

**TABLE OF CONTENTS FOR COUNCIL MEETING HELD JUNE 5, 2012:**

- A. Minutes of Previous Meeting(s):
    - 1. Special Meeting of May 8, 2012.
    - 2. Regular Meeting of May 15, 2012.
    - 3. Special Meeting of May 24, 2012.
  - B. Proclamation(s):
    - 1. Recognizing Flag Day 2012—El Portal Chapter of the Daughters of the American Revolution.
  - C. Appointment(s):
    - 1. El Llano Estacado RC&D (Resource Conservation & Development)—Appointment to RC&D Council.
  - D. Renewal of Contract for Banking Services with US Bank.
  - E. Item(s) from the Planning Department:
    - 1. Recommendation for Final Selection of Option for New Wastewater Treatment Plant.
    - 2. Report on the Status of the Well Field.
  - F. Item(s) from the Planning Department:
    - 1. Approval of Contract for City HVAC Repair/Replacement Memorial Building, Recreation Center & Municipal Court.
  - G. Program Update of Police Department Procedural Changes due to Consultant's Review.
  - H. Discussion of Sample Portales Beautification Ordinance.
  - I. Update on Status of CodeRed Notification System.
  - J. Other Business/Citizens to be Heard.
  - K. 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
- 

**THE CITY COUNCIL OF THE CITY OF PORTALES** met in regular session Tuesday, June 5, 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 (absent) Antonio Salguero  
Leo Lovett Oscar Robinson (absent)  
Michael Lenard Lucero Keith A. Thomas  
Dianne Y. Parker

STAFF PRESENT: Tom Howell, City Manager Jeff Gill, Police Chief  
Joan Martinez-City Clerk Dennis Hales, I.T. Director  
Marilyn Rapp, Finance Dir. Steve Doerr, City Attorney  
Johnny DeSha, Public Wks. Dir. Sammy Standefer, Planning Dir.  
Gary Nuckols, Fire Chief Keith Wattenbarger, Emg. Mgmt. Dir.

OTHERS PRESENT: Benna Sayyed, Press Jim Landfair  
Greg Miller Randy Knudson  
Vicky Stratton, DAR Michael Marshall

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

*City Attorney Knudson* introduced Mr. Greg Miller of Moss Point, Mississippi, as a candidate for the position of Executive Director of the Roosevelt County Community Development Corporation. Mr. Miller greeted the Council and stated that he had been impressed with what he had seen in the community.

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

**1. Special Meeting of May 8, 2012.**

Mayor King asked for Council to consider and approve the minutes of the Special Meeting of May 8, 2012 as written and presented. *Councilor Salguero made the motion to approve the minutes of the special meeting of May 8, 2012 as presented. Mayor Pro-Tem Jackson seconded the motion. All Council members present voted in favor of the motion. Motion carried. No abstentions.*

**2. Regular Meeting of May 15, 2012.**

Mayor King asked for Council to consider and approve the minutes of the Regular Meeting of May 15, 2012 as written and presented. *Mayor Pro-Tem Jackson made the motion to approve the minutes of the regular meeting of May 15, 2012 as presented. Councilor Lucero seconded the motion. All Council members present voted in favor of the motion. Motion carried. No abstentions.*

**3. Special Meeting of May 24, 2012.**

Mayor King asked for Council to consider and approve the minutes of the Special Meeting of May 24, 2012 as written and presented. *Councilor Lovett made the motion to approve the minutes of the special meeting of May 24, 2012 as presented. Mayor Pro-Tem Jackson seconded the motion. All Council members present voted in favor of the motion. Motion carried. No abstentions.*

**(B) PROCLAMATION(S):**

**1. Recognizing Flag Day 2012—El Portal Chapter of the Daughters of the American Revolution**

Mayor King asked that Vickie Stratton, representing the El Portal Chapter of the Daughters of the American Revolution, to come forward to receive the proclamation. Mayor King read the proclamation aloud recognizing June 14, 2012 as Flag Day in Portales, New Mexico.

**(C) APPOINTMENT(S):**

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

Mayor King commented that this item had previously been tabled for more information and asked for a volunteer from the Council or a recommendation of someone from the community to represent the City of Portales on the El Llano Estacado RC&D Council. Mayor Pro-Tem Jackson volunteered. Mayor King asked for action from the Council. *Councilor Lovett made the motion to appoint Mayor Pro-Tem*

*Jackson to El Llano Estacado RC&D Council. Councilor Salguero seconded the motion. All Council members present voted in favor of the motion. Motion carried. No abstentions.*

#### **(D) RENEWAL OF CONTRACT FOR BANKING SERVICES WITH US BANK**

Mayor King asked Marilyn Rapp, Finance Director, to present the contract for banking services. Ms. Rapp told the Council that a contract for banking services was authorized on May 17, 2011 with three additional one-year renewals at the option of the City and US Bank. She told the Council that the annual renewal was ready for the first additional one-year period. She told the Council that City Attorney Doerr had made changes to the contract and that the modified copy was included in a separate packet for their review. She asked for questions from the Council. Mayor King asked the City Attorney to explain the changes he had made to the contract. City Attorney Doerr responded that the changes were just to clean up the language to make it simpler and easier to read. He stated that all terms as previously agreed are the same. Mayor King asked for action from the Council. *Councilor Lovett made the motion to authorize the Mayor to sign the contract renewal for banking services with US Bank as modified by the City Attorney. Councilor Parker seconded the motion. Five of the six Council members present voted in favor of the motion. Mayor Pro-Tem Jackson abstained from the vote. Motion carried.*

#### **(E) ITEM(S) FROM THE PUBLIC WORKS DEPARTMENT:**

##### **1. Recommendation for Final Selection of Option for New Wastewater Treatment Plant.**

Mayor King asked Public Works Director John DeSha to present the recommendation for selection of the option for design of the Wastewater Treatment Plant. Mr. DeSha told the Council that the Public Works Committee had met and recommended Option 3, the Advanced Extended Aeration plant, for the design of the Wastewater Treatment Plant. He stated that this does not commit the City to build the option, only to the design. He asked that the Council approve the recommendation of staff and the Public Works Committee. Mayor King commented that the Council had held a workshop on the options presented by Smith Engineering. She asked for action from the Council. *Councilor Thomas made the motion to approve the recommendation by the Public Works Committee and staff of Option 3, Advanced Extended Aeration plant. Councilor Lucero seconded the motion. All Council members present voted in favor of the motion. Motion carried.*

##### **2. Report on the Status of the Well Fields.**

Mayor King asked for a report on the status of the well field. Public Works Director DeSha told the Council that he had 3 slides to present on the well field. He commented that wells are not being rehabbed right now. He stated that the current average capacity is 3,950 gallons per minute, which is 5.6 million gallons per day. He added that with the Los Lomas wells the average capacity is 5,415 gallons per minute or 7.7 million gallons per day. He commented that the well field is in good shape; that the wells are being looked at every day. He told the Council that the current usage is 4.3 million gallons per day. DeSha told the Council that the Roosevelt County Electric Coop is in the process of putting in their lines for the wells being put in operation. Mayor King thanked DeSha for his report.

**F. ITEM(S) FROM THE PLANNING DEPARTMENT:****1. Approval of Contract for City HVAC Repair/Replacement Memorial Building, Recreation Center & 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 reminded the Council that the scope of work had been discussed in a previous meeting. He told the Council that the contract will be between CES (Cooperative Educational Services), the City of Portales and Contractor Nick Griego & Sons. He told the Council that the contract is a quantity-based contract. He commented that change orders may be needed because the quantities may be off if the contractor had missed something. He commented that City Attorney Doerr had requested more wording to the effect that if additional units are required by the City, then they would be at the same rate in the agreement. He told the Council that the total price for the contract is \$181,102.50, for which checks would be written to CES on behalf of Nick Griego & Sons and Gordian Group. Councilor Salguero asked if the contractor is Nick Griego & Sons, Inc. with Cox Refrigeration as the subcontractor. Mr. Standefer responded affirmatively and that the City has used both of these companies several times in the past. He commented that Cox Refrigeration does all our current work and that City staff is most familiar with them. Mayor King asked for further questions or the wishes of the Council. *Councilor Salguero made the motion to approve the Contract with CES for the repair/replacement of HVAC units to the Memorial Building, Recreation Center and Municipal Court. Councilor Parker seconded the motion. Five of the six Council members present voted in favor of the motion. Councilor Lovett abstained from the vote. Motion carried.*

**(G) PROGRESS UPDATE OF POLICE DEPARTMENT PROCEDURAL CHANGES DUE TO CONSULTANT'S REVIEW**

Mayor King asked Chief Gill to give a report regarding the activities at the Police Department since the consultant's review. Chief Gill told the Council that the department had just finished the policy manual draft and that it had been turned in to the City Manager. He stated that it addresses all accreditation requirements and has been reduced from 423 pages to 250 pages. Gill told the Council that the department is utilizing the spreadsheet outlining 45 items listed by the consultant and going down the list to address all the issues. He stated that a Compliance Standards Officer has been assigned to make sure that the department remains in compliance. He reported that the investigations unit has been realigned. The issues with customer service have been resolved. He encouraged everyone to come by the office to see the physical changes. He commented that training is being handled by certified instructors within the department. He told the Council that the department is holding daily staff meetings and bi-weekly sergeant meetings. Councilor Salguero asked how training is getting done for those people on duty. Chief Gill responded that the training sessions are being held several times to make sure that everyone gets the same training. He stated that records are kept for each class and employees have a record in their files for each class. He commented morale is much better and that he is getting positive feedback to the changes. Mayor King thanked Chief Gill for his report.

**(H) DISCUSSION OF SAMPLE PORTALES BEAUTIFICATION ORDINANCE**

Mayor King asked Councilors Thomas and Parker to report on the sample ordinance. Councilor Parker stated that the beautification ordinance had been discussed during the Council retreat and that a committee made up of herself, the Mayor, Councilors Hunton and Thomas had been established to review the current ordinance and potential changes to it. She told the Council and audience that the committee had looked at an ordinance that Councilor Thomas had found. She commented that the sample

ordinance has more teeth in it than the current one and that she liked it. Mayor King stated that the Committee really liked the sample ordinance and that they decided that the rest of the Council should have a chance to review it before asking legal counsel to work on it. The Mayor asked for comments from the rest of the Council members. Councilor Parker stated that she liked it because it was written in layman's terms and was what they really wanted. Mayor King commented that she liked the wording regarding violations as being "visible from the public right-of-way." Councilor Salguero asked if all of the sample ordinance would be part of the ordinance. Mayor Pro-Tem Jackson commented that it addresses all the issues. Councilor Lovett commented that some people have stopped watering their yards due to the cost; and that the Council should look at the flipside—at the elderly who may need some help. Councilor Thomas asked if the Police Department would be able to assist the elderly as they may have done in the past. Chief Gill responded that the department had helped some in the past, but only with mowing. Councilor Lovett did mention a vehicle that is on Main Street parked the wrong way. He asked them to think about the process. Councilor Parker stated that it is really very simple—just that the City should try to teach the community to do the right thing. Councilor Lovett commented that he had received a lot of calls from people in the community—he reminded the Council that they would get a lot of input from the public, and wants them to be aware of it. Councilor Thomas commented that the sample ordinance is very inclusive. Councilor Salguero stated that he understands that the City is in the middle of a drought, but simply wants people to throw things away. He commented that he just asks that people pick up their yards and not keep so much junk. Councilor Lucero stated that he has received calls from people that have old vehicles that they want to put back into operation. He added that they have pointed out the property belonging to Brady Brunson. City Attorney Doerr pointed out that dead grass is a violation in the sample ordinance. Mayor Pro-Tem Jackson stated that this is one violation that can be changed. The Council briefly discussed possible changes to the sample ordinance. Councilor Parker told the Council that the things in the sample ordinance are items that are a health hazard. Councilor Salguero stated that there are many properties that aren't cleaned up. Mayor King commented that the sample ordinance leaves nothing to doubt. Councilor Salguero agreed. Mayor King asked the City Attorney to work up a draft ordinance from the sample ordinance.

### **(I) UPDATE ON STATUS OF CODERED NOTIFICATION SYSTEM**

Mayor King asked Keith Wattenbarger, Emergency Management Director, to give an update on the CodeRed notification system. Wattenbarger gave the Council a handout on the CodeRed website. He told the Council that the City currently has 22,000 minutes in place, but that the minutes do not roll over. He commented that last year the minutes were used for the fire season. He reported that there are 7,140 people registered in the notification system right now. He added that the City and County had not seen the severity or amount of bad weather as in the past. He told the Council that the handout includes print outs of available reporting with the system. He commented that last year's fire season was brutal on equipment and personnel. He explained how the system works and showed them the screen that needs to be filled out and also how to designate what notices they wish to receive. He told the Council that he has gone out to different sites (such as Golden Acres) to sign people up. Wattenbarger commented that, in his opinion, the CodeRed system is the very best. Councilor Lovett asked about those people in the system from CAFB and ENMU that move away. Wattenbarger stated that they can be removed from our listing as soon as they are checked out. He added that people can be added by use of an Excel spreadsheet, but that we have to be mindful of HIPAA regulations. Mayor Pro-Tem Jackson commented that he liked the idea of enrolling people at Golden Acres and other sites or events. Councilor Thomas asked if there was a way to know how many cell and land lines are in the county. Mr. Wattenbarger responded that the only way to estimate was in the numbers in the 911 history. He commented that the department encourages people to sign up for the notification and to look at their registration regularly to make sure that the information is correct. Mayor Pro-Tem Jackson asked about the testing of sirens. Wattenbarger responded that it would be done on Tuesdays. He commented that there will be some new gear to put up—half in the county and the other half in the city.

**(K) OTHER BUSINESS/CITIZENS TO BE HEARD**

Mayor King asked for items of other business.

Mayor Pro-Tem Jackson reported that adult softball has begun and has 32 teams participating. He thanked City Manager Howell and Public Works Director DeSha for the help the public works departments have given them to get the season started.

City Manager Howell told the Mayor and Council that he would be out of the office at a conference for the rest of the week. He told the Council that he would be back on Friday.

Fire Chief Nuckols expressed appreciation of Keith Wattenbarger for his assistance with emergencies. He stated that Mr. Wattenbarger had done a great job of supporting the emergency crews in the County on the recent fire calls. He added that many times he and his staff are busy in the city and cannot check on the county fire departments.

Mayor King asked Planning Director Standefer about progress on the dangerous buildings issue. Mr. Standefer responded that the 30-day deadline is almost expired with no progress. He commented that he would be meeting with the City Attorneys to move forward with the process.

Councilor Lucero thanked Planning Director Standefer for checking on the demolition of the La Casa building on West Ivy. He stated that it had been cleaned up and that the community was appreciative. Mr. Standefer commented that he will begin the process of notifying the owners of the other buildings in that area to clean up their demolition in progress.

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 8:12 p.m.

---

Joan Martinez-Terry, City Clerk