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THE CITY COUNCIL OF THE CITY OF PORTALES met in regular session held with Mayor, Council, required staff and limited citizen attendance, to best protect the health of the public and employees due to the Covid-19 restrictions on Tuesday, September 15, 2020 at 6:30 p.m., physically present in the Auditorium 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 the City Clerk to call roll. Those Councilors present and constituting a quorum were:

MAYOR: Ronald L. Jackson

MAYOR PRO-TEM: Michael G. Miller

COUNCIL MEMBERS: Daniel W. Boan Michael James “Jim” Lucero
Veronica A. Cordova Dianne Y. Parker (absent)
Chadrick Heath Heflin Oscar H. Robinson
Jake J. Lopez

STAFF PRESENT: Sammy Standefer, City Manager John DeSha, Public Works Dir.
Joan Martinez-Terry, City Clerk Christine A. Mitchell, I.T. Tech
Marilyn Rapp, Finance Director Steve Doerr, City Attorney
Veda Urioste, Deputy City Clerk T.J. Cathey, Fire Chief
Susan Baysinger, PW Cap. Proj. Adm Pat Gallegos, Police Chief
Chris Williams, Deputy Police Chief

OTHERS PRESENT: Jerry DeSha Adolpho Cordova
Nancy Stressman, DAR Caitlyn Stressman, DAR
Darrelyn McCloud Krista Jones
Jasmine Johnson

Mayor Jackson asked Councilor Robinson 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 September 1, 2020.

Mayor Jackson asked the Council to review the regular minutes of September 1, 2020. He asked for corrections or additions to the minutes. Mayor Jackson asked the pleasure of the Council. *Councilor Lucero made the motion to approve the minutes of the regular meeting held September 1,*

2020. Councilor Heflin seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.

(B) PROCLAMATION DECLARING SEPTEMBER 17 – 23, 2020 AS “CONSTITUTION WEEK IN PORTALES, NEW MEXICO” EI PORTAL CHAPTER OF THE NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

Mayor Jackson read the proclamation aloud declaring September 17 – 23, 2020 as “Constitution Week in Portales, New Mexico.” Mayor Jackson invited Mrs. Nancy Stressman to come forward to receive the proclamation and asked her to say a few words. Mrs. Stressman thanked the Mayor and Council on behalf of the Daughters of the American Revolution for the respect shown in honoring the constitution at this meeting.

(C) PROCLAMATION DECLARING OCTOBER 4 – 10, 2020 AS “FIRE PREVENTION WEEK IN PORTALES, NEW MEXICO”

Mayor Jackson asked Fire Chief Cathey to come forward to receive the proclamation declaring October 4 – 10, 2020 as “Fire Prevention Week in Portales, New Mexico” with the theme “Serve up Fire Safety in the Kitchen.” Mayor Jackson read the proclamation aloud to those present. Mayor Jackson stated that the proclamation encourages fire safety in the community. He presented the proclamation to Fire Chief T.J. Cathey and asked him to say a few words. Chief Cathey told the Council that the events for the children of the community that normally take place during fire prevention week are not possible due to the ongoing pandemic response. He stated that this year the firemen would hand out videos. He reminded everyone to change the batteries in their smoke alarms.

(D) RATIFICATION OF FINANCE DEPARTMENT’S ACTIONS ON BILLS FOR AUGUST 2020

Mayor Jackson asked Finance Director Marilyn Rapp to present the bills for August 2020. Mrs. Rapp told the Council that the bills for the month of August were in the amount of \$1,551,330.20. She stated that the bills included large expenditures of \$139,555.85 out of the Fire Fund for construction expenditures for the new Fire Substation; \$253,936.05 for grant funded runway construction out of the Airport Fund; and \$186,237.00 for the small business Covid-19 Relief Program from the Economic Development Fund. Mrs. Rapp asked for questions and approval of the bills.

August 2020		
Pooled Cash Fund	999	\$1,551,330.20

Mayor Jackson asked the pleasure of the Council. **Mayor Pro-Tem Miller made the motion to approve the bills for August 2020 as presented. Councilor Heflin seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.**

(E) APPROVAL OF JOINT POWERS AGREEMENT (JPA) UTE RESERVOIR WATER COMMISSION

Mayor Jackson introduced the request for approval of the Joint Powers Agreement (JPA) with the Ute Reservoir Water Commission and asked City Manager Standefer to present. Mr. Standefer told the Council that this JPA is the one that originally formed the Commission and is different from the one with the Eastern New Mexico Water Utility Authority. This is the group that helped negotiate with the Interstate Streams Commission (ICS). The JPA was redone this year due to some entities dropping out. Mayor Jackson commented that the Village of Melrose, Curry County and Roosevelt County were the

entities that dropped out, which changed the agreement. Mr. Standefer stated that the fees are the same as they were 10 years ago and that the Commission will negotiate with the ISC for another 10 years for the same fee. Councilor Lucero asked if the City of Portales could get a bigger allocation. City Manager Standefer responded that the allocation would have been based on a formula utilizing water usage from a set amount. He commented any changes to the allocation of water would have to be purchased from another entity and would have to be authorized. Mayor Jackson commented that any purchase of allocation would have to be approved by all the members of the Commission. He stated that when Melrose wanted to transfer their allocation to the City there was some pushback from Curry County. Mayor Jackson asked the pleasure of the Council. ***Councilor Robinson made the motion to approve the JPA with the Ute Reservoir Water Commission as presented. Councilor Cordova seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

(F) RESOLUTION #20-21-10, ADOPTING THE FY 2022-2026 INFRASTRUCTURE CAPITAL IMPROVEMENTS PLAN (ICIP)

Mayor Jackson introduced Resolution #20-21-10, Adopting the FY 2022-2026 Infrastructure Capital Improvements Plan (ICIP). He asked Public Works Director John DeSha to present the resolution. Mr. DeSha told the Council that this resolution formalizes the work done to prepare the ICIP and the public hearing held at the previous Council meeting. Mayor Jackson commented that the ICIP includes the changes proposed regarding adding the servers and cost during the public hearing. Mayor Jackson asked the pleasure of the Council. ***Councilor Lucero made the motion to adopt Resolution #20-21-10, adopting the ICIP as presented. Councilor Boan seconded the motion. Roll call vote by all Council members present resulted in unanimous support of the motion. No abstentions. Motion carried.***

(G) REQUEST FOR APPROVAL TO DELETE POLICE DEPARTMENT ELAPSED RECORDS IN ACCORDANCE WITH RESOLUTION #18-19-21, MUNICIPAL CLERKS RECORDS RETENTION POLICY

Mayor Jackson asked Chief Gallegos to present the request for approval to delete Police Department records in accordance with the Municipal Clerks records retention policy. Chief Gallegos presented the request to delete old bodycam video for 2015, 2016 and 2017. He stated that the records were held for 3 years (longer than the 90 days (3 months) the law required). He further reported that the bodycam video to be deleted are not attached to any active case. He stated any record attached to an active case have been retained. Councilor Lucero asked why the bodycam video was kept longer than required. Chief Gallegos responded that this was due to the request by the New Mexico Municipal League since they paid for the bodycam. Mayor Pro-Tem Miller asked about the requirements under the new bodycam law. Chief Gallegos responded that the new law requires keeping records for 120 days (4 months). He commented that deleting the records requested will free up a lot of storage space. He stated that the League is looking at the bodycam law because there is no way to redact or monitor the videos. Mayor Pro-Tem Miller commented that the NM Self-Insurer's Fund will be trying to assist municipalities with cost caused by the new law. He stated that the Fund will be looking to help with the cost of bodycams and possibly storage. Mayor Jackson asked the pleasure of the Council. ***Councilor Boan made the motion to approve the request to delete Police Department elapsed records as requested in accordance with the Municipal Clerks records retention policy. Councilor Robinson seconded the motion. All Council members present voted in favor of the motion. No abstentions. Motion carried.***

(J) OTHER BUSINESS/CITIZENS TO BE HEARD

Any matter not known about or which could not have been reasonably foreseen prior to the time of posting of the agenda. A public body shall only act on items appearing on the agenda:

Mayor Jackson asked for comments from the assembly.

Comments/Questions from Council:

Comments/Questions from Audience:

Derrylyn McCloud introduced himself and a group called "All in Portales." He stated that the group is interested in being or providing a positive outlet for minorities. Mayor Jackson thanked him for his input.

Report from City Manager: Mr. Standefer told the council that claims had been filed for hail damage to roofs on City buildings. He added that he had hired a consultant for help with filing of claims for the damage to roofs.

Mr. Standefer reported that the City had applied for CARES grant funds in the amount of \$250,000 and received a grant for \$109,000. He stated that the City will have to attend a training session to learn the process to request reimbursement of costs.

Comments/Reports from Council:

Code Violations

Councilor Cordova reported on junk and trash on the property at the corner of Ivy and N. Avenue A. City Manager stated that he would work with code enforcement to deal with the violations at the property.

Traffic Concerns

Councilor Boan reported that he had been contacted by residents of the area around University and Avenue about people speeding. He stated that the residents have requested speed bumps. Councilor Robinson stated that he had been contacted about the same issue and commented that the concern is that kids playing outside are in danger. He asked for more diligence on patrolling the area and that a speed limit sign would help. He added that this could be one of our major traffic arteries in the City. City Manager Standefer said that he would get the team to review the traffic and make recommendations to remediate the problem.

NMML Annual Conference

Mayor Pro-Tem Miller told the Council that he hoped that everyone had been able to participate in the annual New Mexico Municipal League conference. He commented that it was not the same as the regular conference but that the league had done a good job. The Mayor and Council congratulated Mayor Pro-Tem Miller on winning the Vice-President's race.

Water Restrictions

Councilor Lucero asked about the status of the water restrictions. Public Works Director DeSha said that the city is doing better but not at 100%. He commented that the tanks are at 80% and that the tanks are refilling at 80% of capacity. Councilor Lucero asked Mr. DeSha when the restrictions are planned to be lifted. Mr. DeSha responded that the mandatory restrictions were left open-ended.

Covid-19

Mayor Jackson reported that Ms. Brezovsky sends him weekly updates on Covid-19, but that he does not understand where the state gets the numbers to rank the communities on the Coronavirus site and Roosevelt County is still in the red. Fire Chief Cathey commented that the state health department is attempting to consolidate the numbers around the state—having to reconcile the larger counties with the

smaller counties. City Manager Standefer stated that the rankings are done according to population density.

ADJOURNMENT

There being no further business, Mayor Jackson adjourned the meeting at 7:05 p.m.

Joan Martinez-Terry, City