

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, FEBRUARY 22, 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 Bengue, Commissioner Trujillo, Commissioner Butcher, Commissioner Campos, and Mayor Gandy

Also Present: City Manager James Williams, City Attorney Patrick McMahon, Police Chief David Rodriguez, Finance Director Gary Chapman, City Clerk Carol Ann Hogue, and Administrative Assistant Anna Juarez

Invocation: Commissioner Butcher gave the invocation.

Pledge of Allegiance: Commissioner Butcher led the pledge.

Approval of Agenda: Mayor Gandy called for a motion. Commissioner Trujillo so moved to amend the agenda to move Public Comment before Closed Session. Commissioner Butcher seconded and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengue – Yes, Commissioner Campos - Yes, Commissioner Butcher – Yes, and Mayor Gandy – Yes.

Approval of the Regular Meeting Minutes of February 8, 2016: Mayor Gandy called for a motion. Commissioner Bengue so moved to approve the regular meeting minutes of February 8, 2016; Commissioner Campos seconded. Roll call was taken: Commissioner Butcher – Yes, Commissioner Trujillo – Yes, Commissioner Bengue – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes.

COMMISSIONER AND STAFF REPORTS:

- Finance Director Chapman stated Staff has begun budget process and is planning to have a Special Budget Meeting in mid-April with Commission.
- City Clerk Carol Ann Hogue stated Friday is the last day to early vote and election will be held on March 1st.
- Commissioner Campos asked for an update on Splash pad; City Manager Williams stated construction will take 30 days weather permitting, City needs to get permitting by the State and Parks department. We have two additional Pool Certified Operators for the Splash pad.
- Commissioner Butcher asked if Chaparral Park restroom on the Southeast could be fenced off or demolished; Pool and Wastewater department need to address issue with weeds.
- City Manager Williams stated none of the hold harmless bills went through and the local option gross receipt tax (LEDA) funds is going to the governor for

signature; severance tax bond projects which are needing final approval by governor are \$220,000 for radio read meters, \$150,000 police department evidence facility and impound lot, senior center \$35,000 for vehicles.

NON-ACTION ITEMS:

Discussion of Lea County Water Users Association: Mayor Pro-Tem Bengé updated and discussed with Commissioners concerns regarding the Lea County Water Users Association. Mayor Pro-Tem Bengé stated a document discussing aquifer for Lea County will be available online for the public to read and make comments.

ACTION ITEMS:

Consider Resolution 2016-12: Use of Local Economic Development Funds for Construction of Public Parking in the Downtown Area: Mayor Gandy called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-12: Use of Local Economic Development Funds for Construction of Public Parking in the Downtown Area; Commissioner Campos seconded. City Manager Williams addressed Commissioners of Resolution 2016-12 which will authorize the use of LOGRT Funds (LEDA) for the construction and development of the public parking spaces the City committed to for the Judicial Complex Project; these funds are being utilized to preserve General Fund reserves. City Manager Williams stated a cost of no more than \$87,000.00 will include lighting, striping, and pavement to create 79 additional parking spots. There being no further discussion, a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Campos – Yes, Commissioner Butcher – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Resolution 2016-13: Authorization to Submit for a NM CDBG Program Application and Authorizing the Mayor to Act as the Authorized Representative for all Matters Pertaining to the City's Participation in the CDBG Program: Mayor Gandy called for a motion. Commissioner Campos so moved to consider Resolution 2016-13: Authorization to Submit for a NM CDBG Program Application and Authorizing the Mayor to act as the authorized representative for all matters pertaining to the City's participation in the CDBG Program; Commissioner Butcher seconded. City Manager Williams stated resolution will authorize the submission of a CDBG application, authorize the Mayor to act on behalf of the City in regards to this application and participation in the CDBG program, and directs staff to do any and all acts necessary to carry out the intent of the resolution. There being no further discussion, a roll call was taken: Commissioner Bengé – Yes, Commissioner Campos – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Resolution 2016-14: Amendment of ICIP to include CDBG Application Projects: Mayor Gandy called for a motion. Commissioner Butcher so moved to consider Resolution 2016-14: Amendment of ICIP to include CDBG Application Projects; Commissioner Campos seconded. City Manager Williams addressed Commissioners of

resolution which will authorize the amendment of the ICIP to include the addition of CDBG Projects:

- West Jefferson – 13th to 17th
- South 5th – Avenue D to Avenue K
- North 2nd Street – Avenue D to Jackson Avenue
- West Avenue H – 5th Street to 2nd Street
- South 1st Street – Avenue O to Avenue J

The addition of these individual projects to the ICIP will create additional points for the City in the application process. There being no further discussion, a roll call was taken: Commissioner Trujillo – Yes, Commissioner Campos – Yes, Commissioner Butcher – Yes, Commissioner Bengé – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Resolution 2016-15: Approval of Professional Services Agreement between the City and the SENMEDD/COG: Mayor Gandy called for a motion. Commissioner Bengé so moved to consider Resolution 2016-15: Approval of Professional Services Agreement between the City and the SENMEDD/COG; Commissioner Trujillo seconded. City Manager Williams addressed Commissioners of resolution authorizing the execution of a Professional Services Agreement with the SENMEDD/COG for administration of the CDBG grant, if awarded funding. The grant process and administration would entail environment assessment, engineering RFP's federal reporting, and monthly progress reports; the costs associated can be funded by the CDBG funds of up to 3%, with the remaining 1% being a cash match or any combination. There being no further discussion, a roll call was taken: Commissioner Campos – Yes, Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Resolution 2016-16: Approval of MAP Application for North 17th Project: Mayor Gandy called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-16: Approval of MAP Application for North 17th Project; Commissioner Campos seconded. City Manager Williams addressed Commissioners resolution is to support the City's application to the NMDOT Municipal Arterial Grant Program for reconstruction of North 17th from Jefferson Avenue to 0.25 miles north of Polk Avenue. There being no further discussion, a roll call was taken: Commissioner Campos – Yes, Commissioner Bengé – Yes, Commissioner Butcher – Yes, Commissioner Trujillo – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Resolution 2016-17: Approval of LGRF Application for North 17th Project: Mayor Gandy called for a motion. Commissioner Bengé so moved to consider Resolution 2016-17: Approval of LGRF Application for North 17th Project; Commissioner Butcher seconded. City Manager Williams addressed Commissioners of resolution which will endorse the City's application to the NMDOT Local Government Road Fund for the reconstruction of North 17th from Jefferson Avenue to 0.25 miles North of Polk Avenue. City Manager Williams stated curbing, sidewalk, and drainage for both sides might have to be phased in; trying to incorporate as much through the grant funding to restore

pavement, but as well having pedestrian and ADA access. City Manager Williams stated sidewalk will be more on the interior on the East side to start with. There being no further discussion, a roll call was taken: Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, Commissioner Bengé – Yes, and Mayor Gandy – Yes. Motion was approved

Consider Resolution to Approve Encroachment Easement at 609 South 3rd Street, Lovington, New Mexico: Mayor Gandy called for a motion. Commissioner Campos so moved to consider Resolution to Approve Encroachment Easement at 609 South 3rd Street, Lovington, New Mexico; Commissioner Butcher seconded. Planning and Zoning Crystal Ball addressed the Commissioners of property owner agreeing to move cinder block fence to property line, due to a visual safety concern when coming out of driveway onto the street; resolution will grant an encroachment easement of 14 feet onto City right of way. Commissioner Campos so moved to amend motion to include 2016-18 as the Resolution number; Commissioner Butcher second. There being no further discussion, a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes. Motion was approved.

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

PUBLIC COMMENT:

No public comment was made.

CLOSED SESSION:

At 5:55 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 Campos seconded and a roll call vote was taken: Commissioner Trujillo - Yes; Commissioner Butcher - Yes; Commissioner Campos - Yes; Commissioner Bengé – Yes; and Mayor Gandy - Yes.

At 6:19 p.m., Commissioner Bengé 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 vote was taken: Commissioner Trujillo - Yes; Commissioner Butcher - Yes; Commissioner Bengé - Yes; Commissioner Campos – Yes; and Mayor Gandy - Yes.

ADJOURNMENT: There being no further business, Mayor Gandy adjourned, the meeting at 6:20 p.m.

APPROVED: _____
SCOTTY GANDY, MAYOR

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: March 14, 2016

RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Proclamation 201602: Light it Up Blue
DEPARTMENT: Legislative
SUBMITTED BY: _____
DATE SUBMITTED: March 8, 2016

STAFF SUMMARY:

Resolution 201602 will proclaim March 19, 2016 the 6th Annual Lovington Lights It Up Blue Day.

FISCAL IMPACT:

REVIEWED BY: _____
Finance Director

ATTACHMENTS:

RECOMMENDATION:

Read proclamation aloud and present to event representative.

Department Head

James R. Williams

City Manager



Proclamation

201602

Lovington Lights It Blue

Whereas, the City of Lovington recognizes the need to fully understand complex health issues and, as our society is increasingly aware of the difficulties faced by individuals with autism and autism spectrum disorders (ASD); and

Whereas, April is recognized nationwide as Autism Awareness Month; and

Whereas, the Lovington Autism Center for Education and Services (L.A.C.E.S.) PTO has organized the Fifth Annual Lovington Lights It Up Blue Event to raise awareness and show support for our autism community; and

Whereas, it is important that we, as a community, support families and individuals as they respond to the challenges of ASD's and likewise support initiatives related to training, information, and availability of services.

NOW, THEREFORE, I, _____, Mayor of Lovington, New Mexico do hereby proclaim March 19, 2016 as the

"6th Annual Lovington Lights It Up Blue Day"

throughout the City of Lovington

Attest:

*Done at the City Commission Meeting this
14rd day of March, 2016*

Carol Ann Hogue
City Clerk

Mayor

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: March 14, 2016

RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Canvassing Results of Municipal Election
DEPARTMENT: City Clerk
SUBMITTED BY: Carol Ann Hogue, City Clerk
DATE SUBMITTED: March 8, 2016

STAFF SUMMARY:

Attached are the officially canvassed results of the March 1, 2016 Municipal Election.

FISCAL IMPACT:

REVIEWED BY: _____
Finance Director

ATTACHMENTS:

Canvass Results

RECOMMENDATION:

Information only

Department Head

James R. Williams

City Manager

MARCH 1, 2016 REGULAR ELECTION

CANDIDATES AND QUESTION	CITY COMMISSIONER Four-Year Term Expiring in March, 2020								Question		
	DISTRICT 1		DISTRICT 2			DISTRICT 4			FOR	AGAINST	
	David Trujillo		Ava Bengé	Arthur M. Sanchez		R. Scott Gandy	Rudy Quiroz				
Absentee Voters	0		2	0		0	1				
Early Voters	4		23	19		20	3				
Election Day	14		18	26		62	35				
Undervotes	2										
Provisional Vote			1								
Total	20	0	44	45	0	82	39	0	0	0	0

We, the undersigned, certify the above is a correct canvass of the returns of the Election held on March 1, 2016 in Lovington, NM

Bernard Butcher
Bernard Butcher, Commissioner

David Finger
David Finger, Magistrate Judge

Ruby Owens
Ruby Owens, Presiding Judge

Carol Ann Hogue
Carol Ann Hogue, City Clerk

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: March 14, 2016

RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Discussion of NM Alcohol and Gaming Special Dispenser Permits
DEPARTMENT: Executive
SUBMITTED BY: James R. Williams, City Manager
DATE SUBMITTED: March 8, 2016

STAFF SUMMARY:

Staff wish to have a discussion from Commission regarding the process utilized to approve Special Dispenser Permits ("Picnic License"). Practice for the past three years has been to have these approved by the City Commission. However, the State RLD does not require governing board approval and have advised that this can be performed by a local official.

FISCAL IMPACT:

REVIEWED BY: _____
Finance Director

ATTACHMENTS:

RECOMMENDATION:

Discussion only.

Department Head

James R. Williams

City Manager

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: March 14, 2016

RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Resolution 2016-19: Grant Agreement
DEPARTMENT: Executive
SUBMITTED BY: James R. Williams, City Manager
DATE SUBMITTED: March 8, 2016

STAFF SUMMARY:

Resolution 2016-19 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. The agreement presented tonight is in the same format and same intent as last years submission.

FISCAL IMPACT:

REVIEWED BY: Gary Lee Chapman
Finance Director

\$15,000 in reimbursement to the City. City will be fiscal agent for Summer Adventures.

ATTACHMENTS:

Agreement

RECOMMENDATION:

Resolution 2016-19

Department Head

James R. Williams
City Manager

J. F MADDOX FOUNDATION

220 West Broadway, Suite 200
Post Office Box 2588
Hobbs, New Mexico 88241-2588
Phone: (575) 393-6338
Fax: (575) 397-7266
www.jfmaddox.org

February 16, 2016

James Williams, City Manager
City of Lovington
214 South Love
Lovington, NM 88260

Dear James:

On behalf of the Board of Directors of the J. F Maddox Foundation, I am pleased to inform you that a Grant in the amount of up to \$15,000 has been approved. This Grant is for tuition assistance for children (at or below 150% of the poverty line) to attend the Summer Adventures Program in Lovington, New Mexico during June and July 2016.

Enclosed you will find two original Grant Contracts to be executed, one of which is to be returned to the Foundation office. The other original is for your files. Funds will not be disbursed until an executed copy of the Contract has been returned to the Foundation.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Robert J. Reid
Executive Director

RJR:sa

Enclosures (2)

J. F MADDOX FOUNDATION

GRANT CONTRACT

220 West Broadway, Suite 200
Post Office Box 2588
Hobbs, New Mexico 88241-2588
Phone: (575) 393-6338
Fax: (575) 397-7266
www.jfmaddox.org

APPROVAL DATE: February 3, 2016
GRANT NUMBER: 2005006
AMOUNT: Up to \$15,000

GRANTOR: J. F Maddox Foundation, a New Mexico Nonprofit Corporation (Foundation)

GRANTEE: City of Lovington (Grantee)

1. This Grant is to provide up to \$15,000 in tuition assistance for children (at or below 150% of the poverty line) to attend Grantee's Summer Adventures Program in Lovington, New Mexico during June and July 2016 ("2016 Summer Youth Program").

2. Grantee agrees to the following terms:

- A. Funds from this Grant will be disbursed to Grantee upon receipt by Foundation of Grantee's written request(s), which shall include the amount of tuition assistance needed to support eligible students who participated in the 2016 Summer Youth Program [not to exceed a total amount of \$15,000].
- B. Grantee's written request(s) for these Grant funds shall be submitted to the Foundation no later than August 31, 2016. Any funds not requested at that time may be forfeited.
- C. Although the Grant funds are not required to be physically segregated in a separate account, Grantee agrees to account for such funds separately on Grantee's books and records for ease of reference and verification.

3. The representations, warranties, requirements, terms and conditions set forth in Exhibit A are incorporated by reference and made a part of this Contract. Grantee understands that any breach of any provision of this Contract, including the provisions contained in Exhibit A, may result in termination of the Grant, the suspension of Grant payments, and/or an obligation to return Grant funds to the Foundation.

4. Reporting Requirements (Exhibit B):

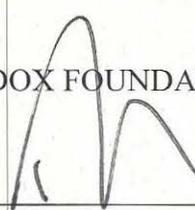
- A. Grantee agrees to submit a final written report to the Foundation, due no later than August 31, 2016, including the following information:
 - A detailed accounting for the 2016 Summer Youth Program revenues and expenses.

- Camp attendance, including the number of students receiving tuition assistance under this Grant who actually attended the 2016 Summer Youth Program.
- A summary of the 2016 Summer Youth Program, including a comprehensive assessment of each program, objectives achieved, and what, if anything, the Grantee would have done differently.

5. The signature on this document, of the person authorized to execute legal agreements on behalf of Grantee, will serve as certification that the authorized signatory has read and understands the requirements, terms, and conditions of this Grant Contract.

J. F MADDOX FOUNDATION

By: _____


Robert J. Reid
Executive Director

CITY OF LOVINGTON

By: _____

James Williams
City Manager

_____ Date

Exhibit A

Requirements, Terms, and Conditions of Grant Contract

1. Grantee agrees that the Grant funds will only be expended for the purpose(s) as defined in Paragraph 1 above of this Grant Contract, and that any earnings accruing from these Grant funds prior to expenditure by Grantee shall also be used for such purpose(s), and that any funds not so used will be returned to the Foundation.
2. Grantee represents and warrants that it is an organization currently recognized by the Internal Revenue Service (IRS) as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code (Code) that it is not (i) a private foundation under Section 509 of the Code or (ii) a "supporting organization" described in Section 509(a)(3) of the Code; or in the absence of such determination, that Grantee is a tax-exempt state or political subdivision described in Section 170(c)(1) of the Code.
3. Grantee agrees to immediately notify the Foundation, in writing, if (i) Grantee's federal tax-exempt status or its classification under Section 509 of the Code is revoked or altered; (ii) Grantee has received notice from the IRS or otherwise has reasonable grounds to believe that its tax-exempt status or its classification under Section 509 of the Code may be revoked or altered; or (iii) Grantee has reason to believe that these Grant monies cannot be, or continue to be, expended for the specified purpose(s). In the event that Grantee's tax-exempt status is lost or is challenged by the IRS or if the Grant funds cannot be expended for the specified purpose, the Foundation reserves the right in its absolute discretion to terminate the Grant, in which event Grantee agrees to immediately return to the Foundation any remaining unexpended Grant monies plus any portion of the expended Grant funds not actually spent for the purpose(s) of the Grant.
4. For New Mexico corporations, Grantee represents and warrants that it is an organization in good standing with the New Mexico Secretary of State (NMSOS). Grantee agrees to immediately notify the Foundation, in writing, if Grantee's good standing with the NMSOS is revoked or altered.
5. The Foundation assumes no responsibility for any injuries, damages, or liabilities (including, but not limited to, attorney fees and costs) directly or indirectly resulting or arising from the project funded by this Grant. By accepting this Grant, Grantee agrees to indemnify and hold harmless the Foundation and each of its directors, officers, employees, representatives, and agents from and against any and all claims, liabilities, losses, and expenses resulting or arising from or in connection with this Grant.
6. Grantee will maintain adequate financial records related to the expenditure of Grant funds. Grantee will keep grant-related receipts and records of expenditures for at least four years. Grantee will make such records and receipts available upon request to the Foundation or its representatives for inspection at reasonable times and will allow the Foundation to make copies thereof.
7. Grantee agrees that there will be no commission or other similar compensation related to this Grant paid by Grantee to any employee, officer, or agent of Grantee.

8. Grantee agrees that no part of the funds received from this Grant will be used to carry on propaganda, support or oppose specific legislation, participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office, influence the outcome of any public election, or participate in any voter registration drive.
9. Grantee will furnish to Foundation such additional information or reports concerning the Grant funds, the Grantee, or the project being funded as the Foundation may from time to time reasonably request. This Grant is subject to audit by the Foundation at the Foundation's expense. This Grant is also subject to monitoring and evaluation by Foundation staff and/or outside consultants at the Foundation's expense.
10. The foregoing terms and conditions are to comply with the obligations of the Foundation to make reasonable efforts and establish adequate procedures to ensure that its grant funds are spent for the charitable purposes for which granted. Changes in the applicable law, or in regulations interpreting the law, may require the Foundation to request changes or additions to such terms and conditions. The Foundation will promptly inform Grantee in such event and the parties agree to cooperate in a good faith effort to make any such changes or additions that may be required under applicable law.
11. Grantee shall not assign this Grant Contract or any payment due or to become due under this Grant Contract without the prior, express, and written consent of the Foundation.
12. Neither this Grant Contract, the Grant nor any action by the Foundation pursuant to this Grant Contract shall make the Foundation liable to Grantee or to any other party as a joint venturer, partner, or other participant with respect to the activities of Grantee funded by the Grant. No parties other than Grantee and Foundation shall have any rights, claims, or causes of action pursuant to this Grant Contract or the Grant.
13. Grantee agrees that the Foundation has no contractual obligation to or with any service provider engaged by Grantee for the purposes of this Grant.
14. If any provision of this Grant Contract is judicially determined to be void or unenforceable, such provision shall be construed to be severable from the other provisions hereof, which shall retain full force and effect.
15. This Grant Contract shall be construed in accordance with and governed by the laws of the State of New Mexico. Should a dispute arise as to the contents or construction of the Grant Contract, the parties agree to submit to the jurisdiction and venue of the District Court of Lea County, New Mexico.
16. This Grant is conditional upon Grantee's acceptance of all of the terms and conditions set forth in this Grant Contract. Upon receipt of an original signed and dated Grant Contract, the Foundation will make payment subject to the terms stated herein.

Exhibit B

Deliverables

- | | |
|-----------------|--|
| August 31, 2016 | All Grantee's written request(s) for Grant funds |
| August 31, 2016 | <p>A final written report to the Foundation, including the following information:</p> <ul style="list-style-type: none">• A detailed accounting for the 2016 Summer Youth Program revenues and expenses.• Camp attendance, which shall also include the number of scholarship students funded by this Grant who actually attended the 2016 Summer Youth Program.• A summary of the 2016 Summer Youth Program, including a comprehensive assessment of each program, objectives achieved, and what, if anything, the Grantee would have done differently. |

**RESOLUTION OF THE CITY OF LOVINGTON
LEA COUNTY, NEW MEXICO**

RESOLUTION NO. 2016-19

**A RESOLUTION APPROVING A GRANT AGREEMENT BETWEEN THE CITY OF LOVINGTON
AND THE J.F MADDOX FOUNDATION FOR THE SUMMER ADVENTURES PROGRAM**

WHEREAS, the Lovington City Commission recognizes the need for an enhanced summer program for students in Kindergarten thru 5th grade; and

WHEREAS, the enhanced program will include guided learning, reading, active play, cooking, art, swimming, science, and various field trips; and

WHEREAS, a program of this nature will require partnerships between the City, Lovington Public Schools, Afterschool Adventures, New Mexico Junior College, and Nor-Lea General Hospital; and

WHEREAS, the J. F Maddox Foundation recognizes the value of this program and is providing grant funding in support.

NOW, THEREFORE, BE IT RESOLVED, that the Lovington City Commission directs the City Manager to enter into a grant agreement with the J. F Maddox Foundation in which they will provide \$15,000 to fund up to fifteen scholarships for youth to participate in the Summer Adventures Program.

DONE THIS 14th DAY OF MARCH, 2016 at

City of Lovington
New Mexico

Mayor

ATTEST:

Carol Ann Hogue, City Clerk

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: March 14, 2016

RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Resolution 2016-20 - Transfer of Equipment
DEPARTMENT: Police
SUBMITTED BY: David Rodriguez, Chief of Police
DATE SUBMITTED: March 8, 2016

STAFF SUMMARY:

Resolution 2016-20 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.

These units have been replaced with new models.

FISCAL IMPACT:

REVIEWED BY: Gary Lee Chapman
Finance Director

ATTACHMENTS:

Resolution 2016-20

RECOMMENDATION:

Motion to approve Resolution 2016-20

Department Head

James R. Williams
City Manager

**RESOLUTION OF THE CITY OF LOVINGTON
LEA COUNTY, NEW MEXICO**

RESOLUTION NO. 2016-20

**A RESOLUTION TRANSFERRING EQUIPMENT TO THE SOUTHEASTERN NEW MEXICO
LAW ENFORCEMENT ACADEMY**

WHEREAS, the City of Lovington Police Department has decommissioned three of its patrol units that have since been replaced; and

WHEREAS, the vehicles are now considered surplus equipment; and

WHEREAS, the Southeastern New Mexico Law Enforcement Academy has expressed a need for this surplus equipment.

NOW, THEREFORE, BE IT RESOLVED, that the City of Lovington authorizes the disposal of the following vehicles by transfer to the Southeastern New Mexico Law Enforcement Academy:

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

; and

BE IT FURTHER RESOLVED that this surplus equipment will be removed from the City fixed asset listing.

DONE THIS 14TH DAY OF MARCH, 2016 at

City of Lovington
New Mexico

Mayor

ATTEST:

Carol Ann Hogue, City Clerk

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: March 14, 2016

RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Lea County Water Users Association Appointment
DEPARTMENT: Executive
SUBMITTED BY: James R. Williams, City Manager
DATE SUBMITTED: March 8, 2016

STAFF SUMMARY:

As Ava Bengé is no longer a City Commissioner, the City Commission needs to appoint one Commissioner to the Water Users Association as a replacement.

FISCAL IMPACT:

REVIEWED BY: _____
Finance Director

ATTACHMENTS:

RECOMMENDATION:

Motion to appoint.

Department Head

James R. Williams

City Manager

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: March 14, 2016

RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Encroachment and Variance 610 W. Aspen
DEPARTMENT: Planning and Zoning
SUBMITTED BY: Crystal Ball, P&Z Coordinator
DATE SUBMITTED: March 8, 2016

STAFF SUMMARY:

The owners of the property located at 610 W. Aspen are requesting an encroachment easement be granted for their home. The corner of the home encroaches on the City right of way by 3 feet. In addition a variance will be needed to accommodate the front yard setback.

The P&Z Commission did recommend approval of the encroachment and the granting of a variance for the yard setback at the February 9, 2016 regular meeting.

Should the Commission approve, a Resolution has been prepared stating such.

FISCAL IMPACT:

REVIEWED BY: _____
Finance Director

ATTACHMENTS:

Encroachment Easement
Resolution for approval

RECOMMENDATION:

Department Head

James R. Williams

City Manager

ENCROACHMENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the City of Lovington, a New Mexico municipal corporation ("Grantor"), whose address is PO Box 1268, Lovington, New Mexico 88260, acting for good and valuable consideration, grants to Austin Bosquez and Mercedes Bosquez, a married couple, whose address is 610 W Aspen Ave., Lovington, New Mexico 88260, and its successors and assigns ("Grantee"), an encroachment easement in, under, over, upon and across the real property described on Exhibit "A" attached hereto and incorporated herein by reference ("Encroachment Easement") for the maintenance, repair, modifications and replacement of the said 3' of the corner of the dwelling.

TO HAVE AND HOLD the said right and Encroachment Easement for the uses and purposes aforesaid unto the Grantee, their successors and assigns, until such time that the encroachment easement portion of the dwelling is no longer used for residential purposes.

WITNESS my hand and seal this ____ day of _____, 2016.

CITY OF LOVINGTON:

ATTEST:

SCOTTY GANDY, MAYOR

CAROL ANN HOGUE

Date: _____

Date: _____

COPORATION'S NOTARY

STATE OF _____)

COUNTY OF _____)

This instrument was acknowledged before me on ____ day of _____, 2016,

By Scotty Gandy, Mayor and Carol Ann Hogue, City Clerk of City of Lovington, a New Mexico corporation, on behalf of the corporation.

My Commission Expires: _____

Notary Public

BUYER: AUSTIN BOSQUEZ

GARY EIDSON, PS

P.O. BOX 2344
HOBBS, NEW MEXICO 88241
(575) 318-1157

W.O. #15189.5
DSS DATE: 6/14/15

IMPROVEMENT LOCATION REPORT:

THIS REPORT:

TO TITLE COMPANY: ELLIOTT & WALDRON TITLE AND ABSTRACT COMPANY COMMITMENT NUMBER: 15-491W5

TO UNDERWRITER: COMMONWEALTH LAND TITLE INSURANCE COMPANY

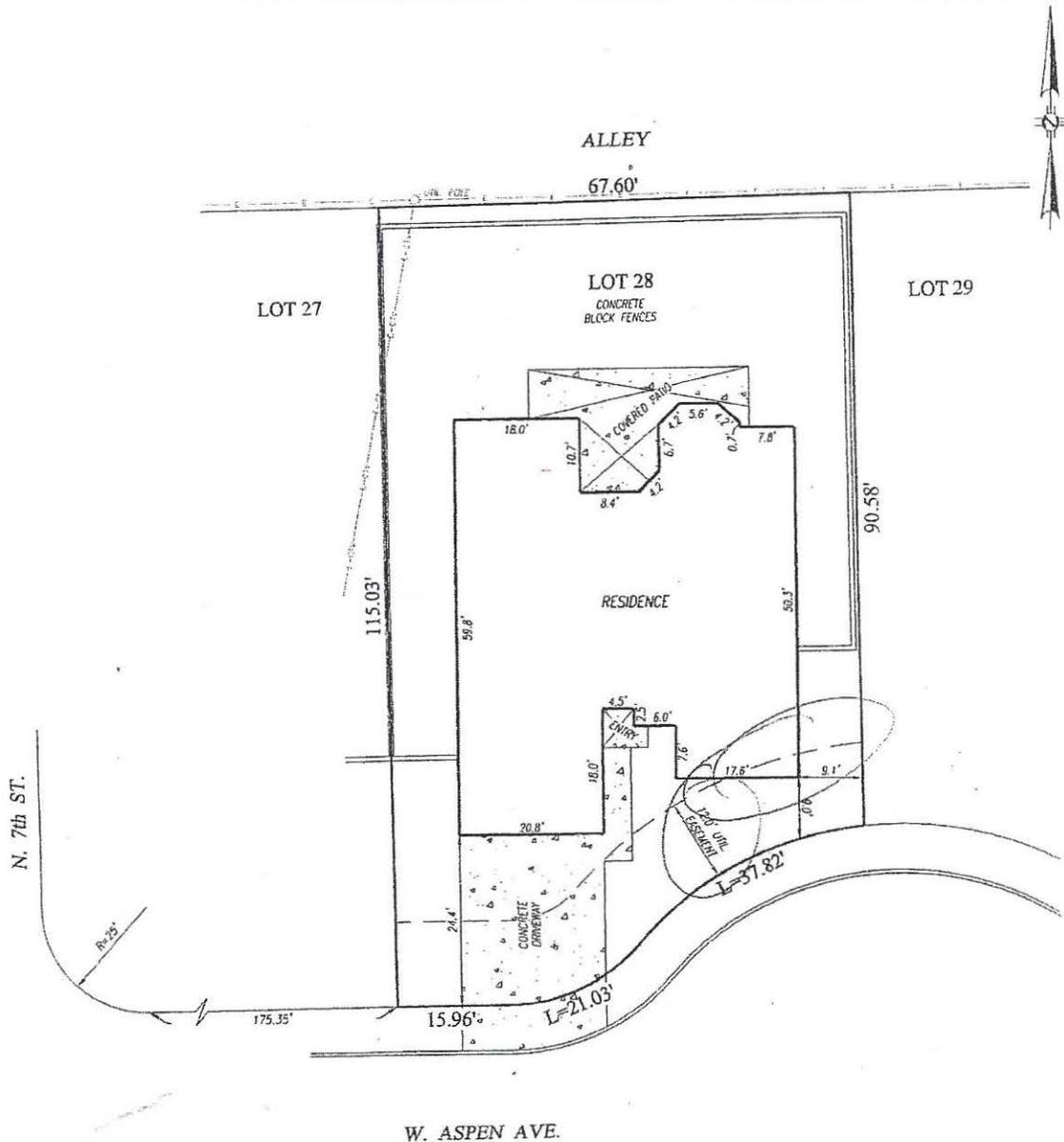
TO LENDER: SUNWEST MORTGAGE

that on JUNE 12, 2015, an accurate inspection was made by Gary Eidson, PS, of the premises situated in LOT 28, SUNRISE ADDITION, CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO.

610 W. ASPEN AVE.

(street address if applicable)

PLAT REFERENCE: Bearings, distances and curve data are taken from the following plat (include filing information if available). SUNRISE ADDITION TO THE CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO, FILED MAY 30, 2013, IN BOOK 1838, ON PAGE 681, IN THE OFFICIAL RECORDS OF LEA COUNTY, NEW MEXICO



THIS REPORT IS NOT FOR USE BY A PROPERTY OWNER FOR ANY PURPOSE. THIS IS NOT A BOUNDARY SURVEY AND MAY NOT BE SUFFICIENT FOR REMOVAL OF THE SURVEY EXCEPTION FROM AN OWNER'S TITLE POLICY. IT MAY OR MAY NOT REVEAL ENCROACHMENTS, OVERLAPS, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, OR OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE BOUNDARY SURVEY.

**RESOLUTION OF THE CITY OF LOVINGTON
LEA COUNTY, NEW MEXICO**

RESOLUTION 2016-_____

**A RESOLUTION APPROVING AN ENCROACHMENT EASEMENT AT 610 WEST ASPEN,
LOVINGTON, NEW MEXICO**

WHEREAS, the owners of real property located at 610 West Aspen, legally described as Lot 28, Sunrise Addition to the City of Lovington, Lea County, New Mexico, have requested an encroachment easement for the corner of the residence that has been built on City right-of-way; and

WHEREAS, this request was presented to the Lovington Planning and Zoning Commission on February 9, 2016; and

WHEREAS, the Planning and Zoning Commission recommended approval of the encroachment easement contingent upon the owner having a variance approved by the Lovington City Commission for the yard setback; and

WHEREAS, this has been presented to the Lovington City Commission for final approval.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Lovington approves the encroachment, attached hereto for reference, and the variance for the yard setback.

DONE THIS 14TH DAY OF MARCH, 2016.

MAYOR

ATTEST:

CAROL ANN HOGUE, CITY CLERK

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: March 14, 2016

RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Accounts Payable
DEPARTMENT: Finance
SUBMITTED BY: Gary Lee Chapman, Finance Director
DATE SUBMITTED: March 10, 2016

STAFF SUMMARY:

The Finance Department has prepared the Accounts Payable for Commission review and approval.

FISCAL IMPACT:

REVIEWED BY: Gary Lee Chapman
Finance Director

See Accounts Payable Detail

ATTACHMENTS:

Accounts Payable - General Fund
Accounts Payable - Utilities Fund

RECOMMENDATION:

Motion to approve accounts payable.

Gary Lee Chapman
Department Head

James R. Williams
City Manager

City of Lovington (New)
Summary A/P Ledger - A/P Summary CMeeting - General
From 3/1/2016 Through 3/31/2016

101 - General Fund

Vendor Name	Dept Code	Current Balance
Abila		4,631.00
Alsco		972.09
Amazon		69.10
America Supply, LLC		776.35
American Equipment		814.64
American Legal Publishing Corp		495.00
American Medical Group, Inc		2,078.59
ASCO		1,319.96
Atco International		471.22
Automated Election Services		1,115.56
BeGeo Investment LLC		223.50
Benchmark		206.29
Blaine Industrial Supply		1,452.88
Bob's Thriftway		348.01
Breen Glass Service		105.50
C & S Motor Parts Co.		336.01
C E S		47,914.60
California Cont. Supplies, Inc		199.99
Caprock Air Cond/Heating		835.47
Casco Industries		4,678.80
Center Point Large Print		40.14
Comp-Ray, Inc		80.40
Constructors, Inc		3,826.42
Costco Membership		110.00
Farmer Brothers Company		228.46
Forrest Tire Co.		33.70
Galls/Quartermaster		1,326.55
Gebo Credit Corporation		468.81
Gempler's, Inc		83.35
General Welding Supply		1,114.30

City of Lovington (New)
Summary A/P Ledger - A/P Summary CMeeting - General
From 3/1/2016 Through 3/31/2016

Goserco, Inc.	23,459.11
H & K Pest Control Co.	117.98
Haarmeyer Electric	272.24
Higginbotham-Bartlett Co.	1,822.22
High Plains Refrigeration, Inc	256.36
Hobbs News-Sun	245.12
Hospital Services Corporation	681.13
In The Swim	149.98
Keith Morwood Enterprises, Inc	574.38
Kleen-Tech Services Corp.	5,489.76
Klein Automation & Electric	1,632.60
Lea County Museum	129.29
Life-Assist, Inc.	1,276.19
Lovington Auto Supply	611.03
Lovington Leader	1,215.08
Lovington Tire Service, Inc.	331.37
Lovington Veterinary	25.00
Mustang Country	1,778.81
New Mexico Gas Company	295.13
Noalmark Broadcasting Corp.	320.44
Odessa Pumps & Equipment	280.00
P & D Petroleum, Inc	8,610.90
Praetorian Digital	600.00
Premier Electric	525.12
Pro-Treat Power Equipment	103.54
Professional Ambulance Sales	304.19
Professional Communications	3,752.85
Professional Document Systems	16,644.27
Retail Strategies, LLC	50,000.00
Roberts Oil & Lube	451.87
Southwest Polygraph	801.09
Staples Advantage	135.34

City of Lovington (New)
 Summary A/P Ledger - A/P Summary CMeeting - General
 From 3/1/2016 Through 3/31/2016

Stericycle, Inc.	1,340.28
Strong Electric	8,677.86
Sunbelt Pools, Inc.	243.51
Sunbird Home Resort Products	105.29
SWAT, LLC	1,704.71
Swissphone	212.77
SYSCO West Texas, Inc.	1,890.51
Technicon Training& Consulting	1,300.00
TransUnion Risk and Alternativ	73.25
Tyler Technologies	55.44
U S Food Service	1,339.24
Unifirst Corp.	327.35
Valentine Auto Service	1,887.28
World Trade Press	<u>652.78</u>
Report Balance	<u><u>219,059.35</u></u>

Payee	Transaction Description	Check Amount
AT&T Mobility	Gen-Cellular	2,084.65
David Miranda	Phone Bill 1/16	
	Police-Reimb	10.59
	For Post Office	
	Evidence to lab	
	in Santa Fe	
Dept. of Public Safety	police-advanced	60.00
	certification fee	
	J Hay	
FacilityDude.com	Gen-Renewal	1,326.68
	for Maintenance	
	edge	
Geoffrey Herweg	Police-Reimb	53.39
	apple iphone	
	6/6s otterbox	

City of Lovington (New)
 Summary A/P Ledger - A/P Summary CCMeeting - General
 From 3/1/2016 Through 3/31/2016

Geoffrey Herweg	Police-Riemb Promotion Board Wildcat	14.48
Lea County Electric	Donuts Pay Lea Theater Electric Bill for the month of Jan 2016.	260.41
Lovington Chamber of Commerce	Finance- Chamber Membership Feb 2016-Jan 2017	500.00
Lovington Chamber of Commerce	Lodgers Tax- Visitor Upkeep	1,000.00
Lowe's	MVD-TV Mount	75.98
New Mexico Gas Company	Gen-Utility Gas Bill 1/16	2,115.81
NM Board of Pharmacy	Ambulance- EMS Annual Clinic Renewal 2016	62.50
Phillips 66 Co.	Gen-Fuel Credit Card for 2/16	252.93
Shell Oil Co.	Police-Fuel M Martinez to Albuq for Training	9.19
Staples	Police-office Supplies	159.98
Visa	Visa 9934 CH 01/16-Vet/AC Pet Supplies & Cleaning Sunplies	1,156.21

City of Lovington (New)
 Summary A/P Ledger - A/P Summary CMeeting - General
 From 3/1/2016 Through 3/31/2016

Visa 9942 JW	Visa 9942 JW	675.00
	01/16- Judicial/Executive/Legislative 2016 Municipal Day Registration	
Visa	Visa 9942 JW-	10.71
	Snowbrush	
VISA	Visa 9942 JW-	76.91
	Cornerstone ACM	
	Interview/Fuel for Tahoe	
VISA	VISA 9942 JW -	10.66
	Jimmy Johns COG Meeting Meal	
Visa 9280 G Chapman	Visa 9280 GC	200.00
	01/16 Gen- Parks/Cemetery Registration for Pesticide Workshop 5 total	
Visa 9280 G Chapman	Visa 9280 GC	139.38
	01/16 Finance Aatrix Efile W-	
Visa 9280 G Chapman	Visa 9280 GC	49.34
	01/16 Financ Large Pizzas	
Visa 9306 D Rodriguez	Visa 9306	46.66
	Police 01/16- UPS Ship Intoxilyzer to SI.D	
Visa/Fire	Visa 9298 1/16	148.76
	Fire Fuel/Diesel	

City of Lovington (New)
 Summary A/P Ledger - A/P Summary CMeeting - General
 From 3/1/2016 Through 3/31/2016

Visa/Fire	visa 9298 1/16 Fire-Striker Latch/ 10 ice melt/10 De- Icer/Roll of paper/Paper mate ink/Index Cards	136.37
Visa/Fire	Visa 9298 1/16 Fire- Background finger print for 6 emnlouees	176.00
Windstream	Finance-Main Phone Bill for 01/16	153.16
Windstream	Chamber of Commerce Phone Bill 01/16	201.61
Windstream	EDC-Phone bill for 01/16	200.18
Windstream	Gen-Phone Bill 1/16	4,616.72
Report Total		<u>235,043.61</u>

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeeting - Water
From 3/1/2016 Through 3/30/2016

505 - Water & WasteWater

Vendor Name	Current Balance
American Medical Group,	208.29
BenMark Supply Company	1,544.00
Blaine Industrial Supply	211.53
Bob's Thriftway	20.79
C & S Motor Parts Co.	2.73
California Cont. Supplies,	1,450.66
Cardinal Laboratories	117.49
Certified Laboratories	380.23
Copies, Inc.	945.81
Culligan Water Conditioning	24.50
Dana Kepner Co.	18,053.98
DPC Industries Inc.	827.96
Farmer Brothers Company	9.84
Federal Express Services	76.15
General Welding Supply	224.80
Haarmeyer Electric	1,439.85
Higginbotham-Bartlett Co.	1,340.23
Hospital Services	36.80
Industrial Muncipal	1,560.08
Kandy Kane Water Well	19,406.25
Lovington Auto Supply	78.15
Lovington Leader	44.59
Master Printers	532.00
New Mexico Rural Water	225.00
NM WWA Southeast Section	54.00
NMWWA-SE Section	90.00
P & D Petroleum, Inc	1,564.01
Patriot Pipe & Supply LTD	46.55

City of Lovington (New)
 Summary A/P Ledger - A/P Summary CCMeeeting - Water
 From 3/1/2016 Through 3/30/2016

Polydyne Inc.	1,512.00
Pro-Treat Power Equipment	141.39
Professional	152.50
SENM Economic	3,500.00
Share Corporation	5,112.35
SHOPKO Hometown	51.96
Star Welding Service	23.62
Strong Electric	767.93
Tyler Technologies	10,614.47
Unifirst Corp.	303.32
USA Bluebook	59.26
Valentine Auto Service	413.49
 Report Balance	 <u>73,168.56</u>

	Transaction Description	Check Amount
AT&T Mobilit	Water-Cellular Phone 1/16	868.85
LEACO	Water-Internet Bill 02-16	57.56
Lowe's	Public Maint Water-0.9 cu fl mwo hc/Labrador grn /utit 20ft	109.16
New Mexico Gas Company	Water-Utility Gas Bill 1/16	419.79
VISA	VISA 9942 JW 01/16 WATER-2016 Municipal Day Registration Wyatt Duncan	75.00

City of Lovington (New)
 Summary A/P Ledger - A/P Summary CCMeeting - Water
 From 3/1/2016 Through 3/30/2016

<p>Visa 9280 G Chapman</p>	<p>Visa 9280 GC 01/16 WasteWater-Ratchet/LED Puck Lights/AAA Batteries/165PSI 2-Stage and Repair Plan</p>	<p>1,091.82</p>
<p>VISA-0619 Wyatt</p>	<p>VISA 0619 WYATT 01/16 WATER-Heater/Window</p>	<p>1,656.00</p>
<p>Waste Management of New Mexico</p>	<p>Solid Waste-Roll-Offs for Feb 2016</p>	<p>7,704.47</p>
<p>Waste Management of New Mexico</p>	<p>Solid Waste-Res \$64569.84 Comm \$57304.92 Credit \$15.36</p>	<p>121,874.76</p>
<p>Windstream</p>	<p>Water-Phone Bill 1/16</p>	<p>458.03</p>
<p>Windstream</p>	<p>WasteWater-Phone Line For Scada 1/16</p>	<p><u>62.21</u></p>
<p>Report Total</p>		<p><u><u>207,546.21</u></u></p>