

TABLE OF CONTENTS FOR COUNCIL MEETING HELD MAY 15, 2012:

- A. Minutes of Previous Meeting(s):
 - 1. Regular Meeting of May 1, 2012.
 - B. Proclamation for National EMS Week and Recognition of Portales Fire Department for Receiving (Award) Region III EMS Organization of the Year.
 - C. Appointment(s):
 - 1. Lodger's Tax Advisory Board—Replacing Appointment for Representative of Holiday Inn Express.
 - 2. El Llano Estacado RC&D (Resource Conservation & Development)—Appointment RC&D Council.
 - D. Item(s) from Finance/Administration Committee:
 - 1. Ratification of Finance Department's Actions Regarding Bills for April 2012.
 - 2. Authorization to open Money Market (Account) at USBank and Investment Account with LPL Financial.
 - E. Item(s) from the Planning Department:
 - 1. Update/Discussion only on Dangerous Buildings.
 - 2. Approval of Contract for City HVAC Repair/Replacement Memorial Building, Recreation Center & Municipal Court.
 - F. Authorization of Mayor's Signature on State of New Mexico Economic Development Grant Agreement #10-419-A093106-1004 (MainStreet Project).
 - G. Other Business/Citizens to be Heard.
 - H. 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 Section 10-15-1 H.(2), 2008, for Limited Personnel Matters.
 - 2. Action to Convene in Open Session.
 - 3. Action Required as a Result of the Closed Session.
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THE CITY COUNCIL OF THE CITY OF PORTALES met in regular session Tuesday, May 15, 2012, at 7:00 p.m., in the Council Chambers of the Portales City Hall 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: Ronald L. Jackson

COUNCIL MEMBERS: Matthew Tod Hunton Antonio Salguero
Leo Lovett (absent) Oscar Robinson
Michael Lenard Lucero Keith A. Thomas
Dianne Y. Parker (absent)

STAFF PRESENT: Joan Martinez-City Clerk Jeff Gill, Police Chief
Marilyn Rapp, Finance Dir. Troy Banther, I.T. Tech.
Johnny DeSha, Public Wks. Dir. Randy Knudson, City Attorney
Susan Baysinger, Capital Proj. Adm. Sammy Standefer, Planning Dir.
Shannon Lee, Fire Battalion Chief Lance Hill, Fire Battalion Chief
Timothy Cathey, Firefighter/EMT Dathan Culpepper, Firefighter/EMT
Steven Cain, Fire Lieutenant Hugh Frank, Firefighter/EMT

OTHERS PRESENT: Christina Calloway, Press Carlee Gonzales
Paul Williams Malisa Williams
Sandy Van Der Veen John Guldemann
Pat Garcia Bill Kellen

Mayor King asked Battalion Chief Lance Hill to give the invocation, and Battalion Chief Shannon Lee 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 1, 2012.

Mayor King asked for Council to consider and approve the minutes of the Regular Meeting of May 1, 2012 as written and presented. *Mayor Pro-Tem Jackson made the motion to approve the minutes of the regular meeting of May 1, 2012 as presented. Councilor Thomas seconded the motion. All Council members present voted in favor of the motion. Motion carried. No abstentions.*

(B) PROCLAMATION FOR NATIONAL EMS WEEK AND RECOGNITION OF PORTALES FIRE DEPARTMENT FOR RECEIVING REGION III ORGANIZATION OF THE YEAR

Mayor King asked Fire Department Battalion Chiefs Lance Hill and Shannon Lee to come forward to receive the proclamation naming the week of May 20 – 26, 2012 as EMS week in Portales. The Mayor read the proclamation aloud commending the department for the quality and commitment of their service to the community. Battalion Chief Hill praised the guys in the department who do the work. He stated that there will be a cookout at the Fire Station for the families of the Firefighter/EMTs for their support for a difficult job.

Mayor King asked Mr. Hill and Mr. Lee to talk about the award the department had received at the Region III 2012 Conference. Hill asked all firemen present to come forward: Timothy Cathy, Dathan Culpepper, Steven Cain, and Hugh Frank. He told the Council that the Portales Fire Department had received the award of "Organization of the Year" from Region III EMS, which is made up of 13 counties and 128 different emergency medical service organizations. Chief Hill told the Council and audience that the award was earned by the guys that work in the trenches. Mayor King thanked the department for their hard work.

City Attorney Knudson introduced Mr. Bill Killen of American Family Entertainment who has come up from Deming, NM to do a study for the community on a potential family entertainment center as previously discussed and approved by the Council. Killen commented that he would have a report for the Council at their second meeting in June 2012.

(C) APPOINTMENT(S):

1. Lodger's Tax Advisory Board—Replacing Appointment for Representative of Holiday Inn Express.

Mayor King asked that the Council appoint Ms. Parin Kumar as the replacement of Girish Pandya on the Lodger's Tax Advisory Board. She explained that Mr. Pandya is no longer with the Holiday Inn Express and that the Board needed to have a representative of the lodging industry on the advisory board. *Councilor Thomas made the motion to approve the appointment of Ms. Parin Kumar of the Holiday Inn Express to the Lodger's Tax Advisory Board replacing Girish Pandya. Councilor Hunton seconded the motion. All Council members present voted in favor of the motion. Motion carried. No abstentions.*

**2. El Llano Estacado RC&D (Resource Conservation & Development)—
Appointment RC&D Council.**

Mayor King asked that the Council table this item for a later meeting to get more information about El Llano Estacado RC&D. She asked for action from the Council. *Mayor Pro-Tem Jackson made the motion to table the appointment to El Llano Estacado for a later meeting. Councilor Robinson seconded the motion. All Council members present voted in favor of the motion. Motion carried. No abstentions.*

(D) ITEM(S) FROM FINANCE/ADMINISTRATION COMMITTEE:

1. Ratification of Finance Department’s Actions Regarding Bills for April 2012.

Mayor King asked Marilyn Rapp, Finance Director, to report on the monthly bills for April 2012. Ms. Rapp told the Council that the bills had been reviewed by the Finance/Administration Committee and that they had recommended approval by the Council. Ms. Rapp told the Council that the amount of the bills for April 2012 was \$1,325,507.61, and asked for questions from the Council and for ratification of the bills.

December 2011		
Pooled Cash Fund	999	\$1,325,507.61

Mayor King asked for action from the Council. *Councilor Salguero made the motion to ratify the payment of the bills for April 2012 as presented. Mayor Pro-Tem Jackson seconded the motion. All Council members present voted in favor of the motion. Motion carried.*

2. Authorization to Open Money Market at USBank and Investment Account with LPL Financial.

Mayor King asked Marilyn Rapp to report on the authorization request on investments. Ms. Rapp told the Council that Mr. Rob Burpo of LPL Financial, the City's investment consultant, had made a presentation to the Finance/Administration Committee at their last meeting regarding the City's returns on investments that is at an average of 5.8% interest for the last twelve months. She stated that USBank had also submitted a proposal to improve the interest earned from their bank through a money market account. She commented that the average interest earned in the regular account at USBank is .05%. She told the Council that the current interest rate in the money market is .20%. Rapp told the Council that Finance is asking permission to open an investment account with LPL Financial for longer term investments and with USBank for a money market account. She told the Council that the City has about \$6,000,000.00 available for investments. She commented that the reason for the request is to try to get a little extra money out of funds sitting in the bank. Councilor Thomas, as a member of the Finance/Administration Committee, commented that he understood from the meeting that the money is accessible within 48 hours, and that there had only been one month in twelve that the City had lost any money. Mayor King asked Finance Director Rapp how much money she wanted to put into investments. Ms. Rapp responded that she would initially want to put \$3,000,000.00 into each and then adjust that as the City becomes more comfortable. She added that this would leave about \$3,000,000.00 for regular operating expenses. The Council deviated from the discussion to talk about the funds needed for the well field and pipe line from the well field into the water system. Public Works Director DeSha told the Council that the well field is holding its own right now—producing about 4.2 million gallons of water a day. Mr. DeSha commented that it could be improved to produce about 4.8 million gallons of water a day. Councilors asked about a target date for completion of the improvements immediately planned to which DeSha said from 12 to 15

weeks. Councilor Lucero asked if the well field had that much water in it. DeSha stated that he believed that it did have enough water. The Council discussed the cost of pipe and the availability of the type of pipe recommended by Mr. DeSha. Councilor Lucero asked for clarification of the type of pipe that DeSha wanted. DeSha stated that the pipe is a fusion-weld pipe that does not need clamps and has the flexibility of C-900. He added that the joints are strongest where the fusion-welds are made. Mayor Pro-Tem commented that the reason for the questions was to make sure that the City kept enough funds available in the bank for operational needs without having to pay additional fees. Ms. Rapp responded that the City should be able to access the funds with no penalty—she added that it was a very liquid account. Mayor King asked for the pleasure of the Council. ***Councilor Lucero made the motion to approve the request by Finance to invest City funds in the USBank money market account and with LPL Financial as recommended. Councilor Salguero seconded the motion. All Council members present voted in favor of the motion. Motion carried.***

(E) ITEM(S) FROM THE PLANNING DEPARTMENT:

1. Update/Discussion only on Dangerous Buildings.

Mayor King asked Sammy Standefer, Planning Director, to give an update on the Dangerous Building issue. Mr. Standefer reported that the City had hired a process server to deliver notices to the property owners. He stated that 2 of the 5 owners had received notices and that 3 owners had not yet been located. Standefer further stated that one of the owners had contacted him and that agreed to clean up the property within the 30 days set in the notice. He commented that the owner of the property on N. Austin has been notified but not responded. Councilor Lucero told Mr. Standefer that people have contacted him to complain about the La Casa Building on W. Ivy Street. He added that the work there has not been cleaned up. Mr. Standefer stated that he would check on it tomorrow.

2. Approval of Contract for City HVAC Repair/Replacement Memorial Building, Recreation Center and Municipal Court.

Mayor King asked Sammy Standefer, Planning Director, to present the contract for HVAC repair or replacement to the Memorial Building, Recreation Center and Municipal Court. Standefer told the Council that he had hoped to have the contract for this meeting, but that it is not ready. He stated that the 3-party contract is being reviewed by CES. Standefer commented that the contract amount is \$181,102.50 and outlined the scope of work to be completed. He apologized for not having the contract for this meeting. He asked that the item be tabled. Mayor King asked the pleasure of the Council. ***Councilor Robinson made the motion to table the contract for HVAC repair and/or replacement. Councilor Thomas seconded the motion. All Council members present voted in favor of the motion. Motion carried. No abstentions.***

(F) AUTHORIZATION OF MAYOR'S SIGNATURE ON STATE OF NEW MEXICO ECONOMIC DEVELOPMENT GRANT AGREEMENT #10-419-A093106-1004 (MAINSTREET PROJECT)

Mayor King asked Sandy Van Der Veen to introduce the request for the Mayor's signature on a NMED grant agreement. Ms. Van Der Veen told the Council that the original grant for funding of the Depot Focus project had funds left over in the amount of \$4,751.00 because the consultant only charged GRT on in-state services. Van Der Veen told the Council that Portales MainStreet needs to spend the money left over to continue to be eligible for future MainStreet funding. She told the Council that the proposed project is to put up a centennial marker on post office property regarding the 2013 centennial of the Portales Depot building. She commented that the Portales Post Office has agreed to have the sign on

their property. She stated that it would be a focal point for the downtown walking tour. Susan Baysinger read from a draft of potential wording for the historical marker. She told the Council that the MainStreet proposal is to use the remaining funds to plan, design, purchase and install the marker on the corner of Highway 70 and Avenue A. Van Der Veen asked that the Council authorize the Mayor's signature on the grant for the marker. Mayor King asked the pleasure of the Council. ***Mayor Pro-Tem Jackson made the motion to authorize the Mayor's signature on the Economic Development grant agreement for a historical marker as presented. Councilor Thomas seconded the motion. All Council members present voted unanimously in support of the motion. Motion carried.***

(G) OTHER BUSINESS/CITIZENS TO BE HEARD

Mayor King asked for items of other business.

Mayor King stated that the Council's subcommittee on the City's nuisance ordinance has met and will possibly be bringing a proposal to a June meeting. She commented that another subcommittee made up of Councilors Robinson and Thomas will be putting together workshops on zeriscaping.

Councilor Robinson reported that he would like to see the Portales High School coaches and students come to the Council and be recognized for their accomplishments for the year.

Mayor King thanked Planning Director Standefer and Police Chief Gill for the progress on cleaning up the city.

Finance Director Rapp told the Council that staff has requested a special Council meeting next week for presentation of the preliminary budget for FY 2012-2013. She told the Council that paper copies of the preliminary budget will be printed for the Council in the next few days. She commented that the preliminary budget is due to be submitted by June 1st and the final budget must be submitted by the end of July. She further told the Council that the Department of Finance & Administration (DFA) has requested our policies and procedures, which she considered a compliment. She added that DFA is working on a project for a community to the south and may use the City's policies and procedures as a model for that community.

Public Works Director DeSha reported that his departments are working hard, especially Parks and Water. He reported that the Swimming Pool inspection is set for this coming Friday and that the pool will open soon.

Police Chief Jeff Gill told the Council that the Adopt-a-Cop Program will be holding its annual games next Monday at Rotary Park for the 2nd grade classes. He reported that games will be held with food to be provided by Crimestoppers. He invited the Council to attend for a chance to meet the parents and teachers and watch the kids play games. He said the Adopt-a-Cop Program is an 18-year program that puts police officers into all 2nd grade classes.

City Attorney Knudson reported that the RCCDC is advertising nationally for the Executive Director position. He commented the RCCDC has one interesting candidate. He commented that Mayor King and Kevin Bond had participated in the phone interview with the candidate and since then has had another candidate apply.

Mayor King asked for items of other business from the audience. There were no further items of other business.

(H) EXECUTIVE SESSION/CLOSED EXECUTIVE MEETING:

The scheduled closed executive session was tabled due to lack of action.

ADJOURNMENT:

There being no further business or comments, Mayor King adjourned the meeting at 7:55 p.m.

Joan Martinez-Terry, City Clerk