

REGULAR MEETING OF THE CITY COMMISSION
MONDAY, August 28, 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 Trujillo, Commissioner Sanchez, Commissioner Butcher, and Mayor Campos

Not Present: Commissioner Gandy

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 Trujillo gave the invocation.

Pledge of Allegiance: Commissioner Trujillo led the pledge.

Approval of Agenda: Mayor Campos called for a motion. Commissioner Sanchez so moved to approve agenda; Commissioner Butcher seconded. Motion carried unanimously.

Approval of the Regular Meeting Minutes of July 24, 2017: Mayor Campos called for a motion. Commissioner Sanchez so moved to approve the regular meeting minutes of July 24, 2017 as submitted; Commissioner Butcher seconded. Motion carried unanimously.

COMMISSIONER AND STAFF REPORTS:

- Finance Director Chapman informed commissioners that he is preparing information requested by the auditors.
- Commissioner Butcher asked about the storage building at the Waste Water Treatment Plant; Public Works Director Duncan stated that the storage building was placed about two weeks ago and is used to store equipment.
- Mayor Campos suggested establishing a conflict of interest policy; City Manager Williams stated that he will look into that policy.
- Mayor Campos asked for prayers for Texas due to Hurricane Harvey.
- Star McGee informed commissioners that the Down Town Throw Down event was a success; revenue was split between Lea Theatre and the School of Hard Knocks.
- Public Works Director Duncan informed commissioners that traffic light on Mainstreet has been repaired.

- City Manager Williams informed commissioners that Youth Center Director Melinda Medellin has been seeking for the Youth Center DJ position to be filled; City Manager Williams stated his son will be filling that position, since there were no other applicants.
- City Manager Williams informed commissioners that lovingtoncares.org webpage has been established to obtain public input in regards to the City. Request will be submitted to the pertaining department head and they must respond within a twenty four hour period.
- City Manager Williams informed commissioners that Chaparral Park will be closed for traffic on August 31, 2017 due to a Cross Country track meet taking place.
- City Manager Williams informed commissioners that a Staff In Service training will take place on September 14, 2017; City offices will be closed
- City Manager Williams invited everyone to attend Movies by Moonlight which will take place at Chaparral Park on September 14 at 6:45 p.m. The plan is to make it a monthly event.
- City Manager Williams informed commissioners that mosquito spraying is currently taking place on a daily basis.
- Mayor Campos asked City Attorney McMahan if there is any issues with City Manager Williams son being the DJ for the Youth Center; City Attorney McMahan stated there are no issues since there were no other applicants.

PUBLIC COMMENT:

- Paula VanCleve stated she opposes to a public restroom being built on the corner of Mainstreet by the courthouse.
- Sandy Robinson thanked City commissioners for what they do for the City of Lovington and informed commissioners that she was not in favor of the restroom project on Mainstreet, but the project has been explained to her and she is in favor of the project.
- City Manager Williams informed the public and commissioners that the restroom project is just one amenity to the overall plan for the Central Plaza Phase II of Washington Street improvement project. City Manager Williams presented the project design and stated that the restroom will match the style of the courthouse. City Manager Williams stated that no action has yet been taken in regards to the project.

ACTION ITEMS:

Consider Resolution 2017-87: Approval of Block Party Permit - Praisefest September 16, 2017: Mayor Campos called for a motion. Commissioner Trujillo so moved to Consider Resolution 2017-87: Approval of Block Party Permit - Praisefest September 16, 2017; Commissioner Butcher seconded. City Manager Williams informed commissioners

that Resolution 2017-87 will approve the temporary street closure of a portion of East Central Avenue and North Love Street on September 16, 2017 for the Praisefest event. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-88: CDBG project amendment and obligation of funds: Mayor Campos called for a motion. Commissioner Butcher so moved to Consider Resolution 2017-88: CDBG project amendment and obligation of funds; Commissioner Trujillo seconded. City Manager Williams informed commissioners that Resolution 2017-88 will make a budget adjustment of \$29,997.78 which comes from the Gas Tax Fund for the engineering services for the CDBG Street and Sidewalk project. The original amount budgeted for CDBG Project for the Street and Sidewalk Improvements was for \$50,000. Project completion includes testing and staking. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-89: 2019 – 2023 ICIP: Mayor Campos called for a motion. Commissioner Sanchez so moved to Consider Resolution 2017-89: 2019 – 2023 ICIP; Commissioner Butcher seconded. City Manager Williams informed commissioners that Resolution 2017-89 will authorize the adoption of the FY 2019-2023 ICIP. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-90: Award of Bid – 7th and Polk Drainage Improvements Construction: Mayor Campos called for a motion. Commissioner Trujillo so moved to Consider Resolution 2017-90: Award of Bid – 7th and Polk Drainage Improvements Construction; Commissioner Sanchez seconded. City Manager Williams informed commissioners that Resolution 2017-90 will award the bid for construction of the Polk Avenue improvements between 6th and 8th Street. Bids were publicly opened on August 21, 2017 at 10:00 a.m. Bids were received from Constructors, Inc. and Ramirez and Sons; The engineer has recommended for the bid to be awarded to the lowest bidder which is Constructors Inc. for \$1,777,627.45 which is funded by the Local Special Gas Tax. Commissioner Trujillo stated he will vote in favor of Constructors Inc. but expects to receive better service since he is not satisfied with service that Constructors Inc has provided in the past. City Manager Williams stated that Constructors Inc. will be given a deadline for project completion. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-91: Award of Bid – 17th Street Phase I Construction: Mayor Campos called for a motion. Commissioner Butcher so moved to Consider Resolution 2017-91: Award of Bid – 17th Street Phase I Construction; Commissioner Sanchez seconded. City Manager Williams informed commissioners that Resolution 2017-91 will award the bid for the 17th Street Phase I which is for the construction of 17th Street from Avenue D to West Jefferson. Bids were publicly opened on August 15, 2017 at 10:00 a.m. Bids were received from Constructors, Inc. and Ramirez and Sons; The engineer has recommended for the bid to be awarded to the lowest bidder which is Constructors Inc for \$1,676,899.97 which is funded by the Lovington Capital Improvement Fund. There

being no further discussion; motion carried unanimously.

Consider Resolution 2017-92: Award of Bid – Public Safety Building Roof Replacement:

Mayor Campos called for a motion. Commissioner Sanchez so moved to Consider Resolution 2017-92: Award of Bid – Public Safety Building Roof Replacement; Commissioner Trujillo seconded. City manager Williams informed commissioners that Resolution 2017-92 will award the bid for the Public Safety Building Roof Replacement. Bids were publicly opened on August 14, 2017 at 10:00 a.m. and only one response was received from All American Enterprises Inc. which provided an alternate bid. Staff has recommended selecting the alternate bid from All American Enterprises Inc which provides a longer lasting roof system and a twenty year warranty. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-93: Certification of Fixed Asset List: Mayor Campos called for a motion. Commissioner Butcher so moved to table Consider Resolution 2017-93: Certification of Fixed Asset List; Commissioner Trujillo seconded. Finance director Chapman stated that he recommends tabling Resolution 2017-93 until the September 11, 2017 meeting so that adjustments to the expense classifications can be made. There being no further discussion; motion carried to table Certification of Fixed Asset List.

Consider Resolution 2017-94: Certification of Inventory as of June 30, 2017: Mayor Campos called for a motion. Commissioner Sanchez so moved to Consider Resolution 2017-94: Certification of Inventory as of June 30, 2017; Commissioner Butcher seconded. Finance Director Chapman informed commissioners that Resolution 2017-94 provides City Commission Certification on the June 30, 2017 inventory. Each department has conducted an inventory for goods purchased which is a yearly requirement from auditors. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-95: Approval to advertise Ordinance to amend Title 2, Division V Boards and Commissions, Chapter 2.90 Parks and Recreation Board: Mayor Campos called for a motion. Commissioner Trujillo so moved to Consider Resolution 2017-95: Approval to advertise Ordinance to amend Title 2, Division V Boards and Commissions, Chapter 2.90 Parks and Recreation Board; Commissioner Butcher seconded. City Manager Williams informed commissioners that staff has prepared a draft of an Ordinance for advertisement regarding the addition of ex-officio members to the Parks and Recreation Board; ex-officio members will be part of the board but not have a vote. City Manager Williams stated that if the Resolution is approved, the Ordinance will be advertised and final adoption will take place on Commission Meeting of September 25, 2017. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-96: Approval of Memorandum of Understanding between the City and the NM Attorney Generals Office for the Internet Crimes Against Children Task Force: Mayor Campos called for a motion. Commissioner Butcher so moved to

Consider Resolution 2017-96: Approval of Memorandum of Understanding between the City and the NM Attorney Generals Office for the Internet Crimes Against Children Task Force; Commissioner Sanchez seconded. Police Chief Rodriguez informed commissioners that Resolution 2017-96 will authorize the execution of the MOU between the Lovington Police Department and the Attorney General's Office for the Internet Crimes Against Children Task Force. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-97: Award of Water Meter Sale Bid: Mayor Campos called for a motion. Commissioner Trujillo so moved to Consider Resolution 2017-97: Award of Water Meter Sale Bid; Commissioner Sanchez seconded. Public Works Director Duncan informed commissioners that with the installation of new radio read water meters the City is in need of disposal of the old water meters. A request for bids was released and publicly opened on August 24, 2017 at 10:00 a.m. for individuals interested in purchasing the old water meters. Only one response was received from Travis Gosset offering \$6,000 dollars which will go to the utilities fund; Resolution 2017-97 authorizes the award of bid to Travis Gosset as he is the only respondent. There being no further discussion; motion carried unanimously.

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

CLOSED SESSION: At 6:21 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 – M. Ortega Water Rights Protest; Subsection H-8, regarding the purchase, acquisition, or disposition of real property or water rights – Potential sale of City commercial property. A roll call vote was taken: Commissioner Sanchez - Yes, Commissioner Trujillo - Yes; Commissioner Butcher– Yes, and Mayor Campos - Yes.

OPEN SESSION: At 6:34 p.m., Commissioner Trujillo 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 Butcher – Yes, Commissioner Sanchez - Yes; Commissioner Trujillo – 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 6:40 p.m.

APPROVED: _____
PAUL CAMPOS, MAYOR

ATTEST: _____
ANNA JUAREZ, CITY CLERK