION/CLOSED EXECUTIVE MEETING:

1. **Action to Convene in a Closed Session/Meeting to Discuss Matters as Provided for Under New Mexico Statutes Pertaining to Open Meetings Referencing §10-15-1 H.(2), 1995, for Limited Personnel Matters; §10-15-1 H.(7), 1995, for Attorney-Client Privilege Pertaining to Threatened or Pending Litigation; §10-15-1 H.(8), 1995 for the Purchase, Acquisition, or Disposal of Real Property or Water Rights.**
2. **Action to Convene in Open Session.**
3. **Action Required as a Result of the Closed Session.**

No executive session was held.

ADJOURNMENT:

There being no further business or comments, Mayor King adjourned the meeting at 8:10 p.m.

Joan Martinez-Terry, City Clerk