

**REGULAR MEETING OF THE CITY COMMISSION  
MONDAY, MARCH 14, 2016 @ 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 Campos, Commissioner Trujillo, Commissioner Butcher, Commissioner Sanchez, and Mayor Gandy

**Also Present:** City Manager James Williams, City Attorney Patrick McMahon, Deputy Chief of Police Geoff Herweg, City Clerk Carol Ann Hogue, Planning and Zoning Coordinator Crystal Ball, and Administrative Assistant Anna Juarez

**Invocation:** Commissioner Campos gave the invocation.

**Pledge of Allegiance:** Commissioner Campos led the pledge.

**Oath of Office:** Judge Finger gave the oath of office to Commissioner Arthur Sanchez, Commissioner David Trujillo, and Mayor Scotty Gandy.

**Reorganization of Commission:** Commissioner Butcher moved to nominate Commissioner Paul Campos as Mayor. Commissioner Trujillo seconded and a roll call vote was taken: Commissioner Campos - Yes, Commissioner Trujillo - Yes, Commissioner Butcher - Yes, Commissioner Sanchez - No and Mayor Gandy - No. Motion was approved.

Commissioner Sanchez moved to nominate Commissioner Trujillo as Mayor Pro-Tem. Commissioner Butcher seconded and a roll call was taken: Commissioner Gandy - No, Commissioner Trujillo - Yes, Commissioner Butcher - Yes, Commissioner Sanchez – Yes, and Commissioner Campos - Yes. Motion was approved.

**Mayor Paul Campos and Mayor Pro-Tem David Trujillo**

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

**Approval of the Regular Meeting Minutes of February 22, 2016:** Mayor Campos called for a motion. Commissioner Trujillo so moved to approve the regular meeting minutes of February 22, 2016; Commissioner Butcher seconded. Roll call was taken: Commissioner Trujillo – Yes, Commissioner Sanchez – Yes, Commissioner Butcher – Yes, Commissioner Gandy – Yes, and Mayor Campos – Yes.

## **COMMISSIONER AND STAFF REPORTS:**

- City Manager Williams informed Commissioners of:
  - Workshop on March 18, 2016 the Attorney General will be having two workshops in Hobbs to go over the NM Sunshine Laws, the Opening Meetings Act and Inspection of Public Records Act at the City Commission Chambers from 9:30 – 12:30
  - Budget Work Session pending scheduling for April 18, 19 or 20 to discuss budget.
  - Update on Splash pad – a delay due to permit revision that has been approved; work will commence on Wednesday, March 23, 2016. Project will take one week after concrete is poured to begin operation.
- Commissioner Butcher asked for an update on water testing; City Manager Williams stated hydrant water testing is still underway; testing will take about 2 weeks to complete.
- Deputy Chief Herweg stated Chief Rodriguez sends his apologies, but is very ill. Deputy Chief Herweg stated vehicles transferred to NMJC are as is; NMJC will take responsibility for any and all repairs.

## **PROCLAMATION:**

**Proclamation 201602 Light it up Blue:** Mayor Campos presented proclamation to Secretary and the PTO Marissa Gonzalez and Missy Blez. Mrs. Blez invited the community to Lovington Lights It Up Blue event at the Fairgrounds on Saturday, March 19, 2016 from 10 a.m. to 3 p.m.

## **NON-ACTION ITEMS:**

**Canvassing Results:** City Clerk Hogue presented the following election results:

### **District #1**

David Trujillo: 14 votes, Absentee - 0 vote, Early – 4 votes, under votes – 2 votes = 20 **votes**

### **District #2**

Ava Bengé: 18 votes, Absentee - 2 vote, Early – 23 votes, Provisional – 1 vote = 44 **votes**

Arthur M. Sanchez: 26 votes, Absentee - 0 vote, Early – 19 votes = 45 **votes**

### **District #4**

Mayor Scotty Gandy: 62 votes, Absentee - 0 vote, Early – 20 votes = 82 **votes**

Rudy Quiroz: 35 votes, Absentee - 1 vote, Early – 3 votes = 39 **votes**

City Clerk Hogue stated that a total of 230 voters came out to vote out of the three districts. City Clerk Hogue thanked Judge Finger for giving the oath of office.

**Discussion of NM Alcohol and Gaming Special Dispenser Permits:** City Manager Williams discussed with Commissioners concerns in regards to the process utilized to approve Special Dispenser Permits (“Picnic License”). City Manager Williams asked Commissioners to consider delegating approval to City Manager, City Clerk, or Mayor with a resolution stating change, since this has been in practice for three years. Resolution will allow request of permit without the City Commission approval. The State RLD does not require governing board approval and have advised that this can be performed by a local official. Commissioners suggested to be notified when a permit is issued or requested.

**ACTION ITEMS:**

**Consider Resolution 2016-19: Approval of Maddox Foundation Agreement for Summer Adventures Program:** Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-19: Approval of Maddox Foundation Agreement for Summer Adventures Program; Commissioner Butcher seconded. City Manager Williams addressed Commissioners of Resolution 2016-19 which will authorize the City Manager to execute the grant agreement between the City and the J.F. Maddox Foundation for the Summer Adventures Program. This program was a partnership between the City, Nor-Lea Hospital, Lovington Public Schools, and NMJC. City Manager Williams stated this is a \$15,000 grant to provide tuition assistance for children at or below 150% of the poverty line to attend the Summer Adventures Program this summer. There being no further discussion, a roll call was taken: Commissioner Gandy – Yes, Commissioner Butcher – Yes, Commissioner Trujillo – Yes, Commissioner Sanchez – Yes, and Mayor Gandy – Yes. Motion was approved.

**Consider Resolution 2016-20: Transfer of Surplus Equipment to the Southeastern New Mexico Law Enforcement Academy:** Mayor Campos called for a motion. Commissioner Butcher so moved to consider Resolution 2016-20: Transfer of Surplus Equipment to the Southeastern New Mexico Law Enforcement Academy; Commissioner Trujillo seconded. City Manager Williams stated resolution will authorize the disposal and removal from the fixed asset list of three police vehicles that will be transferred to the Southeastern New Mexico Law Enforcement Academy. The Academy realizes that these units are high in mileage and will need extensive repair work.

- 2004 Chevrolet Impala VIN# 2G1WF55K149241845
- 2004 Chevrolet Impala VIN# 2G1WF55K749239291
- 2006 Chevrolet Impala VIN# 2G1WS551869317275

There being no further discussion, a roll call was taken: Commissioner Butcher – Yes, Commissioner Sanchez – Yes, Commissioner Trujillo – Yes, Commissioner Gandy – Yes, and Mayor Campos – Yes. Motion was approved.

**Lea County Water Users Association Appointment:** Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Lea County Water Users Association Appointment; Commissioner Butcher seconded. City Manager Williams addressed Commissioners of Commissioner Ava Benge position on the Water Users Association board will need to be filled. Commissioner Gandy volunteered. There being no further discussion, a roll call was taken: Commissioner Trujillo – Yes, Commissioner Sanchez – Yes, Commissioner Butcher – Yes, Commissioner Gandy – Yes, and Mayor Campos – Yes. Motion was approved.

**Consider Resolution approving encroachment on City right-of-way and a variance for the front yard at 610 W Aspen Avenue, Lovington, NM:** Mayor Campos called for a motion. Commissioner Butcher so moved to consider Resolution 2016-21 to approve Encroachment on City right-of-way and a variance for the front yard at 610 W Aspen

Avenue, Lovington, New Mexico; Commissioner Trujillo seconded. City Manager Williams stated this request was presented to the Planning and Zoning on February 9, 2016 was not brought to Commission, to allow for advertising and notification to neighboring neighbors of request. Planning and Zoning recommended approval of the encroachment easement contingent upon the owner having a variance approved by the City Commission for the yard setback. There being no further discussion, a roll call was taken: Commissioner Gandy – Yes, Commissioner Sanchez – Yes, Commissioner Butcher – Yes, Commissioner Trujillo – Yes, and Mayor Campos – Yes. Motion was approved.

**Consider Approval of Accounts Payable:** Mayor Campos called for a motion. Commissioner Trujillo so moved to approve the accounts payable; Commissioner Butcher second. There being no further discussion, a roll call was taken: Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Sanchez – Yes, Commissioner Gandy – Yes, and Mayor Campos – Yes. Motion was approved.

**PUBLIC COMMENT:**

Debbie Feltman thanked Planning and Zoning Coordinator Crystal Ball for going over and beyond her duties in assistance with a project Heart’s Desire is working on.

**CLOSED SESSION:**

At 6:01 p.m., Commissioner Trujillo 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 – Disposition of City Owned Commercial Property. Commissioner Gandy seconded and a roll call vote was taken: Commissioner Gandy - Yes; Commissioner Trujillo - Yes; Commissioner Butcher - Yes; Commissioner Sanchez – Yes; and Mayor Campos - Yes.

At 6:21 p.m., Commissioner Trujillo 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 Butcher seconded and a roll call vote was taken: Commissioner Gandy - Yes; Commissioner Trujillo - Yes; Commissioner Butcher - Yes; Commissioner Sanchez – Yes; and Mayor Campos - Yes.

**ADJOURNMENT:** There being no further business, Mayor Campos adjourned, the meeting at 6:22 p.m.

**APPROVED:** \_\_\_\_\_  
**PAUL CAMPOS, MAYOR**

**ATTEST:** \_\_\_\_\_  
**CAROL ANN HOGUE, CITY CLERK**