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 - (C) Update of Activities of the Roosevelt Soil & Water Conservation District.
 - (D) Announcement of City Council Ward Winners of the Bi-Annual Cleanest Yard Contest.
 - (E) Item(s) from Finance/Administration Committee:
 - 1. Ratification of Bills for December 2018.
 - 2. Resolution #18-19-25, 2nd Quarter Budget Adjustments FY 2018-2019.
 - (F) Resolution #18-19-26, A Resolution Confirming the Continuation of Municipal Elections to be Conducted on Municipal Officer Election Day in March of Even Numbered Years.
 - (G) Resolution #18-19-27, Adopting a Citywide ADA Transition Plan.
 - (H) Public Hearing for Ordinance No. 737, An Ordinance Amending Section 10.5-22, 10.5-23 and 10.5-24 of Article II of the City of Portales Municipal Code, Adopted on September 15th, 1998, to Amend and Revise the City's Economic Development Goals, Strategies and Priorities, as well as the Targeted Business and Industries to Include Arts and Cultural Districts and Cultural Facilities or Retail Business as Being Eligible to Utilize Revenue Generated by the Municipal Local Options Gross Receipts Taxes Act or Projects as Defined in the Statewide Development Finance Act, and to Adopt a Resolution Calling for a Regular Local or Special Election within Seventy-Five (75) Days after Adoption of this Ordinance submitting a Separate Question to Voters whether or not this Ordinance Should become effective.
 - 1. Action to enter into public hearing to receive comments.
 - 2. Action to close the public hearing.
 - 3. Action by Council on Ordinance No. 737.
 - (I) Resolution #18-19-28, A Proclamation Calling a Special Election for April 4, 2019.
 - (J) Request to Formally Terminate Existing Joint Powers Agreement (JPA) with Roosevelt County.
 - (K) Other Business/Citizens to be Heard.
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THE CITY COUNCIL OF THE CITY OF PORTALES met in regular session Tuesday, January 22, 2019, at 6:30 p.m., in the Council Chambers of the Memorial Building, 200 E. 7th Street, Portales, NM in full conformity with the rules and regulations. Mayor Jackson called the meeting to order and asked City Clerk Martinez-Terry to call roll. Those present and constituting a quorum were:

MAYOR:	Ronald L. Jackson	
MAYOR PRO-TEM:	Michael G. Miller (absent)	
COUNCIL MEMBERS:	Veronica A. Cordova Chadrick H. Heflin (absent) Jake J. Lopez Michael James "Jim" Lucero (absent)	Dianne Y. Parker Oscar H. Robinson Jessica J. Smith
STAFF PRESENT:	Sammy Standefer, City Manager Joan Martinez-Terry, City Clerk Pat Gallegos, Police Chief Darla Reed, DWI Program Dir. Susan Baysinger, Pub. Wks. Proj. Adm. William "Bill" Cicero, Street EOIII	Randy Knudson, City Attorney Veda Urioste, Deputy City Clerk Christine A. Mitchell, I.T. Tech. Doug Morrison, Street Supervisor Gary Ellison, Street EOII
OTHERS PRESENT:	Jamie Cushman, Press Joe Parie Thurman Elder Rena Garrett	Bill Hendrickson, RCCDC Exec. Dir. Alta Elder Dr. Alan Garrett

Mayor Jackson asked Councilor Smith to give the invocation and Mayor Jackson led the Pledge of Allegiance and the Salute to the New Mexico flag.

(A) MINUTES OF PREVIOUS MEETING(S):

1. Regular Meeting held January 8, 2019.

Mayor Jackson asked the Council to consider the minutes of the Regular Meeting of January 8, 2019. He asked for comments or corrections. Mayor Jackson asked the pleasure of the Council. *Councilor Robinson made the motion to approve the minutes of the regular meeting of January 8, 2019. Councilor Parker seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.*

(B) RETIREMENT RECOGNITION OF RANDY E. LEE, EQUIPMENT OPERATOR II, STREET DEPARTMENT

Mayor Jackson asked Randy E. Lee to come to the dais to be recognized for reaching 25-year retirement with the City of Portales. The Mayor read the Certificate of Appreciation honoring Randy E. Lee aloud to the group present and presented him with a retirement watch. He thanked Randy for his service and asked him to say a few words. Randy Lee thanked everyone and especially the Street Department for putting up with him all these years.

(C) UPDATE OF ACTIVITIES OF THE ROOSEVELT SOIL & WATER CONSERVATION DISTRICT

Mayor Jackson asked if there was anyone present from the Roosevelt Soil & Water Conservation District (RSWCD). City Clerk Martinez-Terry reported that the scheduled update from the RSWCD was postponed by the Chairman until a later meeting. Mayor Jackson tabled the report.

(D) ANNOUNCEMENT OF CITY COUNCIL WARD WINNERS OF THE BI-ANNUAL CLEANEST YARD CONTEST

Mayor Jackson asked Deputy City Clerk Veda Urioste to announce the City Council Ward Winners of the Bi-Annual Cleanest Yard contest. Ms. Urioste thanked the Council for moving forward with the Clean & Beautiful project. She stated that two (2) of the winners are present at this meeting. She said that the winners were:

- Ward A winners..... Robert and Maryann Garcia
- Ward B Winners Kasey and Nadine Vaughn
- Ward C Winners Thurman and Alta Elder
- Ward D Winners Dr. Alan and Rena Garrett

Thurman and Alta Elder and Dr. Alan and Rena Garrett were present and were given a flag to locate where they wanted the sign placed in their yards. Ms. Urioste thanked the Parks Department for their assistance with the signs. The Mayor and Council thanked the winners for taking care of their yards.

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

1. Ratification of Bills for December 2018.

Mayor Jackson asked Finance Director Marilyn Rapp to present the bills for December 2018 for ratification. She reported the amount of the bills for the month of December 2018 as \$2,165,483.13. She reported that the bills were higher in December due to large payments for liability and worker's compensation insurance

out of General Fund; 7th Street project contractor out of Municipal Street fund; and ENMU membership dues out of Water Conservation. She asked for questions from the Council.

December 2018

Pooled Cash Fund	999	2,165,483.13
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Mayor Jackson asked the pleasure of the Council. *Councilor Smith made the motion to ratify the bills for December 2018 as presented. Councilor Cordova seconded the motion. All Council members voted in favor of the motion. No abstentions. Motion carried.*

2. Resolution #18-19-25, 2nd Quarter Budget Adjustments FY 2018-2019.

Mayor Jackson asked Marilyn Rapp, Finance Director, to present Resolution #18-19-25, 2nd Quarter Budget Adjustments for FY 2018-2019. Ms. Rapp told the Council that the state has changed budget adjustment requirements so they must be submitted more often. She reviewed the budget adjustments with the Council. She reported the following changes in the budget:

- General Fund (101) revenues were increased by \$142,700.00 due to higher GRT collections and an MLK grant received, and expenditures of the same amount for no net change to the fund.
- Clean & Beautiful Grant Fund (210) money in the amount of \$2,211.00 was moved around in expenditures with no net change to the fund.
- Street Fund expenditures in the amount of \$139,491.00 were moved from supplies to engineering with no net change to the budget.
- DWI Fund (223) revenues were increased by \$15,371.00 and expenditures were increased in the amount of \$16,753.00 using fund balances to reduce the fund by \$1,382.00.
- Capital Repair & Replacement Fund (301) revenues were increased by \$200,467.00 and expenditures were increased by the same amount for no net change to the fund.
- Water & Wastewater Fund (506) transferred \$19,000.00 for additional funds for a Street patcher and change to expenditures for a cultural survey and transfer out with no net change to the fund.
- Airport Fund (507) revenues were increased in the amount of \$350,277.00 for fuel farm grant carried over from prior year; with expenditures increased in the same amount for no net change to the fund.
- Water Conservation Fund (550) reduced funds in professional services and moved it to Ute Water dues and investment expense in the amount of \$61,310.00 for no net change to the fund.

Ms. Rapp told the Council that the amount of change to revenues and expenditures resulted in a total decrease to fund balances in the amount of \$1,382.00. She asked for questions from the Council and approval of the resolution adopting the budget adjustments. Mayor Jackson asked the pleasure of the Council. *Councilor Parker made the motion to adopt Resolution #18-19-25, approving the 2nd quarter budget adjustments for FY 2018-2019. Councilor Smith seconded the motion. Roll call vote of all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.*

(F) RESOLUTION #18-19-26. A RESOLUTION CONFIRMING THE CONTINUATION OF MUNICIPAL ELECTIONS TO BE CONDUCTED ON MUNICIPAL OFFICER ELECTION DAY IN MARCH OF EVEN NUMBERED YEARS

Mayor Jackson asked Joan Martinez-Terry, City Clerk, to present Resolution #18-19-26, a Resolution confirming the continuation of Municipal Elections to be conducted on Municipal Officer Election Day in March of even numbered years. City Clerk Martinez-Terry told the Council that the State Election Code was

repealed in 2018 and a new Election Code replaced it effective July 1, 2018. She told the Council that all municipalities have two options: 1) Governing bodies can retain their elections to be called "Municipal Officer Election Day" that will continue to be the first Tuesday in March of even-numbered years--municipal clerks will continue to administer their own election, but in accordance with the new State Election Code & the local Election Act. The Clerk will continue to perform most of the election functions. Or, 2) The Governing body may choose, by Ordinance, to "opt in" to the Regular Local Election which will be held on the first Tuesday of November of odd-numbered years and the County Clerk will administer the November election. She asked that the Council adopt Resolution #18-19-26 confirming the continuation of municipal elections to be conducted in March of even-numbered years. Mayor Jackson asked the pleasure of the Council. ***Councilor Lopez made the motion to adopt Resolution #18-19-26, confirming the continuation of Municipal Elections to be conducted on Municipal Officer Election Day in March of even-numbered years. Councilor Parker seconded the motion. Roll call vote of all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.***

(G) RESOLUTION #18-19-27, ADOPTING A CITYWIDE ADA TRANSITION PLAN

Mayor Jackson asked Donna Rutherford to present Resolution #18-19-27, adopting a Citywide ADA Transition Plan. Donna Rutherford told the Council that this is an update to the 2011 ADA Transition Plan. She explained that the ADA Transition Plan needed to be updated and that a public hearing was held to receive input. She reported that the minor changes to the plan included an updated list of City officials; grievance procedures; intersection count; priority area update; and deletion of the U.S. Highway project schedule, which has been completed. She asked that the Council look at the roads and curbs map showing priorities for the roads—high priorities in red are any funded projects and intersections near the schools and business areas; medium priorities in purple are S. Avenue I and S. Abilene; and blue are completed roads and curbs. Mayor Jackson asked about the schedule for updating the plan. City Manager Standefer responded that the plan should be revisited every five (5) years. Ms. Rutherford asked for approval by the Council. Mayor Jackson asked the pleasure of the Council. ***Councilor Robinson made the motion to adopt Resolution #18-19-27, adopting the citywide ADA Transition Plan presented. Councilor Smith seconded the motion. Roll call vote of all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.***

(H) PUBLIC HEARING FOR ORDINANCE NO. 737, AN ORDINANCE AMENDING SECTION 10.5-22, 10.5-23 AND 10.5-24 OF ARTICLE II OF THE CITY OF PORTALES MUNICIPAL CODE, ADOPTED ON SEPTEMBER 15TH, 1998, TO AMEND AND REVISE THE CITY'S ECONOMIC DEVELOPMENT GOALS, STRATEGIES AND PRIORITIES, AS WELL AS THE TARGETED BUSINESS AND INDUSTRIES TO INCLUDE ARTS AND CULTURAL DISTRICTS AND CULTURAL FACILITIES OR RETAIL BUSINESS AS BEING ELIGIBLE TO UTILIZE REVENUE GENERATED BY THE MUNICIPAL LOCAL OPTIONS GROSS RECEIPTS TAXES ACT OR PROJECTS AS DEFINED IN THE STATEWIDE DEVELOPMENT FINANCE ACT, AND TO ADOPT A RESOLUTION CALLING FOR A REGULAR LOCAL OR SPECIAL ELECTION WITHIN SEVENTY-FIVE (75) DAYS AFTER ADOPTION OF THIS ORDINANCE SUBMITTING A SEPARATE QUESTION TO VOTERS WHETHER OR NOT THIS ORDINANCE SHOULD BECOME EFFECTIVE

1. Action to enter into public hearing to receive comments.

Mayor Jackson asked the Council for action to enter into public hearing to receive comments on Ordinance No. 737, Amending Section 10.5-22, 10.5-23 and 10.5-24 of Article II of the City of Portales Municipal Code, Adopted on September 15th, 1998, to Amend and Revise the City's Economic Development Goals, Strategies and Priorities, as well as the Targeted Business and Industries to Include Arts and Cultural Districts and Cultural Facilities or Retail Business as Being Eligible to Utilize Revenue Generated by the Municipal Local

Options Gross Receipts Taxes Act or Projects as Defined in the Statewide Development Finance Act, and to Adopt a Resolution Calling for a Regular Local or Special Election within Seventy-Five (75) Days after Adoption of this Ordinance submitting a Separate Question to Voters whether or not this Ordinance Should become effective. Mayor Jackson asked the pleasure of the Council. ***Councilor Parker made the motion to enter into public hearing to receive comments on Ordinance No. 737. Councilor Robinson seconded the motion. All Council members present voted in unanimous support of the motion. No abstentions. Motion carried.***

Mayor Jackson asked for comments in favor or against the ordinance. Mr. Bill Hendrickson, RCCDC Executive Director, told the Council that the RCCDC supports Ordinance No. 737. He stated that the LEDA ordinance is a key tool to support existing and new businesses.

2. Action to close the public hearing.

Mayor Jackson asked the Council for action to close the public hearing. Mayor Jackson asked the pleasure of the Council. ***Councilor Parker made the motion to close the public hearing. Councilor Smith seconded the motion. All Council members present voted in unanimous support of the motion. No abstentions. Motion carried.***

3. Action by Council on Ordinance No. 737.

Mayor Jackson asked the pleasure of the Council on Ordinance No. 737. ***Councilor Smith made the motion to adopt Ordinance No. 737, Amending Section 10.5-22, 10.5-23 and 10.5-24 of Article II of the City of Portales Municipal Code. Councilor Robinson seconded the motion. Roll call vote by all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.***

(I) RESOLUTION #18-19-28, A PROCLAMATION CALLING A SPECIAL ELECTION FOR APRIL 4, 2019

Mayor Jackson asked the City Clerk to present Resolution #18-19-28, a proclamation calling for a Special Election for April 4, 2019. City Clerk told the Council that this resolution is directly due to the adoption of Ordinance No. 737 that requires an election by City-eligible voters on whether the Ordinance is confirmed. The question listed on the resolution is as follows:

“Shall Ordinance No. 737 amending the code without raising taxes and using existing funds only to designate retail business, arts and cultural districts, and cultural facilities as being eligible to utilize revenues generated by the Municipal Local Options Gross Receipt Taxes Act; or for projects as defined in the Statewide Development Finance Act be adopted?”

Martinez-Terry said that she had spoken to City Attorney Doerr about the wording on the question at the beginning of this meeting. She asked the City Attorney for a recommendation. City Attorney Doerr told the Council that his recommendation for the question is that the word “Shall” be changed to “Should” in the resolution. City Clerk Martinez-Terry asked for Council adoption of the Resolution with that change. Mayor Jackson asked what date ballots need to be returned. Martinez-Terry responded that the deadline is 7:00 p.m. on Election Day April 4, 2019. Councilor Robinson asked if funds had been allocated for the cost of the election. Martinez-Terry responded that a budget adjustment in the amount of \$20,000.00 had been approved in the 2nd Quarter Budget Adjustments presented earlier in the meeting. Mayor Jackson asked the pleasure of the Council. ***Councilor Smith made the motion to adopt Resolution #18-19-28, a proclamation calling a Special Election for April 4, 2019. Councilor Robinson seconded the***

motion. Roll call vote by all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.

(J) REQUEST TO FORMALLY TERMINATE EXISTING JOINT POWERS AGREEMENT (JPA) WITH ROOSEVELT COUNTY

Mayor Jackson asked the City Manager to present the request to formally terminate the existing Joint Powers Agreement (JPA) with Roosevelt County. City Manager Standefer told the Council that the existing JPA for use of the Law Enforcement Complex is included in their packet along with the JPA for housing and care of City prisoners. He told the Council that there is the need to renegotiate the JPA since the Police Department will be moving out of the County building by the beginning of March 2019. He told the Council that there is a 90-day notice period in the JPA and that it is time to have a discussion with the County. He asked that the Council authorize the City Attorney to send notice of termination to the County. He commented that the City and County should have an agreement for handling the shared services. He recommended that a committee made up of 3 City representatives and 3 County representatives be set up to negotiate a new agreement. City Manager Standefer told the Council that the County has given the City a deadline for the Police Department to move out of their building. He added that this can be done; that the new police station is almost completed. He stated that the interior of the building is complete and that simple touch up are needed. Councilor Robinson suggested that the Mayor, City Manager and one other person be the City's representatives for this committee, and that the City Manager be authorized to notify the County of termination and request negotiation of a new JPA. Councilor Cordova asked if the City would have to pay rent if it could not get the Police moved out by the beginning of March. City Attorney Doerr said that it is possible. Mayor Jackson asked the pleasure of the Council. ***Councilor Robinson made the motion to authorize the City Manager to notify the County of termination of the JPA and start negotiations for a new JPA. Councilor Cordova seconded the motion. All Council members present voted in unanimous support of the motion. No abstentions. Motion carried.***

(K) OTHER BUSINESS/CITIZENS TO BE HEARD

Mayor Jackson asked for items of other business for any matter not known about or which could not have been reasonably foreseen prior to the time of posting of the agenda. Public comments will be limited to three (3) minutes per speaker. Individuals will be limited to one (1) presentation per meeting, and there will be a maximum of six (6) speakers on each subject. To avoid any possible violation of the Open Meetings act, Councilors will not respond to comments or answer any questions. Questions or requests for information in writing should be directed to the City Manager during regular business hours.

Mayor Jackson asked for comments from the audience, Council and staff.

Item(s) from the Council: Councilor Cordova asked the City Manager to look into the hole in the alley in the 100 block of W. Olive. She commented that a resident of the area had complained to her.

Councilor Robinson reported that the MLK celebration had turned out well. He said that the ENMU President's Breakfast had from 75 to 80 people in attendance. He stated that the weather was excellent for the commemorative march; he thanked the Police Department for escorting the marchers and stated that Cannon and ENMU had done a great job. He thanked the Speaker David Briseño for a great job. Mayor Jackson commented that Councilor Robinson does a good job on Cultural Affairs.

Councilor Parker asked about the packets for the trip to the legislative reception. City Manager Standefer stated that his Administrative Assistant Shirley Pardee would have them in their mailboxes. He commented that half of the Council would leave on Sunday and the rest on Monday.

ADJOURNMENT

There being no further business, Mayor Jackson adjourned the meeting at 7:18 p.m.

Joan Martinez-Terry, City Clerk