

TABLE OF CONTENTS FOR COUNCIL MEETING HELD APRIL 3, 2012:

- A. Minutes of Previous Meeting(s):
 - 1. Regular Meeting of March 20, 2012.
 - B. Proclamation for Great American Cleanup set for April 14th, 2012.
 - C. Resolution #11-12-30, A Resolution Authorizing the Mayor to Sign the Application for the New Mexico State Fire Marshall's Office Fiscal Year 2013 Municipal Fire Protection Fund Distribution.
 - D. Resolution #11-12-31, A Resolution Authorizing the Mayor's Signature on a Grant Proposal with the State of New Mexico Department of Finance & Administration Local Government Division for Juvenile Adjudication Funds.
 - E. Award of Bid – 2012 Clamshell Bucket Loader with 25-Yard Trash Dump body for City of Portales Solid Waste Department.
 - F. Award of Bid for 2012 CDBG Project #11-C-NR-I-01-G-10, Installation of Street Drainage Channelization and Infrastructure Improvements with Local Government Division Concurrence.
 - G. Discussion/Action on City's Tipping Fees at the Convenience Center during "Eastern in Action" Day, April 21st, 2012.
 - H. Item(s) from Recreational Advisory Board:
 - 1. Renewal of Recreational Facilities Non-Exclusive Use Agreement with Clovis/Portales AYSO (soccer program).
 - 2. Renewal of Recreational Facilities Non-Exclusive Use Agreement with Roosevelt County Little League.
 - 3. Renewal of Recreational Facilities Non-Exclusive Use Agreement with Portales Softball Association.
 - I. Other Business/Citizens to be Heard.
 - 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 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.
-

THE CITY COUNCIL OF THE CITY OF PORTALES met in regular session Tuesday, April 3, 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 Leo Lovett Michael Lenard Lucero Dianne Y. Parker	Antonio Salguero Oscar Robinson Keith A. Thomas
STAFF PRESENT:	Tom Howell, City Manager Joan Martinez-Terry, City Clerk Steve Doerr, City Attorney Susan Baysinger, Cap. Proj. Admin. Veda Urioste, Deputy Clerk Michael Doerr, Sports Activities Dir. Mary Poynor, DWI Teen Ct. Coord.	Jeff Gill, Police Chief Dennis Hales, I.T. Dir. Johnny DeSha, Public Wks. Dir. Gary Nuckols, Fire Chief Larry Chavez, Solid Waste Supr. Rikki Seat, DWI Case Manager
OTHERS PRESENT:	Christina Calloway, Press Eddie Hiner	David Essex

Mayor King asked Mr. David Essex, Xcel Energies, to give the invocation, and John DeSha, Public Works Director 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 20, 2012.**

Mayor King asked for Council to consider and approve the minutes of the Regular Meeting of March 20, 2012 as written and presented. *Councilor Lovett made the motion to approve the minutes of the regular meeting of March 20, 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 FOR GREAT AMERICAN CLEANUP SET FOR APRIL 14, 2012

Mayor King asked Deputy Clerk Veda Urioste to step forward to receive the proclamation for the Great American Cleanup, and read the proclamation aloud. Urioste told the Council and audience that the City has been holding the cleanup for many years. She thanked the Councilors for the support and assistance given for the cleanup in the past. She commented that it was greatly appreciated. She stated that cooking for the event will begin at 11:00 a.m. and invited the community to come out and help with the cleanup, which will start at 9:00 a.m. from the City's Memorial Building.

(C) RESOLUTION #11-12-30. A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE APPLICATION FOR THE NEW MEXICO STATE FIRE MARSHAL'S OFFICE FISCAL YEAR 2013 MUNICIPAL FIRE PROTECTION FUND DISTRIBUTION

Mayor King asked Fire Chief Nuckols to present the resolution and application for Fire Protection Fund money. Chief Nuckols told the Council that the application is submitted annually for the funding based on a calculation using the ISO rating and a formula. He told the Council that the amount requested in this application is \$154,169.00 and that the amount received last year was \$194,700.00. He gave a brief history of the funding; that it allows purchasing of fire equipment apparatus and that it allows the City to roll over funds not spent to the next year. He commented that it is very important and that he has been working hard to keep roll over funds. Chief Nuckols asked that the Council adopt the resolution authorizing the Mayor's signature on the application. He asked for questions from the Council. Mayor King asked the pleasure of the Council. *Councilor Parker made the motion to adopt Resolution #11-12-30, authorizing the Mayor's signature on the application for the Fire Protection Fund Distribution for FY 2013. Councilor Robinson seconded the motion. Roll call vote of all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.*

(D) RESOLUTION #11-12-31. A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE ON A GRANT PROPOSAL WITH THE STATE OF NEW MEXICO DEPARTMENT OF FINANCE & ADMINISTRATION LOCAL GOVERNMENT DIVISION FOR JUVENILE ADJUDICATION FUNDS

Mayor King asked Ms. Rikki Seat, DWI Case Manager, to introduce the resolution for juvenile adjudication funds. Ms. Seat reported that this money comes from tickets that go to Magistrate Court. She commented that there is \$180,000.00 in the fund and that it is only available to Teen Courts in the State. She told the Council that the application is for \$14,500.00 and that it is intended to fund the salary of the Teen Court Coordinator for the summer months and for outreach with teen court participants. Mayor King asked if a match was required. Ms. Seat responded that it was an in-kind match. Councilor Parker

asked if this funding had been going on for a while. Rikki Seat responded that this is the first time that it had been advertised. Mary Poynor commented that the Teen Court Coordinator contract is for 9 months (from September through May), but that there are participants that have to do community service through the summer. She added that these participants need to be monitored. Councilor Lucero asked what was considered in the in-kind match. Ms. Seat responded that the in-kind match could be cash through the budget or through adult volunteers. Ms. Poynor commented that she has volunteers of attorneys and other professionals. Mayor King asked for action from the Council. ***Councilor Parker made the motion to adopt Resolution #11-12-31, authorizing the Mayor's signature on the application for Juvenile Adjudication Funds. Councilor Salguero seconded the motion. Roll call vote of all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.***

(E) AWARD OF BID – 2012 CLAMSHELL BUCKET LOADER WITH 25-YARD TRASH DUMP BODY FOR CITY OF PORTALES SOLID WASTE DEPARTMENT

Mayor King asked John DeSha, Public Works Director, to report on the bid award for the bucket loader. Mr. DeSha told the Council that the recommendation from staff was to award the bid to Robert's Truck Center of Albuquerque for their bid of \$124,746.44. Mayor Pro-Tem Jackson asked if the funds were budgeted. DeSha responded that funds are budgeted. He reported that all the bidders had exceptions to the truck bed—they all bid a 24-yard dump body instead of 25-yard dump body. Councilor Parker asked how the service provided with the bucket loader (boom truck) works. DeSha responded that the truck follows a route, and that sometimes people call in. If the trash is a hazard or blocks the container, the department will go clean up the trash. He stated that the old truck is being retired. Solid Waste Supervisor Larry Chavez reported that the bucket loader averages between 70 and 100 tons of trash a month. He commented that it is pretty much a free service, if it can't be determined who placed it in the alley. The Council discussed services provided by the City and getting people to take their trash to the convenience center. Councilor Lovett asked if people take the mulch created at the Convenience Center. Chavez responded that getting rid of the mulch is not a problem. Council talked about weekend hours at the Convenience Center and Councilor Robinson commented that weekend hours, which are 1 to 5 p.m., actually is perfect timing for people working on the weekend. Mayor King asked the pleasure of the Council. ***Councilor Parker made the motion to award the bid for the bucket loader to Robert's Truck Center of Albuquerque for the bid of \$124,746.44. Mayor Pro-Tem Jackson seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

(F) AWARD OF BID FOR 2012 CDBG PROJECT #11-C-NR-I-01-G-10. INSTALLATION OF STREET DRAINAGE CHANNELIZATION AND INFRASTRUCTURE IMPROVEMENTS WITH LOCAL GOVERNMENT DIVISION CONCURRENCE

Mayor King asked Susan Baysinger, Capital Projects Administrator, to report on the award of bid for the 2012 CDBG project. Ms. Baysinger told the Council that the City had gone out for bid on the CDBG project and that two bids had been received: K. Barnett & Sons, Inc. and Lipham Construction Co., Inc. She stated that Lipham Construction had asked to withdraw their bid because they did not bid the material as requested in the specifications and were not able to provide it. The bids did come in under the project grant funding budget so the engineer has recommended adding additional sidewalks on Avenue M from Ivy to Hickory along Lindsey Steiner property. Ms. Baysinger told the Council that the Local Government Division approved the additional sidewalk installation. Mayor Pro-Tem Jackson asked when the project could be started. Baysinger responded that a preconstruction meeting must be scheduled and that she anticipates that it can start in about a month and a half. Mayor King asked if the project would be completed before school starts again. Baysinger responded that it would be completed in time for school to commence. City Manager Howell stated that the contractor may want to get started

as soon as possible to keep costs down for oil based products, but that it may take a bit longer than a month and a half. Mayor King asked the pleasure of the Council. *Councilor Lovett made the motion to accept the recommendation by the engineer to allow Lipham Construction Co., Inc. to withdraw their bid and award the bid for CDBG Project #11-C-NR-I-01-G-10 to K. Barnett & Sons, Inc. (bid amount is \$381,476.42, which does not include the additional sidewalk work which bumps the cost up to \$416,792.42 that will be the contract amount). Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(G) DISCUSSION/ACTION ON CITY'S TIPPING FEES AT THE CONVENIENCE CENTER DURING "EASTERN IN ACTION" DAY, APRIL 14th, 2012

Mayor King asked Councilor Lovett to report on the request by Eastern in Action. Councilor Lovett stated that Eastern in Action of ENMU will be working to help the elderly and disabled in the City with cleanup and home repair projects on Saturday, April 14th, and have asked that we forego the tipping fees for dumping of trash that they will collect on that day. Council approved the request with the condition that the group have some kind of identification and that they go to the Convenience Center from 1 to 5 p.m. during service hours. Councilor Lovett commented that the group has already collected applications from the community. Deputy Clerk Urioste offered gloves and trash bags to the group.

(H) ITEM(S) FROM PUBLIC WORKS COMMITTEE:

- 1. Renewal of Recreational Facilities Non-Exclusive Use Agreement with Clovis/Portales AYSO (soccer program).**
- 2. Renewal of Recreational Facilities Non-Exclusive Use Agreement with Roosevelt County Little League.**
- 3. Renewal of Recreational Facilities Non-Exclusive Use Agreement with Portales Softball Association.**

Mayor King asked Michael Doerr, Sports Activities Director, to report on the agreements for use of recreational facilities. Michael Doerr told the Council that the agreements for AYSO, Roosevelt County Little League and Portales Softball Association had been taken to the Recreational Advisory Board for review and recommendation. He commented that the agreements are for non-exclusive use of City recreational facilities (playing fields) in cooperation with the Parks Department. Councilor Parker asked if there were any problems encountered. Doerr responded that there have been no major issues, some minor problems, but those have been worked out. Mayor Pro-Tem asked about lists of officers for each group. Michael Doerr responded that the agreements are all good to go. Mayor King asked if the City Attorney had reviewed the agreements. City Clerk Martinez-Terry responded that City Attorney Knudson who sits on the Recreational Advisory Board was in attendance of the meeting and had reviewed the agreements. Mayor King asked Steve Doerr if the agreements could be approved with one motion. City Attorney Doerr answered that the motion should be worded to handle all three agreements individually. Mayor King asked the pleasure of the Council. *Councilor Thomas made the motion to accept the recommendation of the Recreational Advisory Board for renewal of the Recreational Facilities non-exclusive use agreements for AYSO, Roosevelt County Little League and the Portales Softball Association. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(I) OTHER BUSINESS/CITIZENS TO BE HEARD

Mayor King asked for items of other business.

Mayor King commented that Lonny Phelps of Phelps Engineering wants to set up a workshop for the Council on the Industrial Park Master Plan implementation next Tuesday or Wednesday. Ms. Baysinger stated that it is up to the Council's schedules. Mayor King suggested lunch on Wednesday. The Council discussed this among themselves but did not establish a time or date.

Mayor King reported that the water authority had met here in Council Chambers and that an important result of the meeting was a drought management form that will give communities an idea of what to expect. She commented that she had not seen a draft of that form, but that she has seen the timeline. She commented that the authority had heard a request by Robert Lumpkin of Tucumcari for the authority to support their request for a separate intake structure. She commented that they are asking that the Interstate Stream Commission establish a minimum pool level.

Councilor Lucero told the Council that he had been asked about the City putting up signs around the community asking people to look out for motorcycle and bicycle riders in traffic. Mayor King asked the City Manager if the City could do some kind of sign that would say "Drive Friendly." City Manager Howell stated that there is no traffic requirement for that type of sign, but that the City could do one that is informative. Mayor King suggested signs on the edges of the City.

Mayor Pro-Tem Jackson commented that he had talked to Councilor Robinson about coordinating with the Cultural Affairs Committee for a Cinco de Mayo Softball tournament that the Portales Softball Association has planned for the Friday and Saturday (May 4th and 5th). He directed his comments to Deputy Clerk Urioste who responded that the Committee has planned a talent show for Saturday.

Councilor Lovett reported that the RCCDC has applications for the position of Economic Development Director. He also asked about having the Parks Department fix the gap in the fence at Morrison Ball Field. He stated that the gap is behind the catcher.

Councilor Parker asked about additional trash cans in all the parks. She encouraged the Council to come out to the Great American Cleanup. She commented that it is always fun. She urged the Council to attend.

Councilor Thomas asked about the necessity of putting in a new Wastewater Treatment Plant. Public Works Director DeSha responded that it was built in the '60s and is antiquated; and that it was built based on an output of Class 3 water, which allows irrigation but only on land used for non-edible products. The new plant would provide Class 1 or 1-water, which could be reused on parks and the cemetery. Mayor King suggested a town hall meeting for informing the public on the highway remodel and improvements to the wastewater treatment plant. City Manager Howell asked that a workshop for the Council be conducted prior to the town hall meeting. Mayor Pro-Tem Jackson commented that the Council wants to participate in the public meetings to be held by the NM Department of Transportation on the highway remodel.

Fire Chief Nuckols reported that the Fire Department has been very busy with training this month. He reported that he had attended the County Commission's meeting at which the Commission had approved fire restrictions for the County for 45 days. He commented that he would go back to them in 45 days, if we don't get any rain.

Public Works Director DeSha complimented his departments for their hard work—the Street Department is busy patching the streets; the Solid Waste Department has been doing a great job; Parks/Cemetery

have been busy trimming trees; and the Water Department has been busy replacing a fire hydrant. He praised his departments. Mayor King asked him to thank the employees for their hard work.

Susan Baysinger, Capital Projects Administrator, asked that the Council review their business cards and let her know of any revisions so she can get them done.

Veda Urioste, Deputy Clerk, thanked everyone who donated Easter eggs for the hunt that is set to start at 2:00 p.m. on Saturday, April 7, 2012 at the softball complex. She reported that the Clean & Beautiful program has sponsored a Trash Can Contest and that there are 3 entries right now with 6 cans to be delivered.

There were no further items of other business.

(I) 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