

**REGULAR MEETING OF THE CITY COMMISSION  
MONDAY, AUGUST 12, 2013 @ 5:30 P.M.  
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

**Present and answering roll call:** Mayor Drummond, Commissioners Trujillo, Gandy, Granath, and Bengé.

**Also present:** City Manager James Williams, Assistant City Manager Jared Cobb, Finance Director Mashell Stephens, City Clerk Carol Ann Hogue, Administrative Assistant Imelda Gutierrez, Chief of Police Danny Bryant and City Attorney Patrick McMahon.

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

**Invocation:** Commissioner Bengé gave the invocation

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

**Approval of Agenda:** Mayor Drummond asked for a motion to approve the agenda as submitted. Commissioner Bengé so moved to add a Closed Session - Pursuant to Section 10-15-1 NMSA 1978, Subsection H-2 limited personnel matters after public comment. Commissioner Trujillo seconded. Motion was approved.

**Approval of the Regular Minutes of July 22, & Called Minutes of July 22, 2013:** Mayor Drummond asked for a motion for approval of the regular minutes of July 22, & Called Minutes of July 22, 2013. Commissioner Trujillo so moved. Commissioner Gandy seconded. Motion was approved.

**NON-ACTION ITEMS:**

**Discussion of County Judicial Complex Workshop:** Mayor Drummond stated that Lea County conducted a workshop with their Board of Commissioners on July 25, 2013. Mayor Drummond does not agree to close Love Street. A walkway will not be easy to do because the courthouse is a historical marker. City Manager Williams discussed different other options to be considered. An average emergency impact on response time is 52.7 seconds. Commissioner Gandy stated that Main Street will be more congested if they closed Love Street. Commissioner Trujillo wants to reconstruct Love Street. John Graham stated that nobody has discussed traffic. No action was taken.

**Discussion of Assistant City Manager Report:** Assistant City Manager Jared Cobb addressed the Commissioners stating that at the July 8<sup>th</sup> City Commission meeting, Commissioner Trujillo requested a report on his goals for the City and a related work plan. The following plans are:

- Complete new Planning & Zoning application & staff checklists to improve development process
- Review the audit report, financial policies, procedures, & assist with the resolution of audit findings
- Prepare New Mexico Finance Authority Planning Grant application to update the comprehensive plan
- Assist planning consultant with the development of the comprehensive plan
- Assist departments with the development of annual work plans to accomplish comprehensive plan goals
- Review budget process and identify opportunities to link resources with annual work plans
- Draft policies and procedures to support the goals identified in the comprehensive plan

**Discussion of Water Meter Service Connection Fees:** Mayor Drummond stated to the Commissioners that the water meter fees were established in April of 2005. City Manager James Williams addressed the Commissioners stating that the Water Department has brought to management attention of the cost for one inch meters far exceeds what the connection fee is that we are currently charging. Lovington Municipal Code 13.12.070 does not allow for connection charges to be reviewed and updated on a quarterly basis in order to reimburse the City for the cost of providing such connections. The Water Department has suggested increasing the water connection fee for 1” meters to \$1,000 in order to recoup the cost of the meter, staff time, and equipment use. The Water Department polled other surrounding communities to determine their current water connection fees. This change will only affect new connections. This will have no impact on the monthly water rates. Mayor Drummond asked City Manager Williams to add the item as an action item on the next regular meeting. No action taken.

**ACTION ITEMS:**

**Consideration of Approval of Selection of Voting Delegate & Alternate for NMML Annual Business Meeting:** Mayor Drummond called for a motion to approve the selection of voting delegate & alternate for NMML Annual Business Meeting. Mayor Drummond nominated Commissioner Trujillo & Commissioner Benge. Commissioner Gandy so moved to elect Commissioner Trujillo as Voting Delegate & Commissioner Benge as Alternate. Commissioner Trujillo seconded. Motion was approved.

**Consideration of Approval of Resolution 081213-01 End of Year Budget Increases:** Mayor Drummond called for a motion to approve Resolution 081213-01 End of Year Budget Increases. The Budget increases are necessary due to the increase in revenues, unanticipated expenses with cash on hand and grant funds that were received. Commissioner Gandy so moved. Commissioner Benge seconded. Motion was approved.

**Consideration of Approval of Resolution 081213-02- Inter Budget Transfers:** Mayor Drummond called for a motion to approve the Resolution 081213-02 Inter Budget Transfers. The transfers are necessary due to unanticipated expenses with available budgeted funds in line items. Funds will be transferred from other line items in which budgeted funds were not completely expended. Commissioner Trujillo so moved. Commissioner Gandy seconded. Motion was approved.

**Consideration of Approval of Resolution 081213-03- Intra Budget Transfers:** Mayor Drummond called for a motion to approve Resolution 081213-03 Intra budget Transfers. The transfers are necessary due to unanticipated expenses with available budgeted funds in line items in various budgets. Funds will be transferred from funds in which budgeted funds were not completely expended. Commissioner Gandy so moved. Commissioner Benge seconded. Motion was approved.

**Consideration of Approval of Award of Bid for Grave Digging Services:** Mayor Drummond called for a motion to approve the Award of Bid for Grave Digging Services to D & T Backhoe Service. The contract will be in place for three years, with the ability of the City to extend for one additional year. Bids were opened at 2 p.m. on July 31, 2013. The City only received one bid for these services. The following prices for the following, including vault are:

- Baby Interment: \$150.00
- Regular Interment: \$400.00
- Cremation Interment: \$150.00
- Indigent Interment: \$400.00
- Holiday: \$500.00 additional

Commissioner Trujillo so moved. Commissioner Gandy seconded. Motion was approved.

**Consideration of Approval of Award of Bid for Uniform Cleaning Services:** Mayor Drummond called for a motion to approve the Award of Bid for Uniform Cleaning Services to Parkway Cleaners. Commissioner Gandy so moved. Commissioner Benge seconded. Joe Clark addressed the Commissioners stating that Parkway Cleaners got off easy on the prices but it is not the whole story. The uniforms are returned a week or two later. The Klean Machine will return the uniforms within 24 hours. Commissioners Gandy & Benge withdrew the motion. Commissioner Gandy so moved to resend for rebid. Commissioner Granath seconded. Motion was approved.

**Consideration of Approval of City-Lea County Housing Production Services Incentive Agreement:** Mayor Drummond called for a motion to approve the City-Lea County Housing Production Services. City Manager Williams stated that the agreement provides an additional \$450,000 in funding for the LEDA housing incentives. The County will reimburse the City 50% of the payment to a developer, up to a maximum of \$3,000 per completed housing unit. Commissioner Trujillo so moved. Commissioner Granath seconded. Motion was approved.

**Consideration of Approval of Lovington EDC Report & Consider Approval for Funding through LEDA:** Mayor Drummond called for a motion to approve the Lovington EDC Report & Consider Approval for Funding through LEDA. Randy Pettigrew addressed the Commissioners to provide a report of their activities for the past 12 months. In addition, they are requesting \$50,000 in funding through the LEDA to support their operations. Overall, there has been a lot of interest in Lovington in the last 12 months but either lost to finding a location or building purchase price too high. Commissioner Gandy so moved. Commissioner Trujillo seconded. Motion was approved.

**Consideration of Approval of Restrictive Covenants for City Land at Jefferson & Main Street:** Mayor Drummond called for a motion to approve the Restrictive Covenants for City Land at Jefferson & Main Street. City Attorney McMahan stated that the key points to selling this land would be the City will have the right to repurchase if development has not begun within twelve months or development is not complete within 18 months. The development is limited to retail or restaurant operations. The land cannot be used for any type of residence, permanent, temporary or itinerant. Commissioner Trujillo so moved. Commissioner Benge seconded. Motion was approved.

**Consideration of Approval of Accounts Payables:** Mayor Drummond called for a motion to approve the accounts payables. Commissioner Granath so moved. Commissioner Gandy seconded. Motion was approved.

**PUBLIC COMMENT:** Joyce Holder addressed the Commissioners to invite them to come out and vote on the Judicial Complex. Kallie Richards addressed the Commissioners to let them know her point of view of the Judicial Complex and she encourages them to voice their opinion.

**CLOSED SESSION:**

At 6:30 p.m., Commissioner Trujillo moved to adjourn Regular Session and convene in Closed Session Pursuant to Section 10-15-1 NMSA 1978, Subsection H-2-Discussion of limited personnel matters. Commissioner Granath seconded and a roll call vote was taken: Mayor Drummond, aye; Commissioner Trujillo, aye; Commissioner Benge, aye; Commissioner Granath, aye; and Commissioner Gandy, aye.

At 6:40 p.m., Commissioner Gandy 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: Mayor Drummond, aye; Commissioner Trujillo, aye; Commissioner Benge, aye; Commissioner Granath, aye; and Commissioner Gandy, aye.

**OTHER:** Mayor Drummond stated that the Fair & Rodeo was great this year. City Manager Williams asked the Commissioners to confirm if they are attending the NMML Annual Meeting in Taos, NM. Mayor Drummond, Commissioners Trujillo & Benge confirmed.

**ADJOURNMENT:**

There being no further business the meeting adjourned at 6:42 p.m.

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

**DIXIE DRUMMOND, MAYOR**

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

**CAROL ANN HOGUE, CITY CLERK**

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 26, 2013



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Chamber of Commerce Report  
**DEPARTMENT:** Chamber of Commerce  
**SUBMITTED BY:** Rae Lynn Stewart, Executive Director  
**DATE SUBMITTED:** August 19, 2013

**STAFF SUMMARY:**

The Lovington Chamber of Commerce Executive Director has been asked by the City Manager to present to City Commission an overview of the activities they have performed or coordinated over the previous 12 months.

**FISCAL IMPACT:**

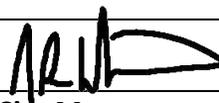
REVIEWED BY: \_\_\_\_\_  
(Finance Director)

**ATTACHMENTS:**

**RECOMMENDATION:**

Information only.

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

  
\_\_\_\_\_  
City Manager

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 26, 2013



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Lovington MainStreet Report  
**DEPARTMENT:** Lovington MainStreet  
**SUBMITTED BY:** Tabitha Lawson, Executive Director  
**DATE SUBMITTED:** August 19, 2013

**STAFF SUMMARY:**

Lovington MainStreet's Executive Director has been asked by the City Manager to present to City Commission an overview of the activities they have performed or coordinated over the previous 12 months.

**FISCAL IMPACT:**

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

(Finance Director)

**ATTACHMENTS:**

**RECOMMENDATION:**

Information only.

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

\_\_\_\_\_  
City Manager

CITY OF LOVINGTON  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 26, 2013



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

SUBJECT: 2015-2019 ICIP  
DEPARTMENT: Executive  
SUBMITTED BY: Jared Cobb, Assistant City Manager  
DATE SUBMITTED: August 23, 2013

**STAFF SUMMARY:**

The Department of Finance and Administration strongly encourages municipalities to develop a 5-year Infrastructure Capital Improvement Plan (ICIP). This document provides an orderly process to plan for the replacement, repair, acquisition, and improvement of equipment and infrastructure. An ICIP is also critical to receive state capital outlay funds, grants, and loans.

**FISCAL IMPACT:**

N/A

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

(Finance Director)

**ATTACHMENTS:**

Draft 2015-2019 ICIP

**RECOMMENDATION:**

Review and make recommendations.

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

  
\_\_\_\_\_  
City Manager

**2015-2019 ICIP**

<b>Year</b>	<b>Rank</b>	<b>Project Title</b>	<b>Est. Cost</b>
2015	1	Water Rights/Well Construction	\$ 6,100,000
2015	2	Replace Water Meters	\$ 1,300,000
2015	3	Central Plaza Project	\$ 1,694,000
2015	4	Irrigation System Chaparral Park	\$ 800,000
2015	5	17th Street North Bypass repair	\$ 1,010,000
2015		Industrial Park/Infrastructure Expansion	\$ 2,300,000
2015		Hwy Bypass Improvements Commercial St.	\$ 2,131,032
2015		Public Safety Radio Upgrades	\$ 350,000
2015		9th Street Polk to Gum	\$ 530,000
2015		McAlister Street Repair	\$ 530,000
2015		Lovington Sport Plex	\$ 800,000
2015		Remodel Water Office Building	\$ 280,000
2015		Public Safety Property Development	\$ 150,000
2015		Replace Wastewater SCADA System	\$ 110,000
2015		Fire Station Construction	\$ 1,320,000
2015		Replace Six Police Vehicles	\$ 210,000
2016		Library Facility updates	\$ 200,000
2016		Apparatus Bay Exhaust System	\$ 250,000
2016		Structure Fire Unit Replacement	\$ 400,000
2016		Fire Dept Rescue Vehicle Replacement	\$ 185,000
2016		Park Improvements	\$ 158,000
2016		Reconstruct Avenue R - Commercial to Main	\$ 1,160,120
2016		Reconstruct Adams St. - Main to Love	\$ 292,280
2016		Wastewater Front End Loader	\$ 250,000
2017		Structural Fire Apparatus (County)	\$ 400,000
2017		Build 3m/gal Water Storage Tank	\$ 3,535,000
2017		Screw Press for Sludge	\$ 270,000
2017		Reconstruct Washington Ave. - Love to East	\$ 292,280
2017		Reconstruct Central Ave. - Main to 9th	\$ 2,447,845
2018		Wildland Fire Unit Replacements	\$ 225,000
2018		WWTP Plant Addition	\$ 65,000
2018		Reconstruct Jefferson Ave. - 13th to 17th	\$ 1,124,075
2018		Reconstruct Commercial Ave. - Washington to Ave. D	\$ 2,029,124

**2015-2019 ICIP**

<b>Year</b>	<b>Rank</b>	<b>Project Title</b>	<b>Est. Cost</b>
2019		Purchase Aerial Fire apparatus	\$ 975,000
2019		Rebuild Lift Stations #3 and #5	\$ 67,000
2019		Reconstruct Urlacher St. - 9th to Brian Urlacher Apts.	\$ 1,708,848
2019		Remodel Dispatch Facility	\$ 37,500
2019		Replace Fire Department SCBAs	\$ 210,000

CITY OF LOVINGTON  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 26, 2013



TYPE:  RESOLUTION     ORDINANCE     PROCLAMATION     INFORMATION     OTHER ACTION

SUBJECT: NMFA Planning Grant Resolution and Application  
DEPARTMENT: Executive  
SUBMITTED BY: Jared Cobb, Assistant City Manager  
DATE SUBMITTED: August 20, 2013

**STAFF SUMMARY:**

The New Mexico Finance Authority (NMFA) is soliciting applications for the 2014 Planning Grant. If awarded, the grant would provide \$50,000 to update the Lovington Comprehensive Plan, which is estimated to cost \$60,000-75,000. The Lovington Economic Development Corporation (LEDC) has proposed to cover the \$25,000 match equally between their general fund and Local Economic Development Act (LEDA) funds.

**FISCAL IMPACT:**

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

An award from NMFA would allow the City to update the comprehensive plan without using general funds.

**ATTACHMENTS:**

NMFA Planning Grant Application

**RECOMMENDATION:**

Approve the application and resolution.

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

  
\_\_\_\_\_  
City Manager

**RESOLUTION NO. 082613-01**

**AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR  
FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE  
NEW MEXICO FINANCE AUTHORITY**

**WHEREAS**, the City of Lovington (the "Governmental Unit") is a duly organized municipality created and formed pursuant to NMSA 1978 and is a qualified entity under the New Mexico Finance Authority Act, Sections 6-21-1 through 6-21-31, NMSA 1978 ("Act"); and

**WHEREAS**, the New Mexico Finance Authority ("Finance Authority") is authorized pursuant to the Act, particularly Section 6-21-6.4 of the Act, to make grants from the local government planning fund (the "Fund") to qualified entities to evaluate and estimate the costs of implementing feasible alternatives for meeting water and wastewater public project needs or to develop water conservation plans, long-term master plans or economic development plans; and

**WHEREAS**, pursuant to the Act the Finance Authority has developed an application procedure whereby the Governing Body may submit an application ("Application") to the Finance Authority for planning grant financial assistance from the Fund; and

**WHEREAS**, the Mayor and City Commission of the Governmental Unit (the "Governing Body") desires to submit an Application for financial assistance from the Fund for a Planning Document, as defined in the Rules Governing the Local Government Planning Fund currently in effect and as specifically identified below, for the benefit of the Governmental Unit; and

**WHEREAS**, the Governing Body intends to submit the Planning Document to develop a long-term master plan for the city of Lovington, New Mexico ("Project") for the benefit of the Governmental Unit and its citizens; and

**WHEREAS**, the application prescribed by the Finance Authority to finance the Planning Document in part with financial assistance from the Fund has been completed, submitted to, and reviewed by the Governing Body, and this Resolution approving submission of the completed Application to the Finance Authority for its consideration and review is required as part of the Application.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY:**

**Section 1.** That all lawful actions previously taken by the Governing Body and the Governmental Unit and their respective officers and employees in connection with the Application and the Project are hereby ratified, approved and confirmed.

**Section 2.** That the completed Application submitted to the Governing Body is hereby approved and confirmed.

**Section 3.** That the officers and employees of the Governmental Unit are hereby directed and requested to submit the completed Application to the Finance Authority, and are further authorized to take such other action as may be requested by the Finance Authority in connection with the Application and to proceed with arrangements for financing the Project.

**Section 4.** All acts and resolutions in conflict with this Resolution are hereby rescinded, annulled and repealed.

**Section 5.** This Resolution shall take effect immediately upon its adoption.

PASSES APPROVED AND ADOPTED this 26<sup>th</sup> day of May, 2013.

City of Lovington

\_\_\_\_\_  
Dixie Drummond, Mayor

(Seal)

ATTEST:

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



**NEW MEXICO  
FINANCE AUTHORITY**

<b>NMFA Use Only:</b>	
App. #:	-PP
FA assigned:	
Legislative Authorization	

**LOCAL GOVERNMENT PLANNING FUND  
APPLICATION**

**I. GENERAL INFORMATION**

**A. APPLICANT /ENTITY**

Application Date:	
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<b>Applicant/Entity:</b>			
<b>Address:</b>			
<b>County</b>		<b>Census Tract:</b>	
<b>Federal Employer Identification Number (EIN) as issued by the IRS:</b>			
<b>Legislative District:</b>	<b>Senate:</b>		<b>House:</b>
<b>Phone:</b>		<b>Fax:</b>	
<b>Individual Completing Application:</b>			
<b>Address:</b>			
<b>Phone:</b>		<b>Fax:</b>	
		<b>Email Address:</b>	

**B. CONSULTING PROFESSIONALS (Legal Counsel, Architect, Engineer, Planner etc.), if available:**

<b>Firm:</b>			
<b>Contact:</b>			
<b>Address:</b>			
<b>Phone:</b>		<b>Fax:</b>	
		<b>Email Address:</b>	

**C. PRIMARY CONTACT PERSON:**

<b>Name:</b>					
<b>Contact:</b>					
<b>Address:</b>					
<b>Phone:</b>		<b>Fax:</b>		<b>Email Address:</b>	

**D. Organizational Readiness-to-proceed (Municipalities & Counties Skip to II)**

1. Are you formally organized? Yes  No

2. Do you have formally adopted by-laws? Yes  No

If yes, please provide a copy.

3. Are you incorporated? Yes  No

If yes, please provide a copy of your Articles of Incorporation.

4. Do you have regular board meetings? Yes  No

If yes, please identify when and how often.

5. Do you keep formalized records of your Board meetings? Yes  No

6. Do you have written Board rules and regulations? Yes  No

If yes, please provide a copy.

**II. PROJECT SUMMARY**

**A. Project Description.** Complete the following information, use additional paper if necessary. Include any additional documents that may be useful in reviewing this project, i.e. architectural designs, feasibility studies, business plan, etc.

**1. Type of Project**

- Preliminary Engineering Report (PER)
- Environmental Information Document
- Local Economic Development Act plan & Comprehensive Economic Development plan
- Water Conservation Plan
- Comprehensive Plan

- Infrastructure Plan for project identified on the ICIP
- Economic Development Feasibility Study
- Asset Management Plan
- Water Master Plan
- Wastewater Master Plan
- Energy Audit

2. Please include a detailed description of the scope of the proposed plan to be funded. Attach additional pages as needed.

**B. Sources of Funding**

NMFA Planning Funds Requested \_\_\_\_\_

Non-NMFA Funds (specify source & terms) \_\_\_\_\_

**III. Water & Wastewater System Rates & Information (if applicable)**

A. 1. List the current residential water or wastewater;

	<b>Wastewater Rate per 6000 Gallons</b>	<b>Water Rate per 6,000 Gallons</b>	<b>Last Adjusted</b>
<b>Residential</b>			
<b>Commercial</b>			

2. Is the water system metered? Yes  No

If yes, what percentage? \_\_\_\_\_

3. Is the wastewater system metered? Yes  No

If yes, what percentage? \_\_\_\_\_

4. How many connections? \_\_\_\_\_

5. How many certified operators? \_\_\_\_\_

#### **IV. READINESS TO PROCEED ITEMS**

**A. The following items must accompany this application in order for this application to be considered complete:**

- Map of service area, including census tract information
- 3 years of most recently completed fiscal year audit reports or unaudited financials
- Current unaudited financials
- Current fiscal year budget
- NMFA Application Resolution
- By-laws (if applicable)
  
- Articles of incorporation (if applicable)
- Board rules and regulations (if applicable)
- Open Meetings Act Resolution
- Documentation that each non-NMFA project funding source has been approved, or is in the process of being approved (if applicable)
- Joint Powers Agreement (if applicable)
- Administrative Order (if applicable)

*Please Note: All water and wastewater planning documents must conform to Rural Utilities Services (RUS) Guidelines which is available from NMFA upon request. The scope and writer of any economic development feasibility study must be approved in advance by the Economic Development Department. A copy of any final report must be submitted to and accepted by the NMFA prior to disbursement of NMFA funds. NMFA may consult with the Departments of Environment, Economic Development or Finance & Administration in determining acceptability of any report.*

**V. CERTIFICATION**

**I certify that:**

**We have the authority to request and incur the debt described in this application and, upon award, will enter into a contract for the repayment of any NMFA loans and/or bonds.**

**We will comply with all applicable state and federal regulations and requirements.**

**To the best of my knowledge all information contained in this application is valid and accurate and the submission of this application has been authorized by the governing body of the undersigned jurisdiction.**

**Signature:**

**Title:**

\_\_\_\_\_  
(highest elected official)

**Jurisdiction:**

**Print Name:**

**Date:**

**Signature:**

**Date:**

**Finance Officer/Director:**

## City of Lovington Comprehensive Plan Update

The City of Lovington Comprehensive Plan was last updated in January 2003. Over the course of the last ten years the community has changed significantly, with new opportunities and challenges facing each plan element. A major update to the comprehensive plan is necessary to address these demands.

To assist staff, the City Commission desires to hire a planning consultant that specializes in comprehensive planning. The consultant will be responsible for facilitating an inclusive public engagement process and developing a comprehensive plan that will not only guide development, but also serve as the chief policy document for the City of Lovington.

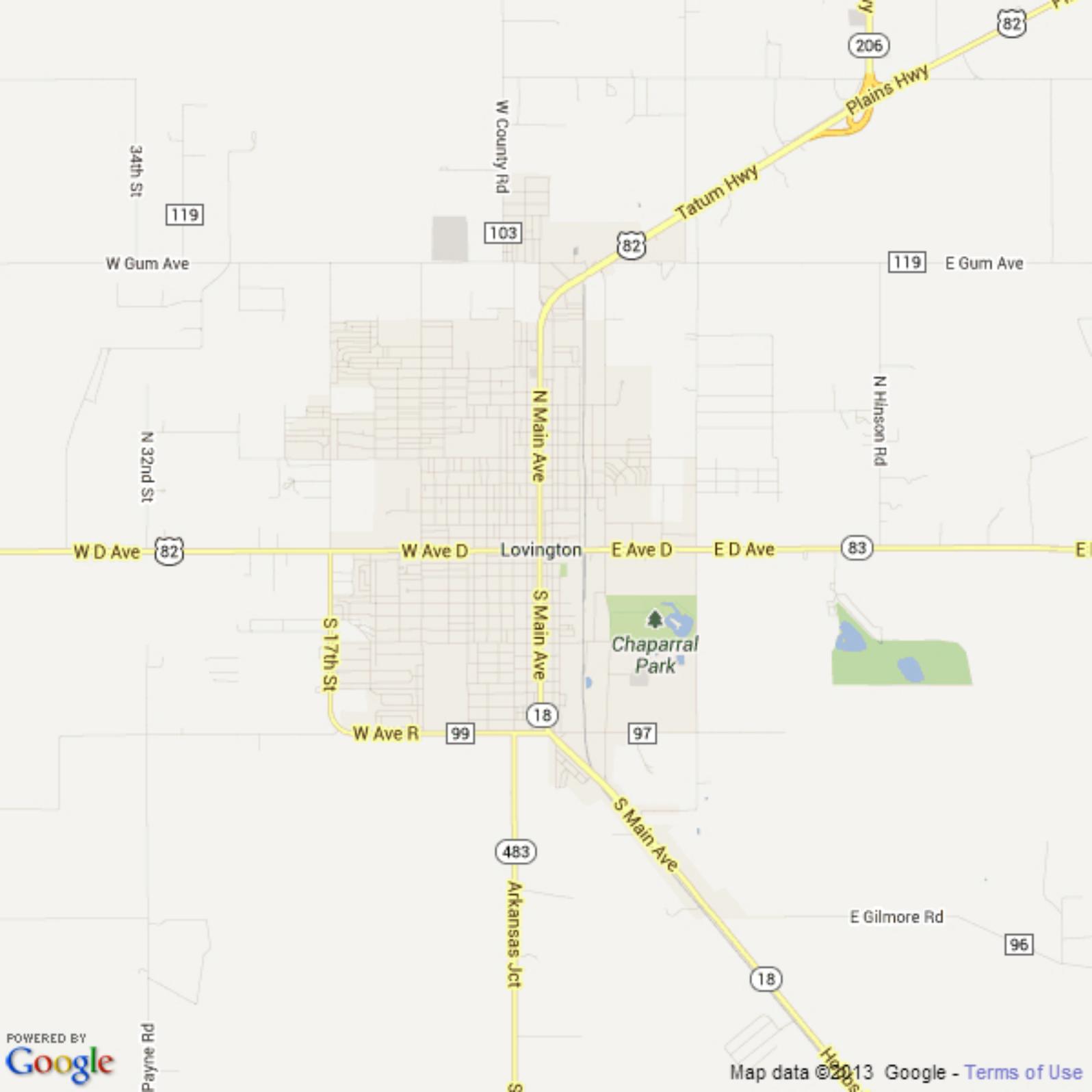
Creative suggestions are welcome and will be considered for inclusion. Planning firms will be requested, however, to price these elements separately. The following elements, or some variation thereof, will be required in the request for proposal:

- Introduction – The introduction shall explain the purpose, organization, and process of developing the comprehensive plan. A vision statement, mission statement, and set of values should also be included and used as the foundation for developing all plan elements.
- Community Profile – This element shall provide a brief history and profile of Lovington, including items such as its location, structure of government, demographics, and socioeconomic data.
- Land Use and Development – This element will discuss the existing and future land use patterns. A large piece of this element shall be devoted to the development of a new unified zoning and subdivision ordinance.
- Community Image – This element shall offer an assessment of existing conditions, as well as future programs to support efforts in beautification and historic preservation. The City's community branding plan should be incorporated into this element as well.
- Economic Vitality – This section will evaluate current economic conditions and offer a clear and comprehensive strategy designed to foster economic development.
- Housing – Lovington is currently experiencing a severe housing shortage. This section shall provide an inventory of existing housing, and direction for improving the overall housing stock. A focus shall be placed on creating more alternatives for homebuyers and renters.
- Parks, Recreation, and Open Space – The City does not currently maintain a parks master plan. This element will include an inventory of all parks, recreation facilities, and

open space. In addition, it will offer a plan for the development of new facilities.

- Public Services – A variety of public services are available in Lovington through the City, County, and School District. This element will discuss existing services and identify any potential gaps or improvements.
- Infrastructure – The existing condition of the transportation network and all utilities shall be covered in this section. This includes roads, sidewalks, water, sewer, stormwater, electric, gas, and telecommunications. Future plans and improvements should also be discussed.

All plan elements shall be supported with data and visual aids, such as tables, charts, and photographs. A list of goals, objectives, and strategies shall also be included for each element, along with actionable steps for implementation. Finally, public engagement shall play a central role in the development of each plan element with input clearly identified and summarized.



34th St

119

W Gum Ave

103

W County Rd

82

Tatum Hwy

206

Plains Hwy

82

119

E Gum Ave

N 32nd St

N Main Ave

N Hinson Rd

W D Ave

82

W Ave D

Lovington

E Ave D

E D Ave

83

S 17th St

S Main Ave

Chaparral Park

W Ave R

99

18

97

483

Arkansas Jct

S Main Ave

E Gilmore Rd

96

18

Payne Rd

New Mexico Department of Finance and Administration  
 Local Government Division  
 Budget Request Recapitulation  
 ROUNDED TO NEAREST DOLLAR

Fiscal Year 2013-2014

MUNICIPALITY:  
 LOVINGTON

FUND TITLE	FUND NUMBER	UNAUDITED BEGINNING CASH BALANCE @JULY 1	INVESTMENTS	BUDGETED REVENUES	BUDGETED TRANSFERS	BUDGETED EXPENDITURES	ESTIMATED ENDING CASH BALANCE	LOCAL RESERVE REQUIREMENTS UNAVAILABLE FOR BUDGETING	ADJUSTED ENDING CASH BALANCE
GENERAL FUND - Operating (GF)	101	\$4,819,178	\$0	10,396,174	111,000	9,838,961	\$5,487,391	819,913	\$4,667,478
CORRECTION	201	\$77,152	\$0	36,000	0	20,000	\$93,152		\$93,152
ENVIRONMENTAL GRT	202	\$0	\$0	0	0	0	\$0		\$0
EMS	206	\$0	\$0	14,700	0	14,700	\$0		\$0
ENHANCED 911	207	\$0	\$0	0	0	0	\$0		\$0
FIRE PROTECTION FUND	209	\$0	\$0	78,443	0	78,443	\$0		\$0
LEPF	211	\$18	\$0	32,000	0	32,000	\$18		\$18
LODGERS' TAX	214	\$11,392	\$0	71,000	0	86,000	(\$3,608)		(\$3,608)
MUNICIPAL STREET	216	\$525,286	\$0	191,000	0	0	\$716,286		\$716,286
RECREATION	217	\$22,223	\$0	4,050	40,000	56,023	\$10,250		\$10,250
INTERGOVERNMENTAL GRANTS	218	\$0	\$0	0	0	0	\$0		\$0
SENIOR CITIZEN	219	\$25	\$0	151,000	(151,000)	0	\$25		\$25
DWI PROGRAM	223	\$0	\$0	0	0	0	\$0		\$0
OTHER	299	\$759,416	\$0	63,240	0	53,070	\$769,586		\$769,586
CAPITAL PROJECT FUNDS	300	\$0	\$0	0	0	0	\$0		\$0
G. O. BONDS	401	\$0	\$0	0	0	0	\$0		\$0
REVENUE BONDS	402	\$0	\$0	0	0	0	\$0		\$0
DEBT SERVICE OTHER	403	\$0	\$0	0	0	0	\$0		\$0
ENTERPRISE FUNDS	500								
Water Fund		\$2,602,554	\$0	4,696,000	(1,770,000)	3,602,809	\$1,925,745		\$1,925,745
Solid Waste		\$1,210,219	\$0	101,000	1,770,000	1,568,461	\$1,512,758		\$1,512,758
Waste Water		\$0	\$0	0	0	0	\$0		\$0
Airport		\$0	\$0	0	0	0	\$0		\$0
Ambulance		\$429,845	\$0	525,070	0	462,555	\$492,360		\$492,360
Cemetery		\$0	\$0	0	0	0	\$0		\$0
Housing		\$0	\$0	0	0	0	\$0		\$0
Parking		\$0	\$0	0	0	0	\$0		\$0
Other Enterprise (enter fund name)		\$0	\$0	0	0	0	\$0		\$0
Other Enterprise (enter fund name)		\$0	\$0	0	0	0	\$0		\$0
Other Enterprise (enter fund name)		\$0	\$0	0	0	0	\$0		\$0
Other Enterprise (enter fund name)		\$0	\$0	0	0	0	\$0		\$0
INTERNAL SERVICE FUNDS	600	\$16,462	\$0	801	0	25,000	(\$7,737)		(\$7,737)
TRUST AND AGENCY FUNDS	700	\$0	\$0	0	0	0	\$0		\$0
<b>Grand Total</b>		<b>\$10,473,770</b>	<b>\$0</b>	<b>\$16,360,478</b>	<b>\$0</b>	<b>\$15,838,022</b>	<b>\$10,996,226</b>	<b>\$819,913</b>	<b>\$10,176,313</b>

## State &amp; County QuickFacts

**Lovington (city), New Mexico**

<b>People QuickFacts</b>	<b>Lovington</b>	<b>New Mexico</b>
Population, 2012 estimate	11,275	2,085,538
Population, 2010 (April 1) estimates base	11,009	2,059,180
Population, percent change, April 1, 2010 to July 1, 2012	2.4%	1.3%
Population, 2010	11,009	2,059,179
Persons under 5 years, percent, 2010	9.9%	7.0%
Persons under 18 years, percent, 2010	31.7%	25.2%
Persons 65 years and over, percent, 2010	10.8%	13.2%
Female persons, percent, 2010	50.0%	50.6%
-----		
White alone, percent, 2010 (a)	66.9%	68.4%
Black or African American alone, percent, 2010 (a)	2.4%	2.1%
American Indian and Alaska Native alone, percent, 2010 (a)	1.5%	9.4%
Asian alone, percent, 2010 (a)	0.4%	1.4%
Native Hawaiian and Other Pacific Islander alone, percent, 2010 (a)	Z	0.1%
Two or More Races, percent, 2010	2.6%	3.7%
Hispanic or Latino, percent, 2010 (b)	64.3%	46.3%
White alone, not Hispanic or Latino, percent, 2010	31.7%	40.5%
-----		
Living in same house 1 year & over, percent, 2007-2011	84.6%	84.6%
Foreign born persons, percent, 2007-2011	21.3%	9.8%
Language other than English spoken at home, percent age 5+, 2007-2011	54.3%	36.2%
High school graduate or higher, percent of persons age 25+, 2007-2011	61.1%	83.1%
Bachelor's degree or higher, percent of persons age 25+, 2007-2011	8.7%	25.4%
Veterans, 2007-2011	475	176,805
Mean travel time to work (minutes), workers age 16+, 2007-2011	20.1	21.8
-----		
Housing units, 2010	3,956	901,388
Homeownership rate, 2007-2011	70.2%	69.6%
-----		
Housing units in multi-unit structures, percent, 2007-2011	6.4%	15.0%
Median value of owner-occupied housing units, 2007-2011	\$81,100	\$161,800
Households, 2007-2011	3,206	762,002
Persons per household, 2007-2011	3.25	2.62
Per capita money income in the past 12 months (2011 dollars), 2007-2011	\$15,581	\$23,537
Median household income, 2007-2011	\$40,655	\$44,631
Persons below poverty level, percent, 2007-2011	20.0%	19.0%

<b>Business QuickFacts</b>	<b>Lovington</b>	<b>New Mexico</b>
Total number of firms, 2007	727	157,231
Black-owned firms, percent, 2007	F	1.2%
American Indian- and Alaska Native-owned firms, percent, 2007	F	5.3%
Asian-owned firms, percent, 2007	F	2.1%
Native Hawaiian and Other Pacific Islander-owned firms, percent, 2007	F	0.1%
Hispanic-owned firms, percent, 2007	S	23.6%
Women-owned firms, percent, 2007	21.3%	31.7%
-----		
Manufacturers shipments, 2007 (\$1000)	NA	17,122,725
Merchant wholesaler sales, 2007 (\$1000)	48,348	10,589,286
Retail sales, 2007 (\$1000)	67,521	24,469,997
Retail sales per capita, 2007	\$6,781	\$12,429
Accommodation and food services sales, 2007 (\$1000)	40,485	2,714,200

Accommodation and food services sales, 2007 (\$1000)	12,463	3,734,300
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<b>Geography QuickFacts</b>	<b>Lovington</b>	<b>New Mexico</b>
Land area in square miles, 2010	4.74	121,298.15
Persons per square mile, 2010	2,321.1	17.0
FIPS Code	44490	35
Counties		

(a) Includes persons reporting only one race.

(b) Hispanics may be of any race, so also are included in applicable race categories.

D: Suppressed to avoid disclosure of confidential information

F: Fewer than 25 firms

FN: Footnote on this item for this area in place of data

NA: Not available

S: Suppressed; does not meet publication standards

X: Not applicable

Z: Value greater than zero but less than half unit of measure shown

Source U.S. Census Bureau: State and County QuickFacts. Data derived from Population Estimates, American Community Survey, Census of Population and Housing, County Business Patterns, Economic Census, Survey of Business Owners, Building Permits, Census of Governments

Last Revised: Thursday, 27-Jun-2013 14:09:14 EDT

CITY OF LOVINGTON  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 26, 2013



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

SUBJECT: Consider Acceptance of Land Donation  
DEPARTMENT: Executive  
SUBMITTED BY: James R. Williams, City Manager  
DATE SUBMITTED: August 19, 2013

**STAFF SUMMARY:**

The City has been approached by a member of the Lovington First United Methodist Church Board of Trustees concerning the possible donation of land for a City park. This area is located immediately to the west of the church. The individual has proposed donating this land if the City agrees to maintain the park. They have also proposed seeking financial assistance from an outside entity to provide for park equipment.

Pat Wise will present further information and answer any questions the Commission may have.

**FISCAL IMPACT:**

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

Cost for staff, materials, equipment, etc for park maintenance.

**ATTACHMENTS:**

**RECOMMENDATION:**

Motion to accept donation of land if Church Board agrees and funding for equipment is obtained.

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

  
\_\_\_\_\_  
City Manager

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 26, 2013



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Stop Sign Installation 13th and Avenue M  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** August 19, 2013

**STAFF SUMMARY:**

City Hall has received several requests for the installation of a 4 way stop at 13th Street and Avenue M. Residents have voiced concerns over speeding and pedestrian safety.

The Police Department has evaluated the area and recommend the placement of a 4 way stop.

**FISCAL IMPACT:**

\$300 for signage.

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

(Finance Director)

**ATTACHMENTS:**

**RECOMMENDATION:**

Motion to approve.

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

  
\_\_\_\_\_  
City Manager

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM



MEETING DATE: August 26, 2013

TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Final Approval of Water Turn Off Policy  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** August 19, 2013

**STAFF SUMMARY:**

Advertisement of the Water Turn Off Policy has been completed. This policy has been mailed out to each water customer, made available at City Hall, and posted on the City website.

Final approval is necessary. If approved, this policy will go into effect on September 1, 2013.

**FISCAL IMPACT:**

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

(Finance Director)

Reduction in write off's.

**ATTACHMENTS:**

Water Turn Off Policy

**RECOMMENDATION:**

Motion to adopt.

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

  
\_\_\_\_\_  
City Manager

## **Water Turn-Off Policy**

1. Water bills are mailed the third week of each month and are due by the 10<sup>th</sup> of the following month. The bill shows the customer name, the amount, and date the bill is due. There is also a reminder that the customer will incur a 5% late penalty if payment is received after the 10<sup>th</sup>, and will be disconnected if the balance is not paid, or an extension request is not granted, by the 26<sup>th</sup>.
2. If the balance is not paid by the 10<sup>th</sup> of the following month, a 5% late penalty is applied to the bill. An additional bill with the late penalty is mailed to the customer with a reminder that utility service will be disconnected if payment, or an extension request, is not made by the 26<sup>th</sup>.
3. Payment must be received, or an extension request granted, by the 26<sup>th</sup> to avoid being disconnected. Service will be disconnected after the 26<sup>th</sup> and a \$50 reinstatement fee will be added to the bill. This fee applies regardless of whether the service has been disconnected; the process of compiling the turn-off list requires extensive staff time and it would be unfair to shift this cost off to other customers.
4. Payment extensions will only be allowed twice per calendar year. Customers who request an extension will be given an additional 30 days to pay their balance in full, but will still incur the 5% late penalty. If the balance remains unpaid after the extension, service will be disconnected and will not be reinstated until the balance is paid in full, along with the \$50 reinstatement fee.
5. All extensions will require the customer to complete a Payment Extension Request Form. These forms will be kept on file until January 1<sup>st</sup> of the following year.
6. This policy shall take effect on September 1, 2013. Customers with an *existing* balance in excess of \$250 will be given the option to sign up for a payment plan, whereby the customer will be required to place a 20% down payment and pay the remaining balance off in equal monthly installments over a period of six months. Failure to make timely payments, or to keep current on new bills, will result in the disconnection of water service. To reinstate service the customer will be required to pay the remaining balance on their account and a \$50 reinstatement fee.

# Payment Extension Request Form

Customer: \_\_\_\_\_ Account #: \_\_\_\_\_

Telephone: \_\_\_\_\_ Address: \_\_\_\_\_

By signing the following payment extension request, I affirm that I have read and understand the attached Water Turn-Off Policy for the City of Lovington, New Mexico. Furthermore, I understand that if I fail to adhere to the terms of this policy my water service will be disconnected until which time I pay the balance in full and a \$50 reinstatement fee.

## Extension 1

Payment Due Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Extension 2

Payment Due Date: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 26, 2013



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Adoption of Water Connection Fees  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** August 19, 2013

**STAFF SUMMARY:**

As discussed at the previous Commission Meeting, staff provided a recommendation to increase water connection fees for new 1" services to \$1,000.

The current charge for a new 1" service is \$520. The cost of the meter and materials is actually \$815.75.

**FISCAL IMPACT:**

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

(Finance Director)

An increase in connection fees will allow for recapture of funds expended for materials, equipment use, and staff time.

**ATTACHMENTS:**

Current fees, comparison, and cost breakdown.

**RECOMMENDATION:**

Motion to increase 1" water connection fees to recommended amount.

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

  
\_\_\_\_\_  
City Manager

**Current City of Lovington**  
**Water Connection Fees**

Meter Size	Current Connection Fee
1"	\$520.00
2"	\$2,050
3"	\$8,200
4"	\$9,975
5"	\$13,300

**Other Community**  
**1" Meter Connections**

Community	Connection Fee
City of Artesia	\$509.26
City of Hobbs	\$1,200-\$1,300
City of Carlsbad	\$8,455.00

### City of Lovington Meter Cost

Equipment	Cost
Tap Saddle	\$70.75
Adapters	\$105.00
Polypipe 10'	\$4.50
Curb stop	\$83.50
Meter Couplings	\$32.00
IPerl Meter	\$225.00
Meter Box with Lid	\$110.00
MXU Radio	\$185.00
<b>TOTAL</b>	<b>\$815.75</b>

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 26, 2013



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Judicial Complex Road Closures  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** August 20, 2013

**STAFF SUMMARY:**

As requested, this item has been listed as a Commission Action Item. Roads to be considered for closure would be Love Street, between Central and Washington, Central, between Love and East Street, and a portion of Washington between Love and East Streets.

Staff will provide details that will be presented during the August 22, 2013 County Commission meeting.

**FISCAL IMPACT:**

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

(Finance Director)

**ATTACHMENTS:**

**RECOMMENDATION:**

It is unknown if agreeing to close these streets will affect the decision of the County in regards to placement of the judicial complex. Closing of these streets will affect utility access and divert traffic to other streets that will potentially create congestion.

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

  
\_\_\_\_\_  
City Manager

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 26, 2013



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Sale of Surplus Property  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** August 19, 2013

**STAFF SUMMARY:**

Staff have prepared a list of surplus vehicles and equipment that are no longer in use. Commission action is required in order to send these items to auction. The auction will be held on September 14, 2013 at James Cecil Auctioneers.

**FISCAL IMPACT:**

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

Unknown amount generated from sale of surplus property.

**ATTACHMENTS:**

Surplus property list.

**RECOMMENDATION:**

Motion to approve sale of surplus property.

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

  
\_\_\_\_\_  
City Manager

SURPLUS PROPERTY  
08/26/2013

Department	Description	Identification Number
Police	2003 Chevrolet Impala	2G1WF55K339296599
Police	2005 Chevrolet Impala	2G1WF55K559262828
Senior Citizen Center	1994 Dodge Ram 350	2B5WB3524RK144863
Senior Citizen Center	Computer Monitor – Model X-754	ERC000402731
Senior Citizen Center	Computer Monitor – Model M781P	CM2317
Senior Citizen Center	Computer Monitor – Model 700NF	AQ17H2HRA03296B
Senior Citizen Center	Computer Monitor – Model X-754	ERCC000507783
Senior Citizen Center	Computer Monitor – CA6425DS	CE8C42409
Library	Computer desk	435
Library	CPU holder	549
Library	CPU holder	553
Library	CPU holder	557
Library	Brother MFC Fax	U61403K5F449789
Library	Word processing typewriter	00774453
Library	Flatbed Scanner	CH0811740P
Library	Kodak Easyshare	KCXGG64907397
Library	HP 215 Photosmart Printer	OAO5S327892
Library	HP Deskjet 600 Printer	CN5AL1R052
Library	Laser Jet 4050 TN Printer	510
Library	Canon BJC-250 Printer	ENW66485
Library	Television	G453EK76
Library	Microfilm Reader	147
Fire	1998 Ford F250 4x4	1FTPF28W2WKC22781
Fire	2004 Dodge Ram 1500	1D7HU18D3555153168

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 26, 2013



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Approval of Housing Incentive Awards  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** August 19, 2013

**STAFF SUMMARY:**

The City has received three responses from the Housing Production Services RFP 011513. This RFP allows for reimbursement for off site infrastructure development costs for housing units, not to exceed \$6,000 per unit. The applications have been reviewed by the EDC Due Diligence Committee and they have provided the following recommendations for funding.

Sunrise Addition - Ramirez and Sons: \$252,000 (42 units)  
Cottonwood Avenue - Goldcreek Homes: \$84,000 (28 units)  
Jackson Avenue - Goldcreek Homes: \$19,800 (6 units)

**FISCAL IMPACT:**

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

Total reimbursements: \$355,800

Reimbursement to City from Lea County Agreement: \$177,900

**ATTACHMENTS:**

Project proposals and recommendations.  
Housing Development Agreement

**RECOMMENDATION:**

Motion to approve RFP awards.

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

  
\_\_\_\_\_  
City Manager

## **Sunrise Addition (Mike Jameson & Lonnie Ramirez) Polk & 7<sup>th</sup> Street**

### **PROJECT DESCRIPTION**

M&L Development was formed to support the increased demand for affordable residential housing in Lovington. M&L mission is to develop land, infrastructure and housing for 42 lot residential subdivision on the corner of Polk Avenue and 7<sup>th</sup> Street known as Sunrise Addition. The 10 acre parcel of real estate has been purchased. The infrastructure for Phase 1 has begun.

### **M & L development LLC Owners/Principals**

- Robert Michael Jameson- President: and current owner of Bob's Thriftway since 1979. Brings 33 years of retail management experience. Responsible for daily operations, including purchasing, scheduling, and budgeting; has successfully overseen completion of several single home dwellings.
- Alonzo "Lonnie" Ramirez- Vice President: and current owner of Ramirez and Sons, Inc. an earthwork and paving Construction Company since 1996 to present with 30 years of expertise in all facets of general earthwork and paving. Responsible for bidding, blueprints, subcontractor selection, banking and bonding, fleet management of over 200 pieces of equipment, and employ up to 60 workers. Successful completion of multi-million dollar projects through coordinating trades, building positive rapport with architects, engineers, local officials, and clients. Key projects: Eunice Main Street Improvements Phase 1 & 2; City of Hobbs Annual Maintenance Contract: Mack Chase, Roswell International Airport, and Lovington Public Schools.

**Sunrise Addition  
Ramirez & Sons  
Single Family Housing Cost Proposal**

<b>Drainage Construction</b>			
QTY	Unit	Description:	Costs
3556	LF	18" Wide Curb	\$65,786
6	Fillets	10' Radius	\$10,500.00
<b>Street Extension</b>			
1625	Tons	Base	\$35,750.00
597	Tons	Hot Mix	\$52,536.00
<b>Sewer</b>			
2746	LF	8"	\$87,212.96
8	Each	Manholes with lids	\$25,034.24
42	Each	8" with reducers	\$22,720.00
<b>Water</b>			
6	Each	Fire Hydrants	\$17,898.00
9	Each	6x6	\$12,379.95
2297	Each	8"	\$76,076.64
		6"	
3		Valves	\$3,379.05
		6"	
678	LF	Water	\$19,228.08
42		Water Taps	\$15,173.34
Total:			\$443,674.26

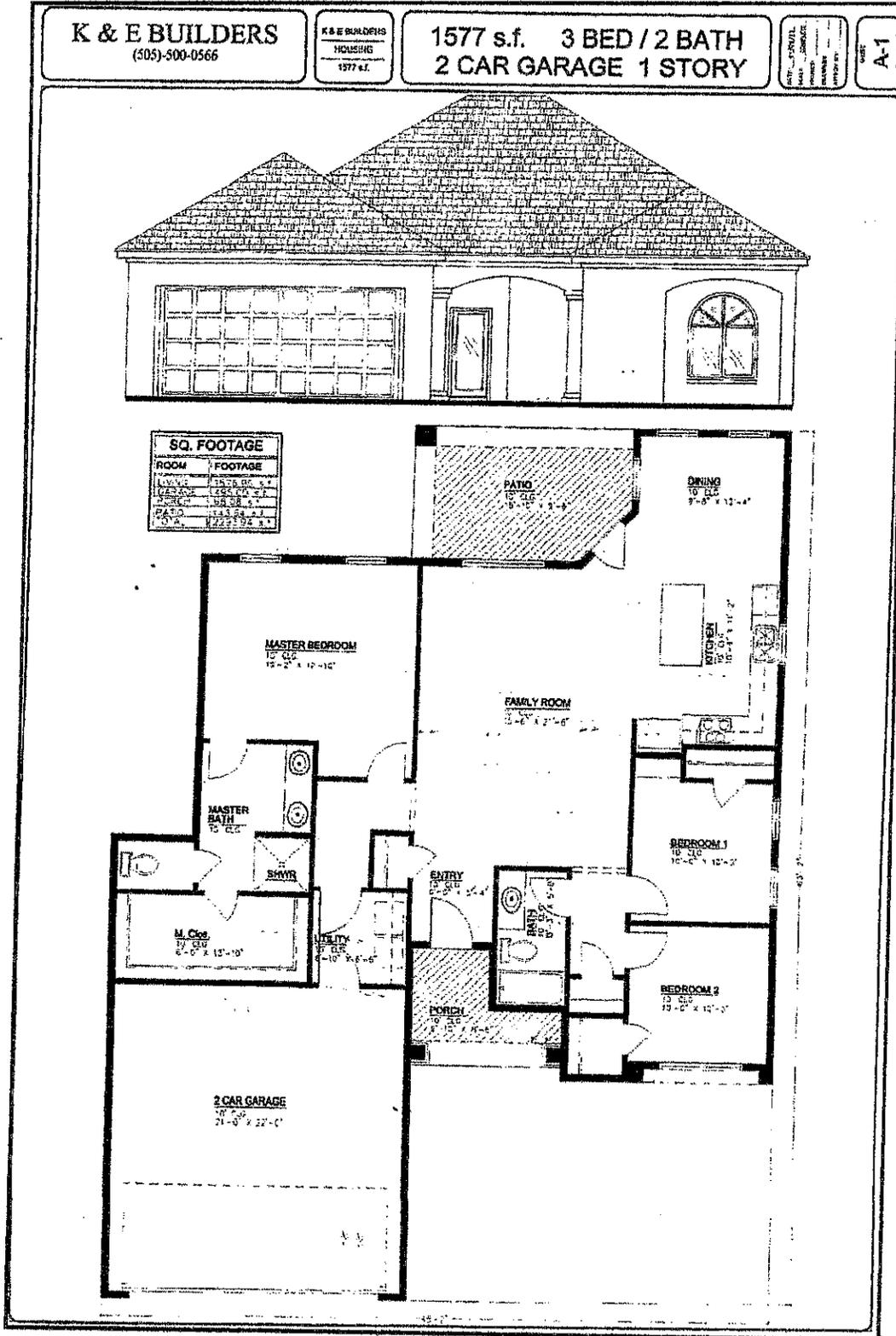
Sunrise Addition submitted for reimbursements on the following: Labor bedding, backfill and trenching up to the property line, Survey Work, Curb & Gutters, Sewer and Water tap to property line, fire hydrants and asphalt. This does fall in the RFP guidelines.

The Lovington EDC makes the recommendation to reimburse Sunrise Addition in the amount of \$ 252,000 for their project. PLEASE NOTE: Sunrise Addition submitted the required information and information was verified. No reimbursement will be given until receipts of actual work are presented. Reimbursements will be given after every 4 homes are built and inspected.



# Building Sketch

Borrower/Client	K & E Builders		
Property Address	Lot 27, Desert Willow Sub-Div		
City	Lovington	County	Lea
		State	NM
		Zip Code	88260
Lender			



## **Gold Creek Homes (Ryan Voorhees) Cottonwood Project**

### **PROJECT DESCRIPTION**

Development and construction of single family homes on 28 lots in Lovington. The lots are located on Cottonwood Ave, in the North West part of Lovington.

The project will be built out using 4 different home plans. These range for 1440 square feet to 2120 square feet.

All elevation will include some stone work, with stucco siding and upgraded exterior lighting. The desire is to create some quality, high end homes that are needed in the Lovington area.

A proposed site plan and sample floor plan and elevations are included.

### **PROJECT NARATIVE**

The project will be developed by Ryan Voorhees and his related legal entities. Voorhees has been in the construction and development business for 25 years and has successfully developed over 20 projects, from raw land to build out. These projects include the development of over 1500 commercial and residential lots.

Home construction is done under the name of "Gold Creek Homes" detail of the company and current projects may be seen on their website. At present Voorhees owns small residential building projects in Lovington, Artesia and Roswell. He also owns the Bel Aire Shopping Center of Hobbs.

The 28 lots on Cottonwood Ave are existing and the improvement that were, or will be installed within the city right of way, on these lots is as follows:

1. Cut Driveway Approach	\$ 800
2. Install 300 square feet of sidewalk @ \$6.50 per foot	\$ 1,950
3. Install sewer and water to the homes, including tie into The main sewer line	\$ 1,800
Total proposed reimbursable cost, per lot	\$ 4, 550

---

Recommended Reimbursements based on Reasonable Market Cost

1. Cut Driveway Approach	\$ 800
2. Install 300 square feet of sidewalk @ <b>\$4.00</b> per foot	\$ 1,200
3. Install sewer and water to the homes, including tie into The main sewer line	\$ 1,000
NEW Total direct cost, during home construction	\$ 3,000 per lot

## Gold Creek Home (Ryan Voorhees) Jackson Ave Project

### PROJECT DESCRIPTION

Development and construction of single family homes on 6 lots in Lovington. The lots are located on Jackson Ave. The lots numbers are 4, 9,10,11,12 and 13.

The project will be built out using 4 different home plans. These range from 1440 square feet to 2120 square feet.

The 6 lots on Jackson Ave are existing and the improvements that were, or will be installed within the city right of way, on these lots is as follows;

1. Cut driveway approach	\$ 800
2. Install 375 square feet of sidewalk @ 6.50 per foot	\$ 2,437
3. Install sewer and water laterals to the homes Including tie into the main sewer line,	\$ 1,800
 Total proposed reimbursement cost, per lot	 \$ 5,037

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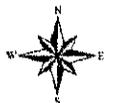
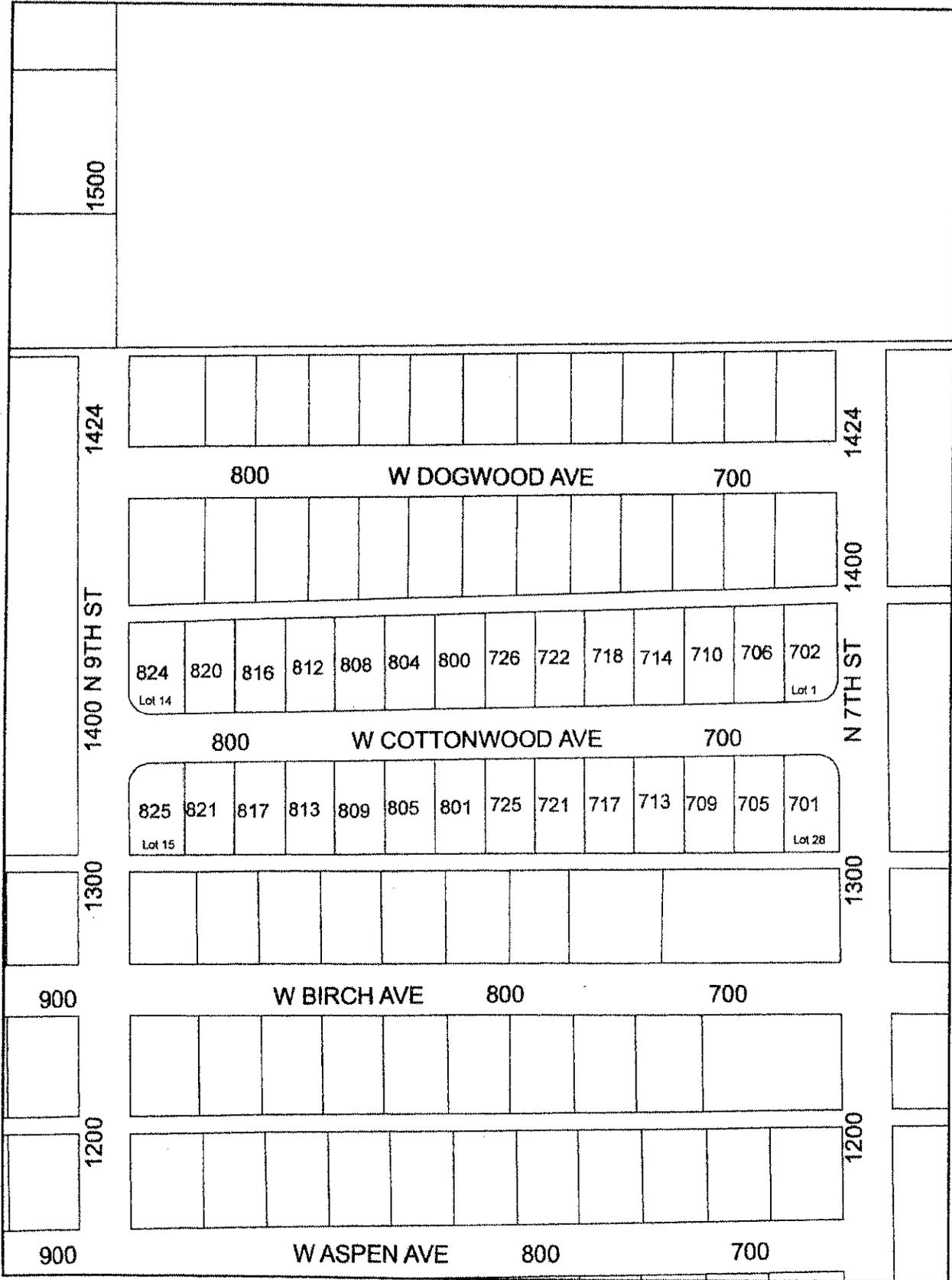
### Recommended Reimbursements based on Reasonable Market Cost

1. Cut Driveway Approach	\$ 800
2. Install 300 square feet of sidewalk @ <b>\$4.00</b> per foot	\$ 1,500
3. Install sewer and water to the homes, including tie into The main sewer line	\$ 1,000
 NEW Total direct cost, during home construction	 \$ 3,300 per lot

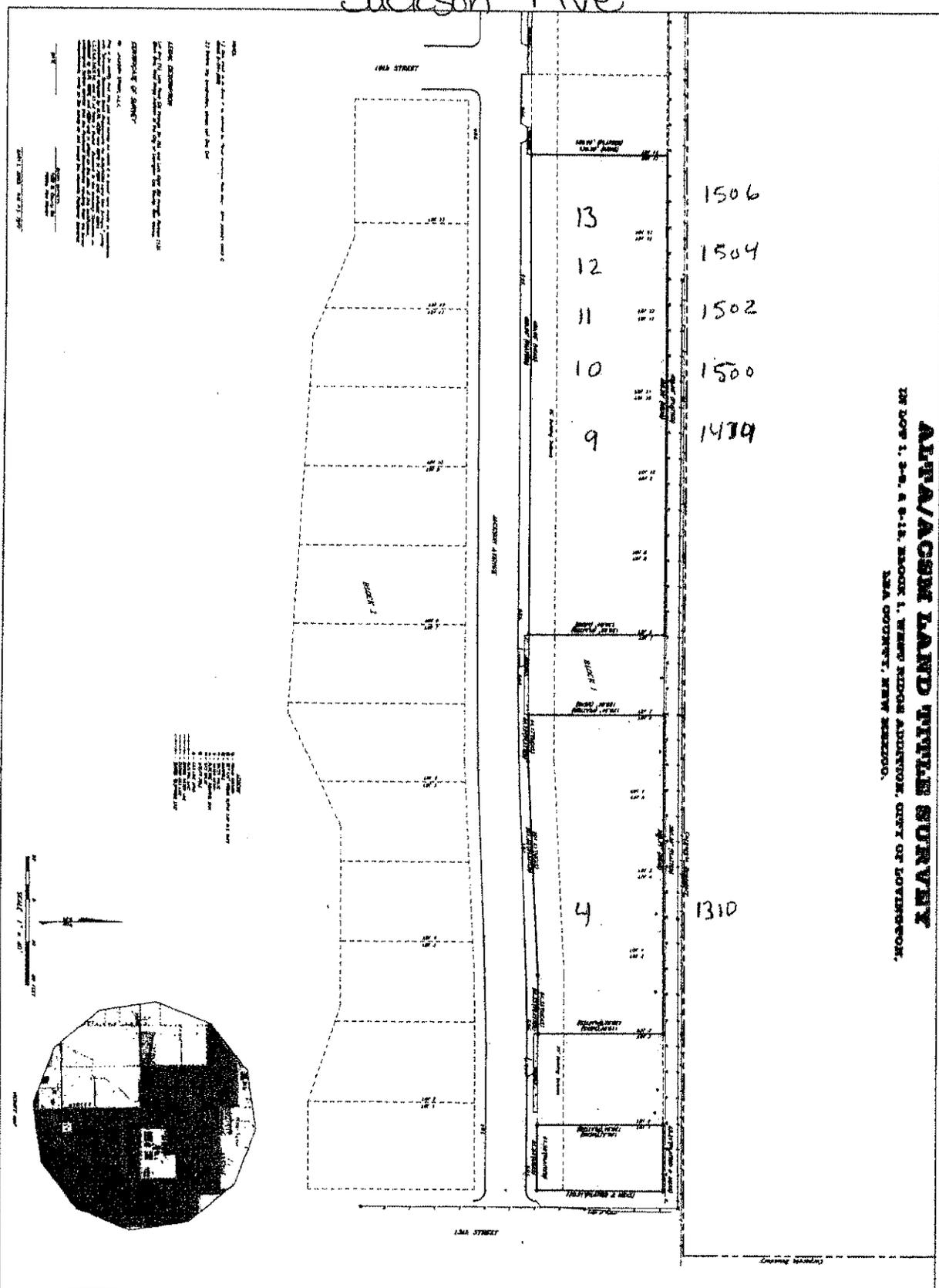
Gold Creek homes submitted for reimbursements on the following: Labor bedding, backfill and trenching up to the property line, Survey Work, Curb & Gutters, Sewer and Water tap to property line, fire hydrants and asphalt. This does fall in the RFP guidelines.

The Lovington EDC makes the recommendation to Reimburse Gold Creek Homes in the amount of \$ 103,800 for both projects. **PLEASE NOTE:** Gold Creek Homes submitted the required information and information was verified. No reimbursement will be given until receipts of actual work are presented. Reimbursements will be given after every 4 homes are built and inspected.

# Marion Heights - W. Cottonwood Ave.



Jackson Ave



**ALFA/JACSON LAND PIPLE SURVEY**  
 IN BOOK 1, 2-8, 6 8-12, BOOK 1, WEMP RIDGE ADDITION, CITY OF LOUISIANA,  
 LEMA COUNTY, NEW MEXICO.

**BASIN SURVEYS**  
 1120 N WEST COUNTY RD. - 79064, New Mexico  
 (505) 763-7311 www.basinsurveys.com

Survey By: K. Good	The Survey: WEST ADDITION	Created By: S.L.J.
Date: 12-07-2003	Survey Type: PIPES	Scale: 1" = 40'
S.U.N. No.	Plan No.: 840 2	Lot No. 840 2

**HOUSING DEVELOPMENT AGREEMENT  
BETWEEN THE CITY OF LOVINGTON  
AND FAMILY HOUSING DEVELOPER**

**THIS AGREEMENT** is entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2013  
by and between the City of Lovington, New Mexico, a municipal corporation (hereinafter  
“City”); and \_\_\_\_\_  
(hereinafter “Developer”) for the purpose of completing Housing Development services to be  
provided to the City.

## RECITALS:

- \*\* The City requires to contract with a Housing Development Company to provide services for providing Market Rate Housing to the City and Citizens of Lovington, New Mexico. The City has issued RFP # 011513 dated January 15, 2013 to solicit Developer proposals.
  
- \*\* Developer has submitted a written proposal to the City to complete the required Housing Developer Services work for \_\_\_\_\_, pursuant to the Developer proposal dated \_\_\_\_\_.

**NOW, THEREFORE**, the City of Lovington and Developer do hereby agree as follows:

### **A. Work To Be Performed**

1. The Developer shall furnish to the City its Professional Housing Developer Services for certain work regarding the Lovington Additional Family Housing Project, as requested by the City. All work completed under this agreement shall be pursuant to the City's RFP # 011513 which is attached hereto and made a part of this Agreement as Exhibit #1; and pursuant to Developers response proposal to that RFP, which is attached hereto and made a part of this Agreement as Exhibit #2, to the extent that its provisions are not inconsistent with the RFP and applicable laws. Both of these said documents are attached hereto and made a part of this agreement.
  
2. Developer shall furnish to City its professional Housing Developer Services as requested by City and as provided by this Agreement. The specific duties include all assistance as necessary to produce and operate Family Housing Development in Lovington. According to the RFP #011513 and Developer's Proposal, Developer is required to begin construction of additional family housing and associated infrastructure to serve the intended development property located on\_\_\_\_\_. The Developer shall build \_\_\_\_\_family homes on the property identified in the Developer's Proposal. Developer shall raise sufficient funds to acquire real property and develop family housing in Lovington per Developer's attached proposal response to \_\_\_\_\_.
  
3. Specific activities required are to provide privately owned real property in the City including designing, building and operating market rate housing projects. For proposals deemed to best meet the needs of the City, the City shall provide financial incentives to assist with financing those family housing development proposals. The City's participation may include any or all of the following funding assistance from the City:
  - a. The City shall provide funding to the developer for the actual cost, up to the maximum grant amount of public infrastructure of newly constructed streets, sidewalk, and utilities, with these infrastructure items to be designed and installed by the developer.

Type of Infrastructure Project:

- |     |                                |       |
|-----|--------------------------------|-------|
| 1.  | Water Utility Extensions       | _____ |
| 2.  | Sewer Utility                  | _____ |
| 3.  | Street Extensions              | _____ |
| 4.  | Street or Driveway work access | _____ |
| 5.  | Drainage Construction          | _____ |
| 6.  | Utility Taps                   | _____ |
| 7.  | Engineering & Survey           | _____ |
| 8.  | Other _____                    | _____ |
| 9.  | Other _____                    | _____ |
| 10. | Other _____                    | _____ |

Based on quantities of required publicly owned infrastructure installed with the project, the City shall determine if the value of the infrastructure is adequate as an equal exchange of value for the amount of City subsidy contributed to the housing project. The City shall resolve any issues concerning value or extent of infrastructure and amount of square footage of constructed housing units.

- b. Cash payments to the Developer shall be paid by the City on basis, up to the Maximum Grant Amount, and per Developer's proposal, based on the following maximum subsidy schedule:

- c. Payment For Services

City subsidy shall be paid when the project is complete and certificate of occupancy is issued. If project proposal is for the construction of more than four (4) units, payment will be paid after completion of every four units. Payment will be made within fifteen (15) days following a written request from the Developer and upon City inspection of project completion.

- d. Program features and requirements are detailed in the City RFP # \_\_\_\_\_ and the Developer's response proposal.

- 1. The Minimum Project Development Size is 4 housing units per project location. Each approved project must be fully served by infrastructure when complete. Subsidy of privately owned on-site infrastructure is not permitted.
- 2. The City encourages infill property development. Infill infrastructure improvements will be funded to provide new or replacement water or sewer facilities, curbing, sidewalk, street improvements and paving, if additional housing is proposed as the project.
- 3. Full Developer Financing for 100% of a project must be in place prior to award of proposals. The design of the project must be complete within 90 days of award of the contract with the City.
- 4. Construction/Installation must be 50% complete within six months of award, with total completion within 1 year following award of the contract. Completion date may be extended for projects exceeding 20 units.
- 5. Construction and installation of housing units and public infrastructure will meet currently adopted State of New Mexico regulations and requirements and APWA standards.

6. Construction/Installation shall be of energy-efficient design per New Mexico Energy Conservation Code 2009, utilizing either stucco, brick/stone or hardwood siding on all exterior surfaces.
- e. Performance Schedule of Actions Required of the Developer. Following are general guidelines of milestones or target dates for significant work items to begin. Specific dates established below which are firm dates not to be missed are 1) the date for completion of "dried in" status at Day 180, and 2) the date for Project 100% completion at Day 365. Nothing prohibits the Developer from starting or finishing these activities earlier than the following dates following.

Day	1	Development Agreement approved by City and executed by all parties.
Day	5	Developer submits draft site plan to City
Day	90	Developer submits final design and building plans.
Day	110	Developer complies with State of New Mexico and Building Code and receives Building Permit.
Day	130	Site grading complete. Survey started on building locations. Plumbing & Utility work started. Foundations and footers started. (Site Grading on or before 120 days
Day	150	Framing crews start.
Day	180	Project is "dried-in" with finished roofing, and all doors and windows installed, and exterior finishes completed.
Day	360	Project 100% completed. The City Manager may grant a one-time sixty (60) day extension for projects containing more than twenty (20) units.

**B. ASSIGNMENT OF AGREEMENT**

This Section refers to assignability of this Agreement, and not to assignability of the Project to be developed for housing. Developer shall not assign or transfer any interest in this Agreement. Except that Developer is permitted, upon City approval, to assign its interest to a Partnership or Corporation in which the Developer is the principal party or to an affiliated company, working with the Developer on the Project. Subject to the foregoing provision, this Agreement shall inure to the benefit of and be binding upon the parties to this Agreement and their respective successors and assigns; provided that upon any assignment of this Agreement by either party, the other party shall not be released from any obligation under, or liability accruing pursuant to this Agreement. Consent shall not unreasonably be withheld by either party.

**C. INSURANCE REQUIREMENTS AND HOLD HARMLESS PROVISION**

1. Developer agrees to obtain and maintain appropriate insurance during the course of the work program with the City of Lovington, as follows, and shall indemnify, defend and hold harmless City, its employees, agents, officers and officials from any and all claims, losses, causes of action, and/or liabilities resulting from the conduct, negligence, errors or omissions of Developer or any employee or agent of Developer while engaged in

performing the services called for herein. Developer will provide a current Certificate of Insurance to be attached to this agreement, with the City of Lovington as shown as an additional insured party.

2. The Developer shall maintain insurance coverage for General Liability, Automobile Liability, Errors and Omissions Insurance, and Workers' Compensation, subject to review and approval of the City Attorney.

#### **D. GOVERNING LAW AND PROVISIONS**

1. 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.
2. 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.

#### **E. FINAL PAYMENT AND RELEASE OF CLAIMS**

1. Developer, upon final payment of all amounts due under this Agreement, releases the City and its officers and employees from all liabilities, claims and obligations whatsoever arising from or under this Agreement.
2. City, upon Developer's final completion of all work items and covenants required of the Developer under this Agreement, shall release the Developer from all liabilities, claims and obligations whatsoever arising from or under this Agreement, on the day that is one (1) year following the date of the issuance of a final certificate of occupancy on the Project.

#### **F. AMENDMENTS**

This Agreement shall not be altered, changed, or amended except by written instrument approved and executed by both parties hereto.

#### **G. BREACH**

1. The following events constitute a breach of this Agreement by Developer:
  - a. Developer's failure to perform or comply with any of the terms, conditions or provisions of this Agreement, including RFP # 011513.
  - b. Developer's failure to complete design plans and obtain a Building Permit within the initial thirty (30) day period following the execution of this Agreement.
  - c. Developer's failure to complete the "dried-in" construction (finished roofing, and all doors and windows installed, and exterior finishes completed) within the initial one hundred eighty (180) day period following the execution of this Agreement.

- d. Developer's failure to complete the construction of the entire project within the initial three hundred sixty five (365) day period following the execution of this Agreement.
2. The following events constitute a breach of this Agreement by City:
  - a. City's failure to perform or comply with any of the terms, conditions or provisions of this Agreement, including making timely and appropriate payments to the Developer.

#### **H. REMEDIES UPON BREACH**

1. Any party may sue to collect any and all damages that may accrue by virtue of the breach of this Agreement.
2. 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.
3. If Developer fails to complete design plans and obtain a Building Permit within the initial ninety (90) day period following the execution of this Agreement, this Agreement shall be automatically terminated.
4. If Developer fails to complete the "dried-in" construction (finished roofing, and all doors and windows installed, and exterior finishes completed) within the initial one hundred eighty (180) day period following the execution of this Agreement, the City Manager may authorize one thirty (30) day extension period. If the project is still not completed to the dried-in stage at the end of the thirty day extension, this Agreement shall be automatically terminated.
5. If Developer fails to complete the construction of the entire project within the initial three hundred sixty five (365) day period following the execution of this Agreement, the Manager may grant a one-time sixty (60) day extension of the completion date.

#### **I. NOTICE**

All notices given pursuant to or in connection with this Agreement shall be made in writing and posted by regular mail, postage prepaid, to the City, ATTN: City Manager, 214 S. Love St., Lovington, NM 88260; to Developer ATTN: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_, and to such other address as requested by either party. Notice shall be deemed to be received on the fifth day following posting.

**J. 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**

**Developer**

\_\_\_\_\_  
By: Dixie Drummond, Mayor

\_\_\_\_\_  
By:

ATTEST:

APPROVED AS TO FORM:

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

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

City Manager

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

CITY OF LOVINGTON  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 26, 2013



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

SUBJECT: Setback Variance - 405 N. Commercial  
DEPARTMENT: Planning and Zoning Commission  
SUBMITTED BY:  
DATE SUBMITTED: August 19, 2013

**STAFF SUMMARY:**

Jaime Perales Mungaray (property owner) has requested a variance in the College Addition, Block A, Lot 12, Block 15 - 405 N. Commercial in regards to setbacks. They are requesting on the streetside (Jefferson) to allow a setback of 7', and the side yard abutting another property to be 5'.

The Planning and Zoning Commission recommended approval of this variance at their August 14, 2013 meeting.

**FISCAL IMPACT:**

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

(Finance Director)

**ATTACHMENTS:**

Maps and legal information

**RECOMMENDATION:**

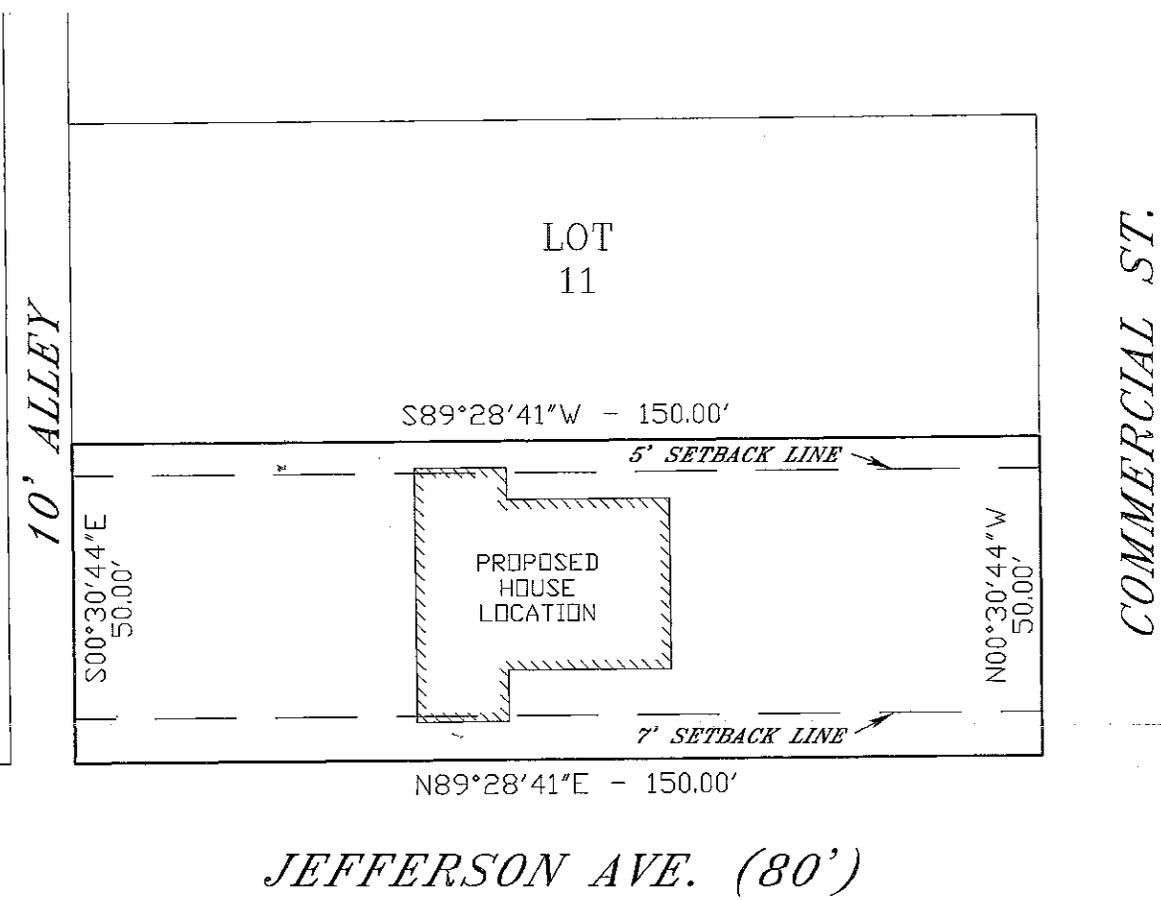
Motion to approve setback variance.

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

  
\_\_\_\_\_  
City Manager

*SURVEY OF LOT 12 OF BLOCK 15 OF THE ASSESSORS  
PLAT OF COLLEGE ADDITION TO THE CITY OF LOVINGTON,  
LEA COUNTY, NEW MEXICO*

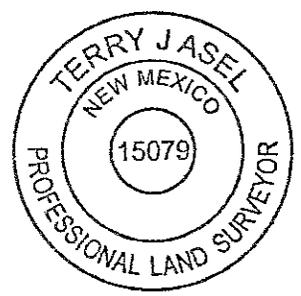
**NORTH**  
 Basis of Bearings - GPS Coordinates Measurements  
 NW Corner Zone (43) North American Datum of 1983  
 Distances are U.S. feet surface values.



*JEFFERSON AVE. (80')*

**LEGAL DESCRIPTION**

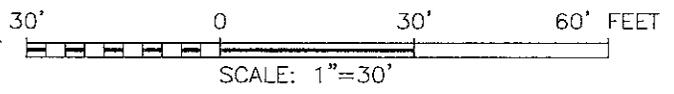
LOT 12 OF BLOCK 15 OF THE ASSESSORS PLAT OF COLLEGE ADDITION TO THE CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO.



**SURVEYORS CERTIFICATE**

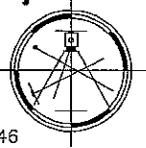
I, TERRY J. ASEL, NEW MEXICO PROFESSIONAL SURVEYOR NO. 15079, DO HEREBY CERTIFY THAT I CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND MEETS THE "MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO" AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS.

*Terry J. Asel* 6/10/2013  
 Terry J. Asel N.M. R.P.L.S. No. 15079



<b>MAYRA PERALES</b>			
SURVEY OF LOT 12 OF BLOCK 15 OF THE ASSESSORS PLAT OF COLLEGE ADDITION TO THE CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO			
Survey Date: 04/10/13	Sheet 1	of 1	Sheets
W.O. Number: 130605PS	Drawn By: KA		
Date: 06/05/13	130605PS.DWG	Scale: 1"=30'	

**Asel Surveying**  
 P.O. BOX 393 - 310 W. TAYLOR  
 HOBBS, NEW MEXICO - 575-393-9146





# Lea County

## GIS INTERNET REPORT



Page 1 of 2

### Assessment Information

**OWNER NUMBER:** 21808

**UPC CODE:** 4000218080001

**PARCEL NUMBER:** 4000218080001

Owner Information	
<b>Owner:</b>	MUNGARAY, JAIME PERALES
<b>Mailing Address:</b>	405 N COMMERCIAL ST LOVINGTON NM 88260
<b>Property Address:</b>	COMMERCIAL ST 405

Subdivision Information	
<b>Name:</b>	COLLEGE ADD ()
<b>Unit:</b>	
<b>Block</b>	A
<b>Lot:</b>	

Legal Information	
DESC AS BEG AT SE COR BLK A, TH N 50', W 150', S 50', E 150' TO BEG AKA LOT 12 BLK 15 APO COLLEGE ADD 9/7/06-ESTATE OF AURORA (LAREZ) OROZCO 9/13/06-TORRES, SARA LEE MH LOC HERE #88086	

Other Information			
<b>Taxable Value:</b>	1118	<b>Deed Book:</b>	1472
<b>Exempt Value:</b>	0	<b>Deed Page:</b>	748
<b>Net Value</b>	1118	<b>District:</b>	011
<b>Livestock Value:</b>	0	<b>Section:</b>	
<b>Manufactured Home Value:</b>	0	<b>Township:</b>	
<b>Personal Property:</b>	0	<b>Range:</b>	
<b>Land Value:</b>	1500	<b>Date Filed:</b>	20061003
<b>Improvement Value:</b>	1854	<b>Most Current Tax:</b>	\$30.89
<b>Full Value:</b>	3354	<b>Year Recorded:</b>	

**Lea County, New Mexico Disclaimer**

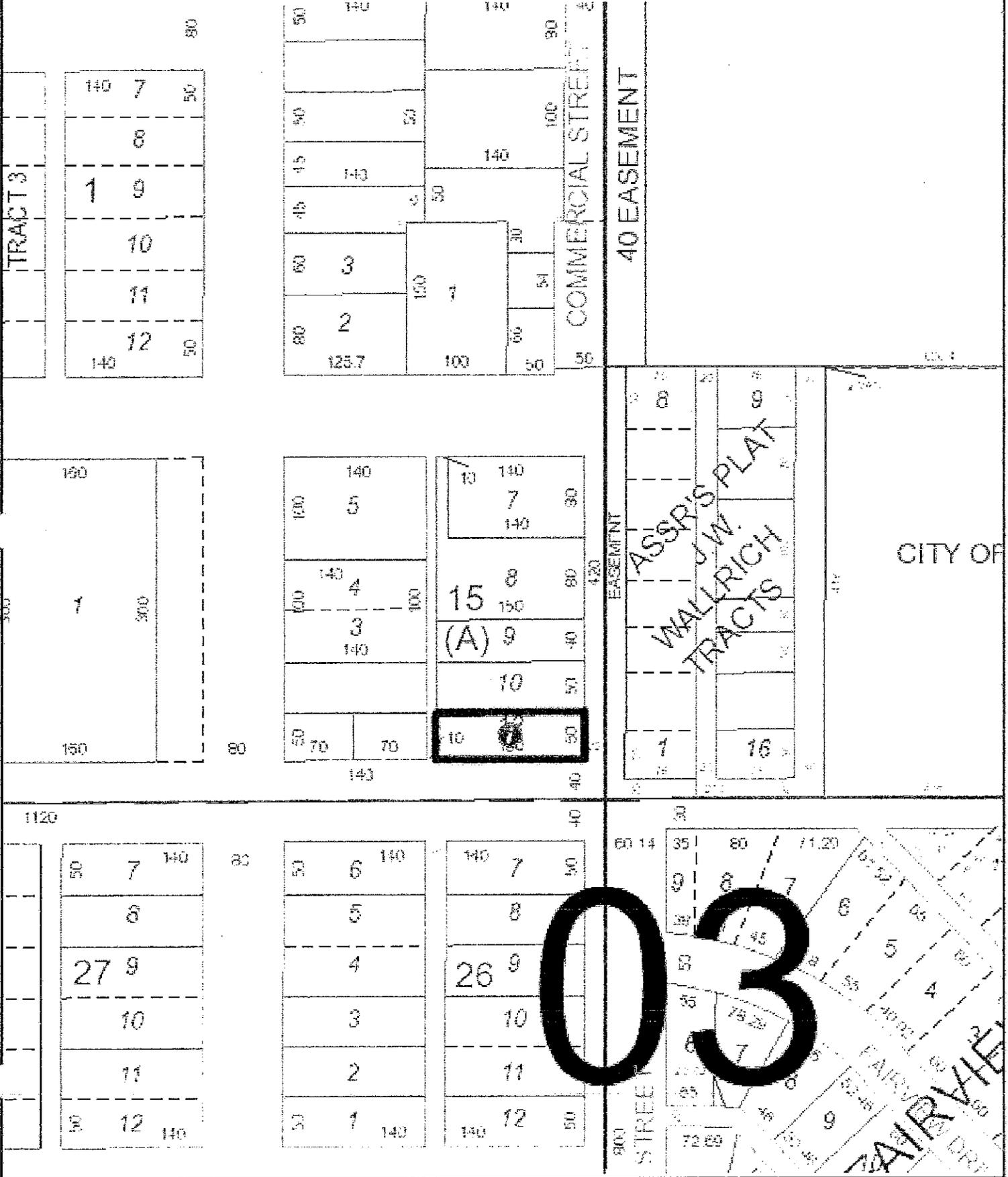
Information deeded reliable but not guaranteed. Copyright ©2012.  
MAP TO BE USED FOR TAX PURPOSES ONLY. NOT TO BE USED FOR CONVEYANCE.

# Lea County New Mexico

Printed Fri Jun 14 2013

Maps are for Tax Purposes Only, Not to be Used for Conveyance.

Powered by EMapsPlus.com



**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 26, 2013



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Approval of Simpson Final Plat  
**DEPARTMENT:** Planning and Zoning Commission  
**SUBMITTED BY:**  
**DATE SUBMITTED:** August 19, 2013

**STAFF SUMMARY:**

Mary Ann Marquez is requesting approval of the final plat of Lots 12, 13, and 14, Block 1, Simpson Subdivision.

The Planning and Zoning Commission recommended approval of the final plat at their August 14, 2013 meeting.

**FISCAL IMPACT:**

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

**ATTACHMENTS:**

Final plat

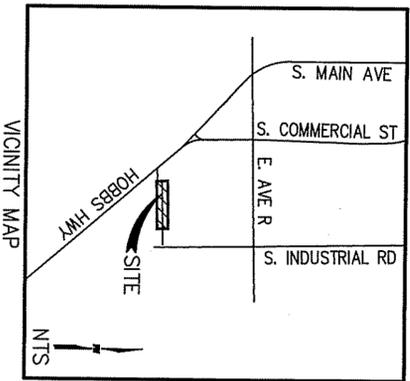
**RECOMMENDATION:**

Motion to approve final plat.

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

\_\_\_\_\_  
City Manager

**SUMMARY REVIEW**  
 REPEAT OF LOTS 12, 13 AND 14, BLOCK 1 SIMPSON SUBDIVISION,  
 CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO



**LEGAL DESCRIPTION**

CERTIFICATE OF MUNICIPAL SUMMARY PROCESS APPROVAL:  
 I, JAMES WILLIAMS, CITY MANAGER FOR THE CITY OF LOVINGTON, NEW MEXICO, DO HEREBY CERTIFY THAT THE FOREGOING PLAT IN THE CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO WAS REVIEWED AND DEEMED COMPLIANT WITH THE NEW MEXICO SUMMARY PROCESS REGULATIONS ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

JAMES WILLIAMS, CITY MANAGER  
 CAROL ANN HOGUE, CITY CLERK

**LOT 12-A OF SIMPSON SUBDIVISION:**  
 IS FORMERLY LOT 12 AND THE EAST HALF OF LOT 13 CONTAINING (7501 SQ FT) 0.1722 ACRE MORE OR LESS.  
**LOT 14-A OF SIMPSON SUBDIVISION:**  
 IS FORMERLY LOT 14 AND THE WEST HALF OF LOT 13 CONTAINING (7501 SQ FT) 0.1722 ACRE MORE OR LESS.  
**NOTE:**  
 AREA NORTH OF BLOCK 1 IS A 20' WIDE STRIP OF LAND THAT FUNCTIONS AS ACCESS AND UTILITY EASEMENT. NO FORMAL EASEMENT OR DEDICATION FOUND.

**ACKNOWLEDGEMENT:**  
 STATE OF NEW MEXICO )  
 ) SS.  
 COUNTY OF LEA )

**OWNERS STATEMENT:**  
 LOTS 12, 13 AND 14 OF SIMPSON SUBDIVISION ARE BEING SUBDIVIDED AND REPLATTED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) THEREOF, AND IS SURVEYED AND SUBDIVIDED AS THEY APPEAR ON THE PLAT AFFIXED HEREIN.

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013, BEFORE ME PERSONALLY APPEARED JAMES WILLIAMS AND CAROL ANN HOGUE KNOWN TO ME TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

*Mary Ann Marquiez*  
 MARY ANN S. MARQUEZ, LAND OWNER

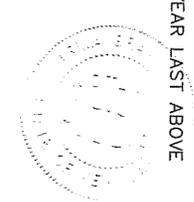
WITNESS MY HAND AND OFFICIAL SEAL THE DAY, MONTH AND YEAR LAST ABOVE WRITTEN.

**ACKNOWLEDGEMENT:**  
 STATE OF NEW MEXICO )  
 ) SS.  
 COUNTY OF LEA )

NOTARY PUBLIC

ON THIS 8<sup>th</sup> DAY OF July, 2013, BEFORE ME PERSONALLY APPEARED *Mary Ann S. Marquiez* KNOWN TO ME TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.  
 WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES: *Aug 21, 2014*  
*Sonia Barado*  
 NOTARY PUBLIC



FOUND 1/2" REBAR WITH MARKINGS E 1/4, SECTION 15, T.16S., R.36E., N.M.P.M.

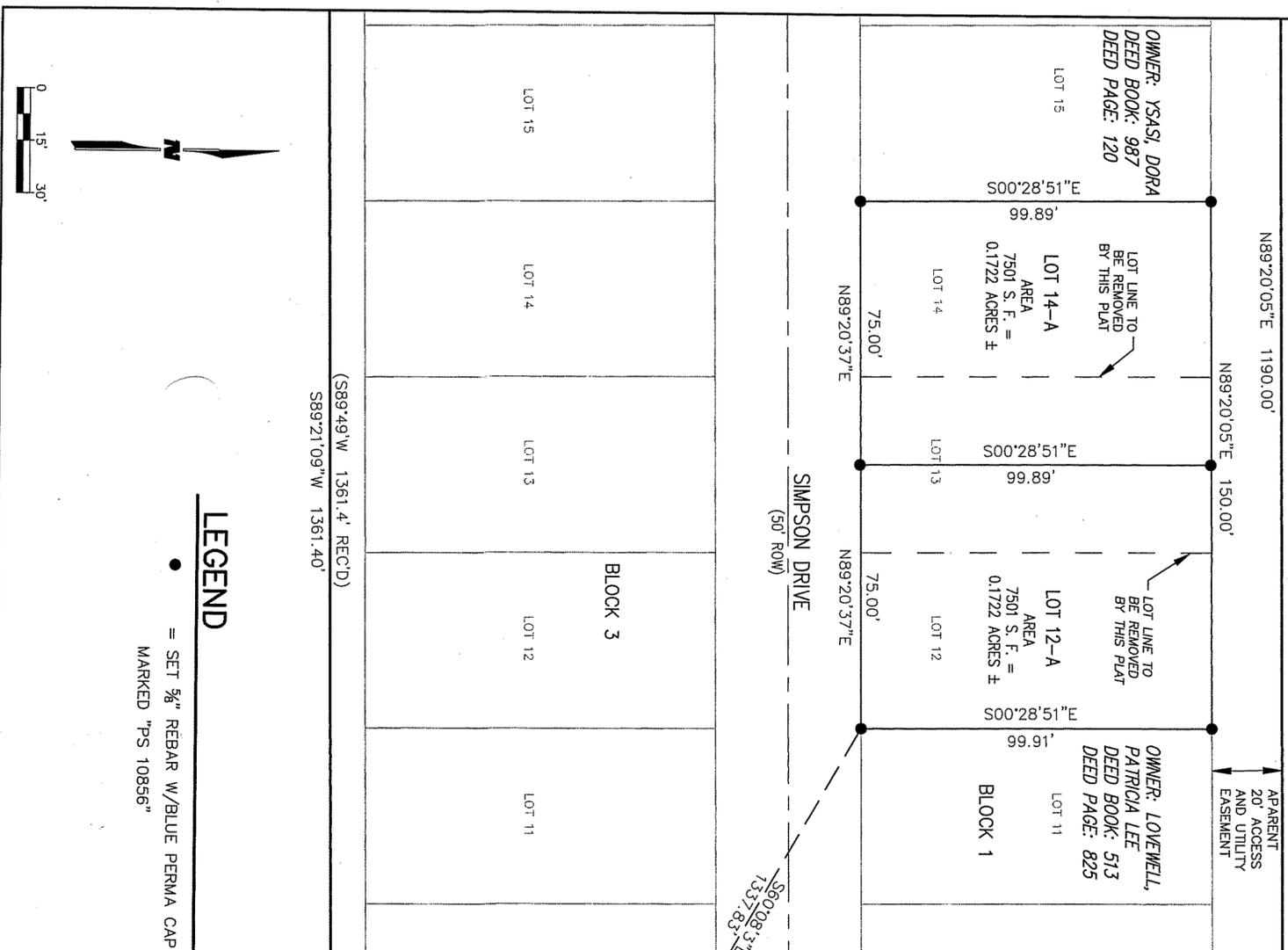
**SURVEYOR'S CERTIFICATION**  
 I, LYNN D. LANITZ, NEW MEXICO PROFESSIONAL SURVEYOR NO. 10856, DO HEREBY CERTIFY THAT THIS PLAT OF SURVEY WAS PREPARED FROM FIELD NOTES OF AN ACTUAL GROUND SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION; THAT IT ACCURATELY MEETS THE STANDARDS FOR LAND SURVEYS IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS.

*Lynn D. Lanitz*  
 LYNN D. LANITZ, N.M.P.S. No. 10856 Date *July 26, 2013*



STATE OF NEW MEXICO  
 COUNTY OF LEA  
 FILED

AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M AND RECORDED IN  
 BOOK \_\_\_\_\_  
 PAGE \_\_\_\_\_  
 PAT CHAPPELLE, LEA COUNTY CLERK  
 BY \_\_\_\_\_ DEPUTY



**LEGEND**  
 ● = SET 5/8" REBAR W/BLUE PERMA CAP MARKED "PS 10856"

**Fierro & Company**  
 1601 S. MAIN AVE.  
 P.O. BOX 936  
 LOVINGTON, NEW MEXICO 88260  
 PH (575) 396-3377  
 www.fierrocompany.com

CLIENT:	MARY ANN S. MARQUEZ
PROJECT NO:	1320000400
FIELD WORK BY:	LDL AND RJF
DRAWN BY:	OR
CHECKED BY:	LDL
SCALE:	1:30
DATE:	6/19/13
SHEET:	1 OF 1

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 26, 2013



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Closed Session  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** August 19, 2013

**STAFF SUMMARY:**

Pursuant to Section 10-15-1 NMSA 1978, Subsection H-8, regarding the purchase, acquisition, or disposal of real property or water rights.

**FISCAL IMPACT:**

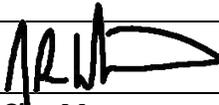
REVIEWED BY: \_\_\_\_\_  
(Finance Director)

**ATTACHMENTS:**

**RECOMMENDATION:**

Motion to go into closed session.

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

  
\_\_\_\_\_  
City Manager