

**REGULAR MEETING OF THE CITY COMMISSION  
MONDAY, MAY 27, 2014 @ 5:30 P.M.  
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

**Call to Order:** The meeting was called to order by Mayor Gandy at 5:30 p.m.

**Present and answering roll call:** Commissioner Bengé, Commissioner Trujillo, Mayor Gandy, Commissioner Butcher and Commissioner Campos.

**Also Present:** City Manager James Williams, Assistant City Manager Jared Cobb, Administrative Assistant Imelda Gutierrez, City Attorney Patrick McMahon and Detective David Rodriguez

**Not Present:** City Clerk Carol Ann Hogue

**Invocation:** Commissioner Bengé gave the invocation

**Pledge of Allegiance:** Commissioner Bengé led the pledge

**Approval of Agenda:** Mayor Gandy called for a motion to approve the agenda as submitted. Commissioner Bengé so moved. Commissioner Trujillo seconded and a roll call was taken: Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Mayor Gandy – Yes, Commissioner Butcher – Yes, and Commissioner Campos – Yes.

**Approval of the Regular Minutes of May 12, 2014:** Mayor Gandy called for a motion to approve the regular minutes of May 12, 2014. Commissioner Campos so moved. Commissioner Butcher seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Mayor Gandy – Yes, and Commissioner Bengé – Yes.

**COMMISSIONER AND STAFF REPORTS:**

- City Manager Williams mentioned that Assistant City Manager Jared Cobb, EDC Director Evelyn Holguin and himself had traveled to Las Vegas, Nevada last week to a retailer's convention. The closing on the Lea Theater will be tomorrow Wednesday, May 28, 2014 at 2:00 p.m. Interviews will be on Thursday, May 29, 2014 for Finance Director position.
- Assistant City Manager Cobb mentioned the Comprehensive Plan Meeting will be Monday, June 2, 2014 at the Gann Cafeteria from 6:00 p.m. to 8:00 p.m.

**NON-ACTION ITEMS:**

**Senior Citizens Board Appointments:** City Manager Williams addressed the Commissioners stating that the Senior Citizens Board previously appointed Thomas Griffin to the board, however, Mr. Griffin's term had not yet expired and the City Commission reappointed him based on the board's recommendation. The Senior Citizen Board has requested to reinstate Donna Dean as a board member instead. They have also recommended Virginia Spears to be appointed to fill the position of Leota Brow, who recently passed away. The appointee will serve out the remainder of Mrs. Brow's term which will expire January 2015. No action was taken.

**ACTION ITEMS:**

**Consider Approval of Resolution 2014 – 15: Termination of Property Lease:** Mayor Gandy called for a motion to approve resolution 2014 – 15: Termination of Property Lease. City Manager Williams addressed the Commissioners stating that the resolution was prepared in order for the City to terminate the lease agreement with OMI. The property is 5.00 acres located to the South of the Key Energy Yard. OMI has been sent certified letters regarding the lease and the proposed termination action. No response has been received. Commissioner Trujillo so moved. Commissioner Bengé seconded and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Butcher – Yes, Mayor Gandy – Yes and Commissioner Campos – Yes. Motion was approved.

**Consider Rescinding Resolution 2014 – 02: Condemnation of Property at 310 N. 2<sup>nd</sup> Street:** Mayor Gandy called for a motion to approve rescinding resolution 2014 – 02: Condemnation of Property at 310 N. 2<sup>nd</sup> Street. City Manager Williams addressed the Commissioners stating that the property owners have made improvements to bring the property up to City code. It is the recommendation of Code Enforcement that resolution 2014 – 02 be rescinded in order to halt the condemnation process and remove it from property records. Felemina Velasquez addressed the Commissioners stating that she lives in Santa Fe and comes down every two months to make sure her disabled son who lives at this address has food, water, clothing and she is also doing repairs to the home. Commissioner Campos so moved. Commissioner Trujillo seconded and a roll call was taken: Commissioner Butcher – Yes, Commissioner Campos – Yes, Mayor Gandy – Yes, Commissioner Bengé – Yes, and Commissioner Trujillo – Yes. Motion was approved.

**Consider Approval of 4-way Stop Sign at 2<sup>nd</sup> Street & Avenue J:** Mayor Gandy called for a motion to approve the 4-way stop sign at 2<sup>nd</sup> Street & Avenue J. City Manager Williams addressed the Commissioners stating that Mr. Montana Farnum has requested that the City convert the intersection of 2<sup>nd</sup> Street and Avenue J into a 4-way stop. Mr. Farnum has made this request for the safety of the pedestrian's and to curtail speeding. The Lovington Planning & Zoning Commission has recommended converting this intersection to a 4-way stop sign on May 14, 2014. The City will give the public 30 days notification of this traffic change before putting up the stop sign. Commissioner Butcher so moved. Commissioner Bengé seconded and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Butcher – Yes, Mayor Gandy – Yes and Commissioner Campos – Yes. Motion was approved.

**Consider Award of Bid: Central Plaza Phase 1:** Mayor Gandy called for a motion to approve the award of bid: Central Plaza Phase 1. City Manager Williams addressed the Commissioners stating that the re-bid of the Central Plaza Phase 1 was received May 15, 2014. The City only received one bid for the Central Plaza Phase 1. This bid is \$84,578.50 lower than the previous bid. Abraham's Construction: Base Bid - 351,339.00; Alt 1: \$46,000.00; Alt 2: \$16,000.00; Total: \$413,339.00. Commissioner Bengé so moved. Commissioner Campos seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Bengé – Yes, and Mayor Gandy – Yes. Motion was approved.

**Consider Award of Bid: North 9<sup>th</sup> Street Reconstruction:** Mayor Gandy called for a motion to approve the award of bid: North 9<sup>th</sup> Street Reconstruction. Randy Pettigrew on behalf of Pettigrew & Associates addressed the Commissioners stating that the City received two bids with alternates from Constructor's Inc. and Ramirez & Sons' , Inc. Mr. Pettigrew explained the bid tabulations and recommendation. Constructors Inc. total bid is \$273,010.00 and Ramirez & Sons Inc. total bid is \$294,999.80. Mr. Pettigrew recommends the bid be awarded to Constructors Inc. Commissioner Campos so moved. Commissioner Bengé seconded and a roll call was taken: Commissioner Butcher – Yes, Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes. Motion was approved.

**PUBLIC COMMENT:**

- Sue Trujillo addressed the Commissioners stating she requested a carport variance. City Manager Williams mentioned to Mrs. Trujillo that a variance is requested through Planning & Zoning. The next P&Z Meeting will be Monday, June 16, 2014 at 4: 00 p.m.
- RaeLynn Stuart addressed the Commissioners to invite them to the ribbon cutting for Farm Bureau – Atwood Agency on June 4, 2014 at 11:00 a.m. and Domino's Pizza on June 9, 2014 at 10:00 a.m.
- Elaine Vejil addressed the Commissioners stating her concerns on speeding and loud noise on 9<sup>th</sup> Street.

**CLOSED SESSION:**

At 6:02 p.m., Commissioner Bengé moved to adjourn Regular Session and convene in Closed Session: Pursuant to Section 10-15-1 NMSA 1978, Subsection H-8 regarding the purchase, acquisition, or disposition of real property or water rights. Commissioner Trujillo seconded and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Mayor Gandy – Yes, Commissioner Butcher – Yes, and Commissioner Campos – Yes. Motion was approved.

At 6:18 p.m., Commissioner Campos so moved to adjourn Closed Session and reconvene in Regular Session stating that matters discussed were limited only to those specified in the motion and no action was taken. Commissioner Trujillo seconded and a roll call was taken: Commissioner Bengé – Aye, Commissioner Butcher – Aye, Commissioner Trujillo – Aye, Mayor Gandy – Aye, and Commissioner Campos – Aye. Motion was approved.

**ADJOURNMENT:**

There being no further business the meeting adjourned at 6:20 p.m.

**APPROVED:** \_\_\_\_\_

**SCOTTY GANDY, MAYOR**

**ATTEST:** \_\_\_\_\_

**JAMES R. WILLIAMS, CITY MANAGER**

CITY OF LOVINGTON  
COMMISSION STAFF SUMMARY FORM



MEETING DATE: June 9, 2014

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Lea Theater Project Update and Discussion  
**DEPARTMENT:** Legislative  
**SUBMITTED BY:** Scotty Gandy, Mayor  
**DATE SUBMITTED:** June 3, 2014

**STAFF SUMMARY:**

Mayor Gandy has requested an update on the status of the acquisition of the Lea Theater and progress of the Lea Community Foundation for the Arts.

The property transaction is complete, the asbestos, lead paint, and structural inspection are now complete.

Staff have attached a proposed project participation agreement for Commission review and discussion.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_  
(Finance Director)

**ATTACHMENTS:**

Project Participation Agreement  
Structural Inspection Report  
Asbestos Inspection Report  
Lead Pain Report

**RECOMMENDATION:**

Information at this time.

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager

## PROJECT PARTICIPATION AGREEMENT

This Agreement is entered into on this \_\_\_\_ day of \_\_\_\_\_, 2014 by and between the City of Lovington, New Mexico, a municipal corporation (hereinafter referred to as "City") and the Lea Community Foundation for the Arts (hereinafter "Foundation").

### **1. Recitals**

- A. Pursuant to the Local Economic Development Act, NMSA 1978, §§ 5-10-1 through 5-10-13, (LEDA); the City adopted the Ordinance No. 495 (LEDA Ordinance), authorizing the City of Lovington to consider applications for economic assistance.
- B. The Foundation has submitted an application to the City for assistance under the LEDA Ordinance. In the application, the Foundation has proposed the purchase of the Lea Theater, begin operations of the Theater, and initiate renovations to the Theater.

### **2. Contribution by Lea Community Foundation for the Arts**

- A. The Foundation will adopt bylaws that create a permanent position on the Foundation's Board of Directors for a Lovington Economic Development Corporation Director.
- B. The Foundation will be required to begin operation within one year of the City's acquisition of the Lea Theater. Operation is deemed as hold its first regular digital movie or performing arts production, as defined by the foundations mission statement and goals. Fundraisers, of any form, held at the theater will not satisfy this requirement.
- C. The Foundation is expected to solicit donations and grants to complete the renovations needed for this project.
- D. The Foundation will be responsible for all engineering and architectural services, improvements, renovations, construction waste disposal, hazard removal, safety improvements, inspections and testing, insurance, repairs, maintenance, operating costs, and utilities, excluding water, sewer and trash.
- E. It is agreed and understood that all improvements, renovations, and removal of any equipment, furniture, or fixtures must be authorized by the City.

**3. Contribution by City of Lovington**

- A. The City will purchase the Lea Theater utilizing one time funding from the Local Economic Development Act tax in the amount of two hundred fifty thousand dollars (\$250,000).
- B. The City will enter into an agreement with the Lea Community Foundation for the Arts to operate a theater and performing arts center in the Lea Theater building.

**4. Specific Project Objectives and Completion Dates**

<b>Objective</b>	<b>Completion Date</b>
Complete Foundation Bylaws and filing with State of New Mexico	June 30, 2014
Assume cost of utilities (electrical and gas)	January 1, 2015
Licensing contracts with film distributors completed	May 1, 2015
Cinema digital upgrades, phase one lighting, and cosmetic upgrades complete	May 30, 2015
Theater reopened and operating	June 30, 2015

**5. Review**

The Lovington Economic Development Corporation will review the project timeline, progress, and the Foundation’s finances each quarter for the first year of this agreement. Financial review will be conducted utilizing normal and standard accounting procedures.

**6. Termination**

If it is determined that the Foundation has become insolvent or fails to meet the project objectives and deadlines, the Lovington Economic Development Corporation will obtain the right to operate the facility as a theater and performing arts center

**7. Amendments**

This agreement may be amended or modified, and the performance by any part of its obligations hereunder may be waived, only in a written instrument duly executed by the City, the Lovington Economic Development Corporation, and the Foundation.

## **8. Term of Participation Agreement**

This agreement will be effective upon execution and terminate in one year if obligations and conditions as specified are not met. If all commitments and obligations are met by the Foundation as specified in this agreement, the City will enter into a lease agreement with the Foundation for a ten (10) year period, with one an option to renew for a consecutive ten (10) year period.

## **9. Use**

It is agreed and understood that the Lea Theater may be used by the Foundation for the purposes of operating a theater and performing arts center and in such manner the Foundation shall not violate any ordinances or other regulations of the City of Lovington, County of Lea, or any other state or federal rule, regulation or law, now in force or hereinafter adopted, which in any manner shall affect the use of the premises.

## **10. Improvements**

It is agreed and understood that the Foundation may construct certain improvements of the structure and equipment upon the Lea Theater at the Foundations own cost and conforming to the building code or regulations of the City of Lovington. It is further agreed and understood by the parties that the Foundation shall obtain structure, building, electrical, plumbing, environmental, facility, or other permits.

All improvements permanently installed or are necessary for the continued operation of the facility as a theater and performing arts center upon termination or cessation of this agreement shall become property of the City of Lovington.

## **11. Liens**

The Foundation shall not permit any liens or encumbrances to be filed against the property, which is subject to this agreement, or against the City's interest in the premises.

The Foundation shall make no contract or agreement for the construction, alteration, or repairing of any portion of the Lea Theater without prior written approval by the City. Any such contract shall provide for ten (10) days notice to the City prior to the beginning of any work and such contract or agreement is in writing and contains an express waiver by such contractor of any claim for

mechanic's or materialman's liens against the premises or improvements thereon.

**12. Condition**

The foundation agrees that it will surrender the property peaceably and in good condition at the termination of this agreement, ordinary wear and tear excepted.

**13. Utilities**

The City will provide water, sewer, and trash collection for the Lea Theater. Upon execution of this agreement, the City will provide electrical and gas utilities until December 31, 2014. Beginning no later than January 1, 2015, the Foundation will provide continuous electrical and gas service at its own expense to the facility.

**14. Access**

The Foundation hereby grants to the City the right of access, ingress, and egress from the Lea Theater by the City and its agents.

**15. Assignment/Subletting**

The Foundation shall not assign or sublet any portion of the Lea Theater, whether it is for a set fee or amount or free of charge.

**16. Insurance Requirements and Hold Harmless Provision**

- A. The Foundation agrees to maintain appropriate insurance for the duration of this agreement. Liability insurance will be obtained that will provide a minimum of one million dollars (\$1,000,000) per occurrence. The Foundation will provide a Certificate of Insurance to be attached to this agreement, with the City of Lovington shown as an additional insured party.
- B. The Foundation shall indemnify, defend, and hold harmless the City, its employees, agents, officers and officials from any and all claims, demands, losses, causes of action, costs, expenses, and liability of any nature whatsoever, including court costs, attorney's fees, and any expenses incurred in enforcing this provision, which may result from, arise out of, be related to, or in any way be connected with the City of Lovington providing financial assistance to the Foundation; provided, however, that nothing shall be construed to require or obligate the Foundation to indemnify the City of

Lovington against or hold the City harmless from the City's own negligent acts or omissions.

**17. Governing Law and Provisions**

- A. This Agreement shall be governed by the laws of the State of New Mexico. Jurisdiction and venue relating to any litigation or dispute arising out of this Agreement shall be in the District Court of Lea County, New Mexico, only. If any part of this contract shall be deemed in violation of the laws or Constitution of New Mexico, only such part thereof shall be thereby invalidated, and all other parts hereof shall remain valid and enforceable.
- B. If any party is found by a court to have breached this Agreement, the breaching party agrees to pay all reasonable costs, attorney's fees and expenses that shall be made or incurred by another party in enforcing any covenant or provision of this Agreement, including the expenses of in house counsel.

**18. Entire Agreement**

The foregoing constitutes the entire agreement between the parties hereto and may be modified only in writing by the parties hereto.

**IN WITNESS WHEREOF**, the parties hereto have executed this agreement the day and year first written above.

**City of Lovington**

**Lea Community Foundation  
for the Arts**

\_\_\_\_\_  
By: Scotty Gandy, Mayor

\_\_\_\_\_  
By: Connie Sevier, President

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Carol Ann Hogue, City Clerk

\_\_\_\_\_  
Patrick McMahon, City Attorney

\_\_\_\_\_  
By: James R. Williams  
City Manager

\_\_\_\_\_  
By: Randall Pettigrew, President  
Lovington Economic Development  
Corporation

# STRUCTURAL INSPECTION REPORT

Date and Time: 5/5/2014 – 3:30PM

Location: 106 E Central, Lovington, NM

## INSPECTION REPORT

An inspection of an existing building located at 106 E Central in Lovington, NM was performed on Monday, 5/5/2014 by Daniel Lamb. James Williams, Lovington City Manager and the owner provided access to the building and were present during the inspection. The building is approximately 50 feet X 150 feet and is a theater with 1 stage/screen. At the entry, there is a concession stand, a men's restroom, a women's restroom, a storage room and a crying room at the floor level. Near the entry, there is a stairway that leads to the 2<sup>nd</sup> floor where the theater equipment room is, as well as balcony to view the stage/screen. Also on the 2<sup>nd</sup> floor is an area that was used an apartment recently and contains a room which had been a living area and also had a bathroom that included a shower. The following is a structural report of the building:

The structure consists of exterior brick walls and steel open web steel roof joists covered with steel deck. The roof is covered with asphalt and gravel and is a typical built up roof. Within the upper living area, a crack was found on the wall from which the owner indicated occurred when the adjacent building was demolished approximately 10 years ago. The crack occurred due to the fact that when the adjacent roof diaphragm was removed, the wall's unbraced height lengthened causing additional deflection and a crack. Because the crack has not lengthened or widened and the wall provides adequate strength, the crack is only an aesthetic issue. No significant wall cracks were found on the exterior of the building.

Additionally, there was ceiling damage due to a roof leak in the living area upstairs. The owner indicated there has been a roof leak near the back of the building where there is a change in slope. The owner indicated the roof had been replaced approximately 22 years ago. The roof steel joists were visible from the roof access tunnel and in that area, it was found that for the length of the building, open web steel joists run east and west and are covered with steel deck. For whatever reason, near the back of the building, the steel joist framing and steel deck orientations change. At that location is a change in slope of the roof as well. This change in framing causes a crack to want to form and is most likely the cause of



the leaking at that location. The roof steel deck appeared to be rusting near the roof access hatch and is most likely occurring at various locations on the roof. A roof replacement with all deteriorated or damaged steel deck would most likely resolve the roof leaking issues.

The roof structure and the brick walls provide adequate strength to support the gravity and lateral loads encountered by the building. The floor framing was inaccessible but there was no indication of structural deficiencies such as ceiling cracking, etc.

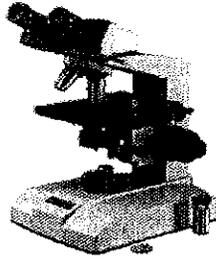
In conclusion, Lamb Engineering & Design has found the existing building to be of sound structural condition and provides adequate strength resistance to loads the building endures. Pictures taken during the inspection will be provided (by CD, e-mail or another method if required) as supplemental information as well. If you have any questions or comments, feel free to contact me at 575-396-5377 or [dplambda3@gmail.com](mailto:dplambda3@gmail.com). Thanks for the opportunity.



Daniel Lamb, PE  
Lamb Engineering & Design  
2805 Bannock Drive  
Lovington, NM 88260  
Ph: 575-396-5377  
E-mail: [dplambda3@gmail.com](mailto:dplambda3@gmail.com)

# Asbestos Consulting

Industrial, Laboratory & Consulting Services



Laboratory



Consulting



Industrial Hygiene

Limited AHERA Asbestos Survey

At:

Lea Theater  
106 E Central  
Lovington, New Mexico 88260

Prepared for:

City of Lovington  
Att: James Williams  
214 S Love  
Lovington, NM 88260

By:  
Asbestos Consulting  
May 13, 2014

PO Box 249  
Lovington, NM 88260  
575-396-8492  
[Asbestos@valornet.com](mailto:Asbestos@valornet.com)

*Asbestos  
Consulting*

Industrial, Laboratory & Consulting Services

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**Limited AHERA Asbestos Survey**

**Of:**

**Lea Theater  
106 E Central  
Lovington, NM 88260**

**Submitted to:**

**City of Lovington  
Att: James Williams  
214 S Love  
Lovington, NM 88260**

**Asbestos Consulting  
P.O. Box 249  
Lovington, New Mexico 88260**

**Inspection completed and prepared by:**

**Steven Simpson  
Certified Asbestos Inspector**

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*PO Box 249  
Lovington, NM 88260  
575-396-8492  
[Asbestos@valornet.com](mailto:Asbestos@valornet.com)*

# *Asbestos Consulting*

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## **Purpose**

Steven Simpson representing Asbestos Consulting conducted a limited asbestos inspection of the building materials present making up the structure identified as Lea Theater in Lovington NM on May 13, 2014. The inspection was ordered by James Williams employed by the City of Lovington. The inspection consisted of drawing a sketch of the building, labeling rooms in the building with functional space numbers for identification purposes, identifying homogenous building materials present, collecting measurements, and collecting samples of the building materials present to be tested for the presence of asbestos. Please note destructive sampling was not performed, only materials that were accessible were inspected.

## **Building Summary**

The subject facility is made up of CMU and brick covered with plaster on the interior. Interior walls throughout the structure are finished with a combination of plaster and sheetrock. The roof on the structure is a flat roof supported by metal trusses and a metal deck covered with built up roofing material. The ceilings throughout the structure are finished with plaster, and the floors throughout the structure are concrete covered with a combination of carpet, vinyl floor tile, and ceramic floor tile. The exterior walls are covered with brick and ceramic wall tile in some areas. The duct work in the structure is metal insulated with fiberglass insulation, and the piping in the structure was not accessible. Transite vent pipes are present on each side of the stage area.

## **Inspection**

The inspection was performed in general compliance with the Texas Asbestos Health Protection Rules (25 TAC § 295.31-73), the National Emission Standards for Hazardous Air Pollutants (NESHAP) issued by the U.S. Environmental Protection Agency (40 CFR 61, Subpart M – National Emission Standard for Asbestos), the Asbestos Hazard Emergency Response Act (AHERA, 40 CFR 763), and the Asbestos School Hazard Abatement Reauthorization Act of 1990 (ASHARA, 40 CFR 763, Appendix C to Subpart E).

Asbestos Consulting employed a sampling strategy which involved identifying homogeneous materials throughout the facility and collecting bulk samples of the suspect materials for laboratory analysis to determine asbestos content present. The term "homogeneous," as defined by AHERA, means any material having the same color and texture, and having been installed in the same general time period. Twenty seven (27) homogeneous materials were identified during the course of this survey, from which bulk samples were collected. These materials are summarized in Table 1 below.

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**Table 1 – Summary of Homogenous Materials**

<b>Suspect ACM</b>	<b>Location</b>
Pink Floor Tile & Black Mastic	Under Carpet or Ceramic Tile in FS#10
Black Carpet Mastic	Under Carpet Bottom Landing of Stairwell
Green/Yellow Tile & Mastic	Floor FS#1 & FS#2
White/Yellow Insulation	On Duct Work in FS#10
White 12x12 Floor Tile & Black Mastic	Under Carpet FS#3
Multicolor Sheet Vinyl	Under Carpet FS#4
Gray/White Leveling Compound & Mastic	Under Carpet Bathroom Upstairs
Black Flex Connector	Duct Work Behind Stage
Brown Sheet Vinyl	Floor FS#9
Gray Transite Pipe	Vent Pipes Both Sides of Stage
White Texture & Joint Compound	SR Walls Exterior Side of FS#16
White/Gray Ceramic Wall Tile Adhesive	Men's Restroom, Women's Restroom, Entry
Yellow Carpet Mastic	Floor FS#7
Green Floor Tile & Black Mastic	Floor FS#12
Yellow Carpet Mastic	Walkways FS#13

PO Box 249  
Lovington, NM 88260  
575-396-8492  
[Asbestos@valornet.com](mailto:Asbestos@valornet.com)

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Black Roofing Tar	Roof Flashings
Gray/Black Roofing Tar	Roof Penetrations
Black Roofing Tar	Field of Roof
Gray Stucco	Parapet Walls on Roof
Gray Plaster	Walls & Ceilings FS#14 & FS#15
Beige Plaster	Behind Stage on Upper Walls
Peach Plaster	Walls & Ceilings Throughout
Peach Plaster	Upper Portion of Walls & Ceilings in FS#13
Peach Plaster	Walls & Ceilings in FS#2
White Caulking	Interior Doors
Gray Plaster	Exterior Soffit Over Main Entrance
White Window Glazing	Windows N. Wall

The homogeneous materials were then assessed in terms of friability, condition, and quantity. The term "friable" means a material that when dry can be reduced to a powder using hand pressure (25 TAC § 295.32 (45)). Each bulk sample collected was carefully extracted and placed in its own self-sealing bag. Each bag was sealed, and labeled with a unique sample number. Appropriate chain of custody paperwork was completed listing each sample collected.

PO Box 249  
Lovington, NM 88260  
575-396-8492  
[Asbestos@valornet.com](mailto:Asbestos@valornet.com)

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## **Laboratory Analysis**

Thirty three (33) samples were taken and shipped under standard chain of custody protocols to Quantem Laboratories in Oklahoma City, OK. This facility is accredited by the National Voluntary Laboratory Accreditation Program (NVLAP) for asbestos analysis, and licensed by the TDSHS as an asbestos laboratory (license number 30-0143). The bulk samples were broken down into layers and analyzed by Polarized Light Microscopy (PLM) coupled with Dispersion Staining in accordance with EPA Method 600-R-93-116. The laboratory reports with chain of custody documentation are attached to this report.

## **Summary of Findings**

According to the lab report produced by Quantem Laboratories, nine (9) of the forty one (41) samples analyzed contained Asbestos greater than one percent. An ACM is defined as any material or product that contains more than one percent (1%) asbestos (25 TAC § 295.32 (15)). Asbestos containing building materials greater than one percent include the following: pink floor tile, beige floor tile, brown sheet vinyl, gray transite, light blue floor tile, black tar on roof flashing and penetrations, and peach plaster (see attached floor plans for ACM locations). The white window glazing on the windows in the north exterior wall contains asbestos however this material contains less than one percent.

## **Recommendations:**

- A. Before any demolition or renovation projects can be done all Asbestos containing building materials greater than one percent that will be impacted by the demolition or renovation must be removed by a Licensed Asbestos Contractor following all EPA, OSHA and State of New Mexico rules and recommendations due to the fact that disturbance may cause the Asbestos to become regulated.
- B. All Asbestos containing materials will have to be disposed of at an EPA/Solid Waste Asbestos certified landfill.

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## Asbestos Chart

The following chart has the Asbestos sample locations, quantities, and conditions listed.

<u>Sample #</u>	<u>Building Material</u>	<u>Location</u>	<u>Friable Non-Friable</u>	<u>Quantity</u>	<u>Condition</u>	<u>% Chrysotile Asbestos</u>
1a	Pink Floor Tile	Under Carpet or Ceramic Tile in FS#10	N	467 SQFT Under Carpet 236 SQFT Under Ceramic Tile	Poor	8
5	Beige Floor Tile	Under Carpet in FS#3	N	200 SQFT	Fair	7
6	Brown Sheet Vinyl	Under Carpet in FS#4	N	204 SQFT	Poor	25
10	8" Gray Transite Pipe	Pipe on Each Side of Stage in FS#13	N	60 LNFT	Fair	Chrysotile 5 Crocidolite 25
14	Light Blue Floor Tile	Floor in FS#12	N	48 SQFT	Poor	8
16, 17	Black Tar	Roof Flashing & Penetrations	N	380 LNFT 25 Penetrations	Fair	6, 7
22, 23, 24, 25, 26	Peach Plaster	Walls & Ceilings Throughout	N	7,045 SQFT Ceilings 12,564 SQFT Walls	Fair	5

Asbestos Consulting would like to thank you for the opportunity to provide your organization with our services. If you have any questions or if I can be of any further assistance please feel free to contact me.

Respectfully,

  
Steven Simpson  
Certified Asbestos Inspector

PO Box 249  
Lovington, NM 88260  
575-396-8492  
[Asbestos@valornet.com](mailto:Asbestos@valornet.com)

**Lead-Based Paint Survey**

**Lea Theater**

**Lovington, N.M.**

*Prepared for:*

Asbestos Consulting

P.O. Box 249

Lovington, N.M. 88260



912 Texas Ave.

Suite C

El Paso Texas 79901

**Inspection Date:**

**May 13, 2014**



May 30, 2014

Asbestos Consulting  
Attn: Steven Simpson  
P.O. Box 249  
Lovington, NM. 88260

**RE: Lead-Based Paint Inspection**  
**Lea Theater**  
**Lovington, N.M.**

Dear Mr. Simpson

AnE Consulting, Inc. is pleased to submit the following lead-based paint (LBP) report performed at the above referenced site. The survey was conducted on both interior and exterior painted surfaces.

The LBP survey was performed by Mr. Nicolas Rodriguez, a certified Texas Department of State Health Services Lead Risk Assessor. The survey was conducted on May 13, 2014 utilizing a Niton XLP 300A Series X-Ray Fluorescence (XRF) with serial No. 89312.

We would like to thank you for the opportunity to help you with your environmental needs. If you have any questions please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'N. Rodriguez', is written over a horizontal line.

Nicolas Rodriguez  
Lead Risk Assessor  
TX Cert. #2070222



## **Purpose and Scope of Services**

AnE Consulting, Inc. submits the following results of the lead-based paint survey performed at Lea Theater, Lovington, N.M. The survey was conducted to determine if lead-based paint is present in the painted surfaces tested. The following report will explain the results of the survey. The specific work items that AnE agreed to provide are as follows:

- 1) Conduct on-site paint testing using a portable XRF instrument.
- 2) Collect basic information on paint conditions.
- 3) Drawings of the sites painted surfaces.
- 4) Prepare a report that describes our inspection process, summarizes the findings, and presents all data.

Lead-Based Paint is paint or other surface coatings that contain lead equal to or in excess of 1.0 milligram per square centimeter or more than 0.5 percent by weight or 5000 parts per million by weight as established by EPA and HUD regulations. **Nine (9) of the eighty-six (86) XRF results tested equal to or greater than the regulatory limit of 1.0 mg/cm<sup>2</sup> of lead.**

## **Building Description**

It was unknown when the structure was built. The interior of the building consisted of drywall, plaster & ceramic tile. Carpet & ceramic tile and other various flooring materials were observed.

## **Inspection Methodology**

The survey was performed by Mr. Nicolas Rodriguez, a DSHS certified Lead Risk Assessor on May 13, 2014. This survey was not done according to the EPA, the US EPA and HUD definition of "Target Housing" or "Child Occupied Facility" and therefore is not subject to any regulations specific to LBP. However, the LBP inspections were generally conducted following the procedures outlined in Chapter 7 of the United States Housing Development (HUD) Guidelines for the Evaluation and Control of Lead-Based Paint in Housing, revised October 1997.

After observation of the building materials which appear to have been repainted over the years there is no indication of any previous testing for lead-based paint. The physical condition of the building components and their paints were intact at the time of the survey. All accessible interior and exterior homogenous painted surfaces were tested. The LBP survey was performed by Mr. Nicolas Rodriguez, a certified Texas Department of State Health Services Lead Risk Assessor. The survey was conducted on May 13, 2014 utilizing a Niton XLP 300A Series X-Ray Fluorescence (XRF) with serial No. 89312, to measure the lead content of surface coatings on representative homogenous building components. A homogenous component is a building material that is uniform in function, composition, texture, age, and generally appears consistent at various locations at the building. The XRF instrument determines lead in all layers of paint. See the LBP Testing Data Sheet.



Although the protocol described in the HUD Guidelines for XRF instrument usage and selection of paint testing locations, the frequency/quantity of testing for any given individual building component may have been modified to reflect the nature of the subject project. Specifically it is important to note that the HUD Guidelines are not directly applicable to these types of buildings. Given that the building is not and will not be occupied by a child there is no need to specifically identify lead levels on each and every wall in each and every room. Rather the goal is to identify the lead ranges and paint conditions as relevant to the demolition work and the OSHA Lead Standard.

**Table 1: Interior & Exterior**

Room	Color	Substrate	Condition	Component
Second Floor	White, Blue, Tan, Black, Peach & Red	Wood, Drywall, Plaster and Ceramic Tile	Fair	Walls, , Ceiling & Floor
First Floor	Orange, Blue, Brown, Tan, Lt. Blue, Peach, Yellow, Pink, Purple, Dark Blue, Grey, Red, White & Dark Brown	Wood, Metal, Brick, Plaster, Concrete, Ceramic Tile, Drywall & Metal	Fair	Doors, Door Frames, Windows, Columns, Poles, Floors, Walls

### Calibration of the XRF Instrument

Before proceeding with the survey of the painted surfaces, the XRF instrument performed a self-calibration check in accordance with the manufacturer's quality control procedures. After the warm up period, the inspector took two calibration check readings on a 1.0 mg/cm<sup>2</sup> lead film provided by the manufacturer. The difference among the first calibration check average and the 1.0 mg/cm<sup>2</sup> lead film was not greater than the 0.2 mg/cm<sup>2</sup> calibration check limit obtained from the XRF Performance Characteristic Sheet, the XRF instrument in use did not require correction for substrate bias for any substrate encountered. No XRF readings above the upper limits of the inconclusive range were encountered. Because there were no inconclusive results, no paint chip samples were collected. At the end of the work shift, the inspector took a final set of two calibration check readings using the same procedure as the initial check.

### Results

Lead-Based Paint is paint or other surface coatings that contain lead equal to or in excess of 1.0 milligram per square centimeter or more than 0.5 percent by weight or 5000 parts per million by weight as established by EPA and HUD regulations. **Nine (9) of the eighty-six (86) XRF results tested equal to or greater than the regulatory limit of 1.0 mg/cm<sup>2</sup> of lead.**



Field Sample No.	Test Location	Color	Substrate	Result	Pos./Neg.	Condition
LBP-1028	Men's Restroom/Wall	Yellow	Ceramic	8.4	Positive	Fair
LBP-1030	Men's Restroom/Pipe by Window	Grey	Metal	2.7	Positive	Fair
LBP-1038	Main Room Entry/Lower Wall	Rust	Ceramic Tile	2.8	Positive	Fair
LBP-1040	Main Room Entry/Lower Wall	Blue	Ceramic Tile	2.2	Positive	Fair
LBP-1042	Women's Restroom/Pipe by Window	Purple	Metal	3.4	Positive	Fair
LBP-1004	2 <sup>nd</sup> Floor/Film Room/Door	Black	Metal	4.7	Positive	Fair
LBP-1005	2 <sup>nd</sup> Floor/Film Room/Door Frame	Black	Metal	1.4	Positive	Fair
LBP-1010	2 <sup>nd</sup> Floor/Film Room/Door	White	Metal	2.1	Positive	Fair
LBP-1069	Ceiling Rear/Exit Room/W. Side/Columns	Red	Metal	2.9	Positive	Fair

AnE Consulting, Inc. has performed a limited lead based paint survey at the Lea Theater, Lovington, N.M. Lead-Based Paint is paint or other surface coatings that contain lead equal to or in excess of 1.0 milligram per square centimeter or more than 0.5 percent by weight or 5000 parts per million by weight as established by EPA and HUD regulations. Removal and disposal of lead based paint containing materials shall be done in accordance to federal, state and local rules and regulations. All personal handling lead based paint shall be licensed and trained. Care should also be taken with materials containing less than 1.0 mg/cm<sup>2</sup>.

CITY OF LOVINGTON  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 9, 2014



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

SUBJECT: Employee Retirement Benefits  
DEPARTMENT: Executive  
SUBMITTED BY: James R. Williams, City Manager  
DATE SUBMITTED: June 3, 2014

**STAFF SUMMARY:**

Staff wish to inform the Commission the status of the PERA refund for Police Dispatchers and civilian Fire Employees.

We have been informed by PERA as of June 2, 2014 that prior to issuing refunds, they are requiring a decision from the City if we will opt into a PERA municipal plan or retain our existing Union Central plan for non-public safety members.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

(Finance Director)

**ATTACHMENTS:**

PERA Tier 2 Contribution Rates and Pension Factors  
PERA Retirement

**RECOMMENDATION:**

Discussion only

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager

# PERA TIER 2 CONTRIBUTION RATES AND PENSION FACTORS

## Contributions rates as of July 1, 2013.

Coverage Plan	Employee Contribution Percentage		Employer Contribution Percentage	Pension Factor per Year of Service	Pension Maximum as a Percentage of the Final Average Salary
	Annual Salary \$20,000 or less	Annual Salary greater than \$20,000			
State Plan 3	7.42%	8.92%	16.59%	2.5%	90%
Municipal Plan 1 (plan open to new employers)	7.0%	8.5%	7.0%	2.0%	90%
Municipal Plan 2 (plan open to new employers)	9.15%	10.65%	9.15%	2.0%	90%
Municipal Plan 3 (plan closed to new employers 6/95)	13.15%	14.65%	9.15%	2.5%	90%
Municipal Plan 4 (plan closed to new employers 6/00)	15.65%	17.15%	11.65%	2.5%	90%

**NOTE:** Employer contribution rates for all plans will increase 0.4% effective the first full pay period after July 1, 2014.

# RETIREMENT

## Normal Retirement

Members are eligible to retire from PERA when they meet the age and service credit requirement for the plan they belong to. The normal age and service credit retirement eligibility requirements for TIER 2 members are listed below:

### General Member Plans

- State General Member Coverage Plan 3
- Municipal General Member Coverage Plans 1, 2, 3 and 4

Rule of 85 (members must have eight or more years of service credit and age at time of retirement and years of service credit must equal 85); or  
Age 65 with 8 or more years of service credit.

### Public Safety Plans

- State Police Member and Adult Correctional Officer Member Coverage Plan 1
- Juvenile Correctional Officer Coverage Plan 2
- Municipal Police Member Coverage Plans 1, 2, 3, 4 and 5
- Municipal Fire Member Coverage Plans 1, 2, 3, 4 and 5
- Municipal Detention Officer Member Coverage Plan 1
- State General Member Coverage Plan 3 - Peace Officers\*

25 years of service credit at any age; or  
Age 60 with 6 years of service credit.

\***“Peace officer”** means “any employee of the state with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes, and who is not specifically covered by another coverage plan.” Peace Officer positions include: Special Investigators for the Department of Public Safety, Motor Transportation Officers for the Department of Public Safety and Conservation Officers for the Game and Fish Department

## Deferred Retirement

If you quit your job and have earned the minimum number of years of service credit required for normal retirement but have not yet reached the minimum age needed to retire, you can leave your contributions on account with PERA and will be eligible for a deferred retirement once both requirements are met.

For example, a State General Member who has 11 years of service credit and is 60 years old would have to wait until age 65 to receive a pension.

Once you reach both the age and service credit requirements for normal retirement, you can apply for a benefit. Certain survivor and disability pension benefits are also available. (See Survivor Beneficiary information on pages 11 and 12 and Disability Retirement information below.)

## Disability Retirement

One of the most important benefits PERA provides is a retirement benefit for employees who must leave service before retirement age because of a disability.

All PERA members are eligible to apply for a duty disability retirement beginning the first day of employment with a PERA employer. The PERA Board determines if a disability is duty-related based on certain medical and legal requirements.

If you are a general member and have eight or more years of PERA service credit or a public safety member with six or more years of PERA service credit, you are eligible to apply for non-duty disability retirement as well as duty-related disability retirement. As a vested member, you will remain eligible for non-duty disability as long as you do not withdraw your employee contributions from PERA.

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 9, 2014



TYPE:  RESOLUTION     ORDINANCE     PROCLAMATION     INFORMATION     OTHER ACTION

**SUBJECT:** Resolution 2014-16: Condemnation of 123 W. Avenue C  
**DEPARTMENT:** Code Enforcement  
**SUBMITTED BY:** Laura Brock  
**DATE SUBMITTED:** June 3, 2014

**STAFF SUMMARY:**

Code Enforcement staff have completed notification of the owners of the property located at 123 W. Avenue C in regards to the dilapidated condition and are recommending that the City proceed with condemnation of the property. The attached resolution must be adopted in order to proceed.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

(Finance Director)

**ATTACHMENTS:**

Resolution 2014-16  
Property Photos

**RECOMMENDATION:**

Motion to adopt Resolution 2014-16.

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager

**CITY OF LOVINGTON**

**RESOLUTION NO. 2014-16**

A RESOLUTION DETERMINING THAT CERTAIN PREMISES ARE COVERED WITH RUINS, WRECKAGE OR DEBRIS AND DETERMINING THAT CERTAIN STRUCTURES ARE RUINED, DAMAGED AND/OR DILAPIDATED AND ARE A MENACE TO PUBLIC COMFORT, HEALTH, AND SAFETY AND REQUIRES REMOVAL FROM THE MUNICIPALITY

WHEREAS, the Lovington City Commission met in regular session on the 13<sup>th</sup> day of January, 2014 and received the recommendation of the City Manager to remove from the municipality the buildings, structures, ruins, rubbish, wreckage, and debris on the property located at:

**123 W. Avenue C, Lovington, New Mexico**

WHEREAS, the City finds the buildings ruined, damaged, and dilapidated and finds said premises a menace to the public comfort, health, and safety, and said premises require removal from the municipality, and

WHEREAS, pursuant to Chapter 15.16 of the Lovington Municipal Code and Section 3-18-5 NMSA, as amended, the City has inspected the premises described as (PROPERTY ADDRESS) and finds that the structures and premises thereon are ruined, damaged and dilapidated, are a menace to the public comfort, health and safety and required removal from the municipality.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Chapter 15.16 Lovington Municipal Code, and Section 3-18-5 NMSA 1978, as amended, that the premises described as:

**123 W. Avenue C, Lovington, New Mexico**

**The West one-half (W ½) of Lots 5 and 6, Block 47, South Addition to the town of Lovington, Lea County, New Mexico.**

is found to be ruined, damaged, and dilapidated and is a menace to the public comfort, health and safety and requires removal from the municipality.

BE IT FURTHER RESOLVED that a copy of this Resolution be served on the owner, occupant, or agent in charge of the premises; or, if such service cannot be had, that a copy of this Resolution be posted on the premises; and that a copy of the same be published as required by law.

BE IT FURTHER RESOLVED that unless the owner, occupant, or agent in charge of the premises commences removal of such structures and debris from the property within ten (10) days, with a definite schedule for the completion of the removal, or has filed

written objection with the City Clerk within ten (10) days of such service, posing, or publication of the resolution, the City shall remove or have removed said structure at the cost and expense of the property owner, or for the value of salvageable materials.

BE IT FURTHER RESOLVED that in a case where the City removes, or has a third party remove, a building, structure or debris so condemned, a lien shall be levied by the City against the real property involved in an amount equal to the reasonable cost of the removal, which may then be foreclosed in lieu of satisfaction thereof.

PASSED, ADOPTED AND APPROVED this 9<sup>th</sup> day of June, 2014.

ATTEST:

\_\_\_\_\_  
Scotty Gandy, Mayor

\_\_\_\_\_  
Carol Ann Hogue, City Clerk







**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 9, 2014



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Senior Citizen Board Appointments  
**DEPARTMENT:** Senior Citizens Center  
**SUBMITTED BY:** Senior Citizen Board  
**DATE SUBMITTED:** June 3, 2014

**STAFF SUMMARY:**

As discussed at the previous City Commission Meeting, the Senior Citizens Board has requested two board appointments, one for reinstatement and one to replace a member who has passed away. The following are their recommendations:

Reinstate Donna Dean for a term to expire January 2016

Appoint Virginia Spears to complete Leota Brow's terms (expires January 2015)

No other recommendations have been received by City staff.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

(Finance Director)

**ATTACHMENTS:**

**RECOMMENDATION:**

Motion to approve appointments.

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: June 9, 2014



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Accounts Payable  
**DEPARTMENT:** Finance  
**SUBMITTED BY:** Tracy Rodriguez  
**DATE SUBMITTED:** June 4, 2014

**STAFF SUMMARY:**

Finance Department staff have prepared the accounts payable for your review and approval.

**FISCAL IMPACT:**

See accounts payable detail.

REVIEWED BY: \_\_\_\_\_

(Finance Director)

**ATTACHMENTS:**

Accounts Payable Detail.

**RECOMMENDATION:**

Motion to approve accounts payable.

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager

City of Lovington (New)  
Summary A/P Ledger - A/P Summary CCMeeting - General  
From 6/1/2014 Through 6/30/2014

101 - General Fund

Vendor Name	Dept Code	Current Balance
3 M Cogent		8.30
4River Equipment		29.04
ABSW		343.40
Action Express Steam Cleaning		853.97
AG Equipment Co.		5,678.00
ALCO Stores, Inc		403.91
Alsco		759.86
American Library Sales		279.29
Artesia Fire Equipment		78.42
BeGeo Investment LLC		445.00
Benchmark		87.49
Big Sky Communications		1,398.00
Blaine Industrial Supply		1,472.08
Blooming Gardens		214.94
Bob's Thriftway		586.84
C & S Motor Parts Co.		987.55
C. W. Associates		88.81
Casco Industries		2,298.00
Cisco Equipment		62.39
Constructors, Inc		5,950.80
ContentWatch, Inc		99.95
Copies, Inc.		1,279.59
Crop Production Service		103.76
Dailey-Wells Communications		178.75
Deans, Inc		193.39
Farmer Brothers Company		199.48
Forrest Tire Co.		1,049.06
Forrest Tire company		125.27
Galls/Quartermaster		833.00
Gardner Media, LLC		273.22

City of Lovington (New)  
Summary A/P Ledger - A/P Summary CCMeeting - General  
From 6/1/2014 Through 6/30/2014

Gasco Mfg. Corp.	21.23
Gebo Credit Corporation	94.53
Gempler's, Inc	414.35
General Welding Supply	595.00
Grey House Publishing	533.20
H & K Pest Control Co.	469.28
Haarmeyer Electric	470.32
Higginbotham-Bartlett Co.	2,589.16
High Plains Refrigeration, Inc	256.36
Hospital Services Corporation	34.24
In The Swim	442.94
Inventory Trading Company	500.00
KLEA Radio	199.00
Krames Staywell	220.76
Larry Mahan's Paint & Body	1,263.85
Lea County Roadside	168.80
Lea County Septic Tank Service	390.35
Lovington Auto Supply	925.57
Lovington Leader	3,075.99
Lovington Veterinary Clinic	260.00
Marker Services, LLC	73.74
MAS Modern Marketing	211.34
Master Plumbers	4,001.11
Master Printers	169.85
Michael's Prescription Corner	150.58
MicroMarketing LLC	783.80
Movie Licensing USA	295.00
Mr. Key's Locksmith	687.12
NM Environment Dept.	200.00
Odessa Pumps & Equipment	920.00
P & D Petroleum, Inc	13,755.80
Premier Electric	538.65

City of Lovington (New)  
Summary A/P Ledger - A/P Summary CMeeting - General  
From 6/1/2014 Through 6/30/2014

Pro-Treat Power Equipment	748.34
Professional Communications	900.00
Proquest	850.00
RDJ Specialties, Inc.	480.45
Robert's Anesthesia Repair LLC	418.80
Roberts Oil & Lube	649.00
Roswell Daily Record	213.90
Southwest Polygraph	267.03
Squeaky Clean	4,547.53
Staples Advantage	2,937.54
Strong Electric	1,527.63
Sunbelt Pools, Inc.	11,745.26
Sunbird Home Resort Products	1,010.98
SWAT, LLC	726.33
Tate Branch Dodge	120.63
U S Food Service	3,892.95
Valentine Auto Service	4,425.63
Watermaster Irrigation Supply	2,754.30
Report Balance	<u>100,661.90</u>

City of Lovington (New)  
 Summary A/P Ledger - A/P Summary CMeeting - General  
 From 6/1/2014 Through 6/30/2014

Payee	Transaction Description	Check Amount
A D Spears	Finance- Spraying Trees	380.00
ALCO Stores, Inc	Fire-Cleaning Supplies	26.15
ALCO Stores, Inc	Museum- Supplies	16.46
ALCO Stores, Inc	Swimming Pool- Al Save Bleach 94oz	56.70
ALCO Stores, Inc	Vet/Animal Control- Scissors/Three Hole Punch	16.27
ALCO Stores, Inc	Vet/Animal Control-Cat Ltr/Bleach/Daw n/Xtra	66.66
ALCO Stores, Inc	Finance-Pottin Soil	29.97
ALCO Stores, Inc	Finance- Supplies	27.96
ALCO Stores, Inc	Police-Dawn Soap	6.00
ALCO Stores, Inc	Swimming Pool- Supplies	289.99
ALCO Stores, Inc	Vet/Animal Control- Supplies	53.76
American Renovation	Motor Vehicle- Final Payment Building Hail Damage Repair 05-1	33,131.25
American Renovation	Motor Vehicle- Repairs to Damage Carport	2,884.55

City of Lovington (New)  
 Summary A/P Ledger - A/P Summary CMeeting - General  
 From 6/1/2014 Through 6/30/2014

Aquatic Environmental Systems	Swimming Pool- Shipping on Invoice	30.00
AT&T Mobility	Gen-Cellular Phone April 2014	2,556.03
C.D. General Contractors	Senior Center- Payment no 1 Roof	508.19
Casco Industries	Fire-Uniforms	13,296.00
Certified Air Cond. & Appliance	Senior Center- Heating/AC	25,592.53
City Glass & Mirror	Motor Vehicle- Labor/Material for Replacement door	5,569.00
Copies, Inc.	Finance-Maint on Sharp Copier	681.20
Danny Reynolds	Finance-Reimb Sausage For Cookout Free Dump Day 04- 26-14	24.00
Deluxe	Finance-Payroll checks	692.45
Elliott & Waldron Abstract	Lea Theater- Earnest Money for Deposit by Title Company	20,000.00
Elliott & Waldron Abstract	Lea Theater- Remaining Balance/Closing Costs	226,817.82
Heidel, Samberson, Newell ,Cox	Finance- Attorney Fees 09-23-13-Thru 04-29-14	8,416.73
Heidel, Samberson, Newell ,Cox	Finance- Attorney fees for May 2014	5,751.69

City of Lovington (New)  
 Summary A/P Ledger - A/P Summary CCMeeting - General  
 From 6/1/2014 Through 6/30/2014

Hobbs News-Sun	Finance- Advertising Finance Director	236.04
Ismael Martinez	Swimming pool- Repairs to Plaster Holes in Pool	534.38
J & M Displays	Finance-2014 Fireworks Display	4,500.00
Jami Bailey	Youth Center- Reimb/Pizza's for Meeting 05- 5-14	58.78
Jim Trujillo	Judicial- Alternate Judge 04/22/14	64.12
John Joy Jr.	Lea Theater- Earnest Money Paid Direct to Owner	5,000.00
Kim Martin	Police-Reimb for meals Training in Albuq	28.87
Lamb Engineering and Design	Finance-Fees for Structural Inspection of Lea Theater	641.25
Lea County Clerk	Finance-Court Filing Fee for Ordinance No. 524	25.00
Lea County Electric	Gen-Electric Bill for April 2014	22,231.54
Lovington Economic Development	Finance-4th qrt funding	12,500.00

City of Lovington (New)  
 Summary A/P Ledger - A/P Summary CMeeting - General  
 From 6/1/2014 Through 6/30/2014

Lovington Main Street	Mainstreet lodger's Tax- Reimb 1st qtr/Beautificatio n Dav 201	2,072.03
Moreno Roofing	Refund on Bond Bid/Roofing Repairs	9,105.00
Nancy Marquez	Police-Reimb for Meals at Training in Albu	26.85
National Animal Control Assoc	Vet/Animal Control-NACA Lvl 3	575.00
New Mexico Gas Company	Gen-Utility Gas Bill For 4/14	1,525.20
New Mexico Gas Company	Gen-Utility Gas Bill 5/14	751.66
NM Dept. of Public Safety	Police-Reg/NM Gang Task Conf/Domingue z/Weaver	200.00
NM Environment Dept.	Swimming Pool- Inspection Fee	150.00
NM Judicial Education Center	Judicial Education Fees for April, 2014	664.00
Padge's Flower Shop	Finance- Flowers/Maria Hernandez Surgery	50.23
Phillips 66 Co.	Gen-Fuel Card- April 2014	180.14
PlayPower LT Farmington, Inc.	Parks-Picnic Tables/Grills	18,625.60
Sam's Club	Youth Center- Snacks for Summer Programs 2014	870.11
Sleuth Systems	Judicial-Host server/Migrated Installation	5,276.44

City of Lovington (New)  
 Summary A/P Ledger - A/P Summary CMeeting - General  
 From 6/1/2014 Through 6/30/2014

Sleuth Systems	Judicial- Installation/.Log istice of sleuth court Packages	4,135.73
Staples	Police-Office Supplies	144.70
Staples	Senior Center- Office Supplies	165.96
SWAT, LLC	Judicial-File Transfer to Sleuth	343.61
SWAT, LLC	Judicial-Install new switch	136.19
U S Food Service	Senior Center- Creamers	188.50
U S Food Service	Senior Center- Food	876.08
Visa-JC	Ads-Finance Director	1,079.30
Visa-New	Travel-Laura Brock	1,618.89
	Travel-H Weaver/J Dominguez	258.75
	New Tires	336.38
Visa-JW	Travel-J Williams Region III Conf MOLI Program Fee/ NMML/Campos /Butcher Parks-Guide	996.61
	Book to Pest Management Operations Finance-Digital	600.00
	Subsription for Hobbs New Sun	192.98
	Fire-Apple Itunes Store	105.00
		21.36

City of Lovington (New)  
 Summary A/P Ledger - A/P Summary CCMeeting - General  
 From 6/1/2014 Through 6/30/2014

	Ecom Devel.	534.99
	4GB Flash	
	Drives	
	Finance-	68.93
Visa-Orig	Planning Meals	
	Meals-Parks	22.88
	Herbicide	
	Testing in	
	Roswell/R	
	Davis/J	
	Chagolla	
	Swimming Pool-	10.00
	Fuel to get	
	Supplies	
	Finance-Fuel for	47.30
	Buick Le Sabre	
	Fire-Three	96.19
	Stacked	
	Drawers	
	Youth Center-	453.63
	Snacks for	
	Summer	
	Programs 2014	
	Senior Center-	767.35
	Windows 8.1	
	Office/Busi	
	2013/Norton	
	one	
	Fire-Digital	347.10
	Laser Measurer	
	Finance-Imelda	414.95
	Reconditioned	
	Typewriter	
	Police-PayPal	22.70
	Rectangle/Brass	
	Metal Stamping	
	Blanks	
	Police-Key	98.67
	Cabinet	

City of Lovington (New)  
Summary A/P Ledger - A/P Summary CMeeting - General  
From 6/1/2014 Through 6/30/2014

	Police-USPS	86.43
	Mailing	
	Packages	
Windstream	Finance-Phone	232.61
	Bill Chamber of	
	Commerce April	
	2014	
Windstream	Gen- phone bills	4,502.06
	April 2014	
Xeta Technologies, Inc	Finance-	<u>31.21</u>
	Handset for	
	Phone	
GRAND TOTAL		<u><u>651,702.32</u></u>

City of Lovington (New)  
Summary A/P Ledger - A/P Summary CCMeeting - Water  
From 6/1/2014 Through 6/30/2014

505 - Water & WasteWater

Vendor Name	Current Balance
A & L Plains Agricultural Lab	2,142.00
Ace Spray Equipment	285.25
ALCO Stores, Inc	63.79
Atco International	1,004.00
B.I.C.I., LLC.	9,993.00
Bob's Thriftway	94.75
Burger Builders	48.85
C & S Motor Parts Co.	283.93
California Cont. Supplies, Inc	439.92
CLS Sewer Equipment Co Inc	792.75
Culligan Water Conditioning	24.50
Dana Kepner Co.	29,837.20
DPC Industries Inc.	1,172.21
Farmer Brothers Company	7.35
Gebo Credit Corporation	122.10
General Welding Supply	419.00
Haarmeyer Electric	4,089.04
Halsen Products Company	537.18
Higginbotham-Bartlett Co.	1,752.88
Hospital Services Corporation	68.48
Industrial Muncipal Products	1,488.00
John Shomaker & Associates, IN	8,921.21
Lovington Auto Supply	171.76
Lovington Leader	598.50
M & R Tire Service, LLC	545.83
Odessa Pumps & Equipment	5,436.79
P & D Petroleum, Inc	2,709.49
Patriot Pipe & Supply LTD	499.01
Sensus Metering Systems	3,650.75

Solid Waste Authority		<u>6,231.47</u>
Report Balance		<u>83,430.99</u>
ALCO Stores, Inc	Water-Oil	69.48
AT&T Mobility	Water-Cellular Phone April 2014	590.99
C.D. General Contractors	WasteWater- Payment no 1 roof on complex	18,442.35
Federal Express Services	Water-Delivery Charge on Water Meters	104.50
Imelda Gutierrez	WasteWater-Reimb for Business Card/M De La Cruz	10.00
James, Cooke & Hobson	WasteWater- Replacement of Hoffman Blower	22,188.00
Lea County Electric	Water-Electric Bill For April 2014	28,034.53
New Mexico Gas Company	Water-Utility Gas Bill April 2014	844.30
New Mexico Gas Company	Water-Gas Utility Bill 5.22.14	383.92
NM Utility Operator Certificat	WasteWater-Testing Fees/R Solmon/I Jacob	60.00
NMWWA Southwest Section	WasteWater- Regist/Jacob Hands Memorial/S Hernandez	100.00

City of Lovington (New)  
 Summary A/P Ledger - A/P Summary CCMeeting - Water  
 From 6/1/2014 Through 6/30/2014

NMWWA Southwest Section	Water-registration for School-W Duncan/B Gutierrez jr	200.00
Utility Operator Certification	WasteWater- Certification Exam Fee/S Hernandez	30.00
Visa	JC-Postage & Ins for handheld	149.83
Visa	WasteWater-Visa 7326 New Trvl- Recalibration of	275.97
Waste Management of New Mexico	Solid Waste-Roll- offs For April 2014	13,230.33
Waste Management of New Mexico	Solid Waste- Polycarts 4-14 res \$64420.94 Comm	116,402.29
Weather King Building	Solid Waste-Pre Built Building	3,290.00
Windstream	Water-Phone Bill April 2014	460.28
Windstream	WasteWater-Internet May 2014-June 2014	<u>123.74</u>
GRAND TOTAL		<u><u>371,852.49</u></u>