

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, JULY 24, 2017 @ 5:30 P.M.
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

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

Present and answering roll call: Commissioner Sanchez, Commissioner Butcher, Commissioner Gandy, Commissioner Trujillo, and Mayor Campos

Also Present: City Manager James Williams, City Attorney Patrick McMahon, Finance Director Gary Chapman, Chief of Police David Rodriguez, Fire Chief Terrance Lizardo, Public Works Director Wyatt Duncan, City Clerk Anna Juarez, and Administrative Assistant Joanna Barrera.

Invocation: Commissioner Sanchez gave the invocation.

Pledge of Allegiance: Commissioner Sanchez led the pledge.

Approval of Agenda: Mayor Campos called for a motion. Commissioner Trujillo so moved to approve agenda with the contention of Resolution 2017-80; Commissioner Sanchez seconded. Motion carried unanimously.

Approval of the Regular Meeting Minutes of July 10, 2017: Mayor Campos called for a motion. Commissioner Trujillo so moved to approve the regular meeting minutes of July 10, 2017 as submitted; Commissioner Butcher seconded. Motion carried unanimously.

COMMISSIONER AND STAFF REPORTS:

- Public Works Director Duncan informed commissioners that UMC has completed water meter placement; water department is finalizing the placement of the remainder water meters.
- Finance Director Chapman informed commissioners that there was a glitch with the data sync file which affected the reading of 600 meters; currently working on resolving issue
- Commissioner Butcher asked for information on the waste water vacuum truck being at Griffin Diesel & Automotive Repair; Public Works Director Duncan informed Commissioner Butcher that he would find out information.
- City Manager Williams informed commissioners that the car show that took place on Saturday, July 22, 2017 was well attended and very successful.
- Commissioner Gandy informed commissioners that the car show had several participants, attendants, and that it was very successful.
- Police Chief Rodriguez introduced Lieutenant Jackson and Lieutenant Walker and informed commissioners of their promotion at the Lovington Police Department;

Police Chief Rodriguez provided background information and qualifications for Lieutenant Jackson and Lieutenant Walker.

- City Manager Williams informed commissioners that Rebecca Boyle is thankful for the two ambulances that were donated to the Elephant View Fire Department.
- City Manager Williams informed commissioners that NM DOT notified City of Lovington that the traffic signal on Avenue D and Fifth Street and the deer duff signal in Main Street did not qualify for placement. City Manager Williams informed commissioners that DOT will conduct a study when school starts to see if placement of flashing lights on cross walk near 11th and Avenue D school zone may get approved.

PUBLIC COMMENT:

- Bryan Cooper informed commissioners that he is interested in serving the Planning and Zoning Board and provided information on his background experience.

NON ACTION ITEM:

Discussion of 2019 – 2023 ICIP

City Manager Williams provided commissioners with information on last year's ICIP for review and discussion; any additional projects will need to be submitted to staff for inclusion into the plan that requires adoption no later than August 28, 2017. City Commissioners discussed and reviewed information listed on the Infrastructure Capital Improvement plan.

ACTION ITEMS:

Consider Resolution 2017-74: 2016 – 2017 Final quarter financial report: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2017-74: 2016 – 2017 Final quarter financial report; Commissioner Butcher seconded. Finance Director Chapman presented the 2017 final quarter financial report for commission review and approval. City Manager Williams informed commissioners that the general fund reserve is currently at 41.1 % during this fiscal year. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-75: 2016 – 2018 Final budget adjustments: Mayor Campos called for a motion. Commissioner Trujillo so moved to Consider Resolution 2017-75: 2016 – 2018 Final budget adjustments; Commissioner Butcher seconded. Finance Director Chapman presented the 2016 – 2018 Municipal Budget report and provided information listed on the report to commissioners. City Manager Williams informed commissioners that expenditures are below budget due to effort from City employees; Mayor Campos thanked City employees for keeping expenditures below budget. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-76: 2017 – 2018 Final budget adoption: Mayor Campos called for a motion. Commissioner Gandy so moved to Consider Resolution 2017-76: 2017 – 2018 Final budget adoption; Commissioner Trujillo seconded. Finance Director Chapman presented the final 2017- 2018 Municipal Budget for Commission review and approval; the final budget and required forms must be submitted to DFA no later than July 31, 2018. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-77: SENMEDD/COG annual membership: Mayor Campos called for a motion. Commissioner Gandy so moved to consider Resolution 2017-77: SENMEDD/COG annual membership; Commissioner Sanchez seconded. City Manager Williams informed commissioners that Resolution 2017-77 will renew the City's membership in the Southeastern New Mexico Economic Development District/Council of Governments; This Entity provides representation at the NM Capital during the legislative session, manages components of the transportation committees, is our fiscal agent for various projects, and also serves as our administrative component for the CDBG block grant. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-78: Planning & Zoning Commission: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2017-78: Planning & Zoning Commission nominating Dave Rowser, Ron Humphrey and Brenda Garcia for board members of the Planning and Zoning Commission; Commissioner Butcher seconded. City Manager Williams presented a list of individuals interested in serving the Planning and Zoning Commission; the one position term will expire November 2018 and two positions will have terms that expire July 2019; City Manager Williams informed commissioners they must specify what individual is filling each term. Commissioner Trujillo amended motion nominating Brenda Garcia to fill position term expiring November 2018, and nominating Dave Rowser, and Ron Humphrey to fill position terms that expire July 2019. A roll call vote was taken: Commissioner Sanchez - Yes, Commissioner Butcher - Yes; Commissioner Trujillo - Yes; Commissioner Gandy – No, and Mayor Campos – Yes. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-79: Approval of a City and County MOU for waste hauling: Mayor Campos called for a motion. Commissioner Sanchez so moved to consider Resolution 2017-79: Approval of a City and County MOU for waste hauling; Commissioner Butcher seconded. City Manager Williams informed commissioners that Resolution 2017-79 will authorize the execution of an MOU with Lea County for reimbursement for the operation of the solid waste and convenience station of an MOU with Lea County for reimbursement for the operation of the solid waste and convenience station; maximum is \$6000 reimbursement per month. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-81: Approval or denial of encroachment at 1308 W. Polk Avenue: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider

Resolution 2017-81: Approval or denial of encroachment at 1308 W. Polk Avenue; Commissioner Sanchez seconded. City Manager Williams informed commissioners that the owners of the home located at 1308 W Polk Avenue have requested that the City grant an encroachment of easement for the East side of their property; A metal fence and garage was built and encroaches on the City's 13th Street easement by 3.2 feet. A review of Google Earth imagery shows that the structures were built prior to 1996. Commissioners discussed advantages and disadvantages if encroachment is to be approved or denied. Planning and Zoning Coordinator Crystal Ball informed commissioners that she has consulted with Public Works and Utility Departments and no utility issues have been identified. Ray Rodriguez the owner of the property addressed commissioners and requested the approval of the encroachment at 1308 W Polk Avenue; Mr. Rodriguez stated that in order to sell the property the encroachment must be approved. Commissioner Trujillo amended motion to consider the approval of encroachment at 1308 West Polk Avenue. A roll call vote was taken: Commissioner Sanchez - No, Commissioner Trujillo - Yes; Commissioner Butcher - Yes; Commissioner Gandy – No, and Mayor Campos – Yes. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-82: Approval of a City and County MOU for right of way: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2017-82: Approval of a City and County MOU for right of way; Commissioner Sanchez seconded. City Manager Williams informed commissioners that Resolution 2017-82 will authorize to execute a MOU with Lea County for 30 foot of right of way along county property on Commercial. The right of way is needed to enhance pedestrian safety and accommodate landscaping and amenities for the multi-use trail. There being no further discussion; motion carried unanimously.

Consider Accounts Payable: Mayor Campos called for a motion. Commissioner Sanchez so moved to approve the accounts payable; Commissioner Trujillo seconded. There being no further discussion; motion carried unanimously.

CLOSED SESSION: At 6:30 p.m., Commissioner Trujillo moved to adjourn the Regular Session and convene in Closed Session Pursuant to Section 10-15-1 NMSA 1978, Subsection H-7, regarding threatened or pending litigation – Intrepid Potash and Select Energy Services, LLC water rights protest. A roll call vote was taken: Commissioner Gandy - Yes, Commissioner Butcher - Yes; Commissioner Trujillo – Yes; Commissioner Sanchez – Yes, and Mayor Campos - Yes.

OPEN SESSION: At 6:35 p.m., Commissioner Gandy so moved to adjourn the 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 Sanchez seconded and a roll call vote was taken: Commissioner Trujillo – Yes, Commissioner Sanchez - Yes; Commissioner Gandy – Yes; Commissioner Butcher – Yes, and Mayor Campos – Yes.

ADJOURNMENT:

There being no further business, Mayor Campos called for a motion to adjourn. Commissioner Trujillo so moved to adjourn meeting; Commissioner Sanchez seconded. Meeting adjourned at 6:36 p.m.

APPROVED: _____
PAUL CAMPOS, MAYOR

ATTEST: _____
ANNA JUAREZ, CITY CLERK