

**REGULAR MEETING OF THE CITY COMMISSION  
MONDAY, JULY 25, 2016 @ 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 Gandy, Commissioner Trujillo, Commissioner Butcher, Commissioner Sanchez, and Mayor Campos

**Also Present:** City Manager James Williams, City Attorney Patrick McMahon, Chief of Police David Rodriguez, Finance Director Gary Chapman, and Planning and Zoning Coordinator Crystal Ball

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

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

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

**Approval of the Regular Meeting Minutes of July 11, 2016:** Mayor Campos called for a motion. Commissioner Sanchez so moved to approve the regular meeting minutes of July 11, 2016; Commissioner Trujillo seconded. Motion carried unanimously.

**COMMISSIONER AND STAFF REPORTS:**

- Commissioner Gandy requested to post the New Mexico Flag Pledge so public can read it
- Chief of Police Rodriguez updated Commissioners of Blood Drive, there was a tie with Fire Department; surrounding areas donated a little over 200 units
- City Manager Williams updated Commissioners on:
  - Working on lightning sensor for the splash pad.
  - Working on getting a point to point connection to be able shut down system wirelessly at the splash pad

**NON-ACTION ITEMS:**

**Discussion of City Auxiliary Agency Funding, Benefits, and Agreements:** City Manager Williams presented to Commissioners information regarding the City Auxiliary Agency funding, benefits, and agreements. City Manager Williams addressed some concerns with adding auxiliary agencies as employees and audit concerns. City Manager Williams stated duties and funds allocated to each auxiliary agency throughout the year. Discussion only, no action was taken.

**Discussion of 2018 – 2022 ICIP:** City Manager Williams informed Commissioners of need to update and review the ICIP for the 2018 – 2022 fiscal years. City Manager Williams requested the Commission to review and select projects to be included in the “Top 5” , that will be submitted to our legislators for consideration of Capital Outlay funds and many other grant programs. Discussion only, no action was taken.

**PUBLIC COMMENT:**

Andrew Salcido addressed Commissioners of interest on being on the Parks and Recreation Board.

Elaine Vejil thanked Commissioners for the Keep Lovington Beautiful cleanup day on April 30<sup>th</sup> and presented to Commissioner Gandy with an award for collecting the most trash in his district.

Ross Doss, Senior Engineer with Souder Miller Associates introduced himself to the Commissioners and stated he enjoyed working with City Staff.

**ACTION ITEMS:**

**Consider Resolution 2016-59: Disposal and transfer of surplus equipment to the Southeastern New Mexico Law Enforcement Academy:** Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-59: Disposal and transfer of surplus equipment to the Southeastern New Mexico Law Enforcement Academy; Commissioner Butcher seconded. City Manager Williams stated Police department has completed the digital upgrade and the Southeastern New Mexico Law Enforcement Academy can use radio equipment for training. City Manager Williams stated the resolution authorizes the disposal of surplus radio equipment by transfer to the Junior College. Chief of Police Rodriguez stated item includes old handheld radios and base chargers. There being no further discussion; motion carried unanimously.

**Consider Resolution 2016-60: Approval to advertise an Ordinance amending Chapter 2.20 City Clerk and Treasurer and creating Chapter 2.25 Treasurer of the Lovington Municipal Code:** Mayor Campos called for a motion. Commissioner Gandy so moved to consider Resolution 2016-60: Approval to advertise an Ordinance amending Chapter 2.20 City Clerk and Treasurer and creating Chapter 2.25 Treasurer of the Lovington Municipal Code; Commissioner Trujillo seconded. City Manager Williams stated this ordinance will authorize the publication of a notice of intent to adopt ordinances that will amend the City Clerk/Treasurer chapter in the municipal code. City Manager Williams stated, since the hiring of a Finance Director, the duties of City Treasurer fall under that positions area of responsibility and our code requires updating. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Resolution 2016-61: 2015 – 2016 Final Quarter Financial Report:** Mayor Campos called for a motion. Commissioner Butcher so moved to consider Resolution 2016-61: 2015 – 2016 Final Quarter Financial Report; Commissioner Sanchez seconded.

Finance Director Chapman addressed Commissioners of Fourth Quarter report required by the DFA; reports show completed budget and revenue expenditures. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Resolution 2016-62: 2015 – 2016 Final Budget Adjustments:** Mayor Campos called for a motion. Commissioner Sanchez so moved to consider Resolution 2016-62: 2015 – 2016 Final Budget Adjustments; Commissioner Trujillo seconded. Finance Director Chapman addressed Commissioners of adopting resolution for the final budget adjustments, due to increase in revenues, unanticipated expenses with cash on hand and Grant funds received/not received, for the fiscal year 2015 -2016. Finance Director Chapman explained why the DWI Program fund is in the negative; Finance Director Chapman stated it was due to the salt water fund, which is per the State form, was moved into the wrong place. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Resolution 2016-63: SNMEDD/COG annual membership:** Mayor Campos called for a motion. Commissioner Butcher so moved to consider Resolution 2016-63: SNMEDD/COG annual membership; Commissioner Sanchez seconded. City Manager Williams addressed Commissioners of approval of agreement which is required to be renewed each fiscal year per state statute; amount paid is \$3,303.00 annually. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Resolution 2016-64: Certification of inventory as of June 30, 2016:** Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-64: Certification of inventory as of June 30, 2016; Commissioner Butcher seconded. Finance Director Chapman stated the City auditors are requesting the City Commission certify the attached inventory of items in the City's possession as of June 30, 2016; this was a finding last fiscal year. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Resolution 2016-65: Commercial Street Project Change Order:** Mayor Campos called for a motion. Commissioner Gandy so moved to consider Resolution 2016-65: Commercial Street Project Change Order; Commissioner Butcher seconded. City Manager Williams stated City Staff and Commissioners were contacted by residents to increase the width of the drive pad access on the West side of the Commercial Street project. City Manager Williams stated after consulting with project engineer and contractor they presented the City with two options:

- Option 1: Widening the five residential drive pad access points to a minimum of 24 feet for an additional cost of \$8,237.74
- Option 2: Fully extend all culvert piping and fill in the entire drainage ditch for an additional cost of \$21,319.74

City Manager Williams stated either one of these options would not take place until after the Fair & Rodeo. Commissioner Butcher and Engineer discussed alternatives for

the process of extending the culverts in the drainage system. City Manager Williams stated the funding is available for option 1 under the Capital Improvement Fund, but will deplete the account. Commissioner Gandy so moved to amend his motion to include option 1; Commissioner Butcher amended his second. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Resolution 2016-66: Temporary Closure of Love Street between Central and Washington and Central Avenue between Main and Love Street September 17, 2016:**

Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-66: Temporary Closure of Love Street between Central and Washington and Central Avenue between Main and Love Street September 17, 2016; Commissioner Sanchez seconded. City Manager Williams stated Praisefest organizers submitted an application to close Love Street from Central to Washington and Central from Main St. to Love on September 17, 2016 between 12:00 p.m. and 10:00 p.m. City Manager Williams recommended leaving the area in front of the Lea Theatre open to the public. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Award of RFP 2016CP2: Washington Street Improvements Engineering Services (Federal Funding):**

Mayor Campos called for a motion. Commissioner Butcher so moved to consider Award of RFP 2016CP2: Washington Street Improvements Engineering Services (Federal Funding); Commissioner Trujillo seconded. City Manager Williams stated RFP 2016CP2 was released in order to procure engineering services for the Washington Street Improvements; the improvements are limited to Washington between Main Street and Love Street, and will consist of ADA compliance, facilities, pedestrian and bicycle access, and streetscape improvements. City Manager Williams stated three responses were received and scored as such:

- Larkin Group: 160.00
- Pettigrew & Associates: 163.75
- Souder Miller & Associates: 163.00

City Manager Williams stated the evaluations were reviewed by NMDOT and they concur with the recommendation to award this RFP to Pettigrew and Associates. City Manager Williams stated this project is funded through a Federal Funding Grant of \$58,954.00, Capital Outlay Grant of \$20,000.00, and a Local Match of \$10,000.00. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Award of RFP 2016MUT: Multi-use Trail Engineering Services (Federal Funding):**

Mayor Campos called for a motion. Commissioner Sanchez so moved to consider Award of RFP 2016MUT: Washington Street Improvements Engineering Services (Federal Funding); Commissioner Trujillo seconded. City Manager Williams stated RFP 2016MUT was released in order to obtain engineering and design services for the multi-use trail linking Chaparral Park and the downtown area. City Manager Williams stated three responses were received and scored as such:

- Larkin Group: 159.00
- Pettigrew & Associates: 161.75
- Souder Miller & Associates: 161.25

City Manager Williams stated the evaluations were reviewed by NMDOT and they concur with the recommendation to award this RFP to Pettigrew and Associates. City Manager Williams stated this project is funded through a Federal Funding Grant of \$140,301.00 for FFY 2016, Federal Funding Grant of \$327,369.00 for FFY 2017, a Local Match of \$23,907.97 for FFY 2016 and a Local Match of \$55,787.00 for FFY 2017. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Parks and Recreation Board Appointment:** Mayor Campos called for a motion. Commissioner Sanchez so moved to consider Parks and Recreation Board Appointment; Commissioner Butcher seconded. City Manager Williams stated this position is to fill Clint Laughrin position; Clint apologized for his absence, but did want to thank you all for the opportunity to serve on the board. City Manager Williams stated Tabitha Lawson, Andres Salcido and Bryan Cooper have expressed interested to serve on the board. Commissioner Sanchez so moved to amend motion to appoint Andres Salcido to the Parks and Recreation Board to fill Clint Laughrin’s term; Commissioner Butcher seconded. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Approval of Accounts Payable:** Mayor Campos called for a motion. Commissioner Trujillo so moved to approve the accounts payable; Commissioner Gandy second. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**CLOSED SESSION:**

At 6:27 p.m., Commissioner Trujillo moved to adjourn Regular Session and convene in Closed Session Pursuant to Section 10-15-1 NMSA 1978, Subsection H-7, regarding the threatened or pending litigation – Chaparral Park Splash pad and landscaping. Commissioner Butcher seconded and a roll call vote was taken: Commissioner Sanchez - Yes; Commissioner Butcher - Yes; Mayor Campos - Yes; Commissioner Trujillo – Yes; and Commissioner Gandy - Yes.

At 6:48 p.m., Commissioner Gandy so moved to adjourn Closed Session and reconvene in Regular Session stating that matters discussed were limited only to those specified in the motion and no action was taken. Commissioner Trujillo seconded and a roll call vote was taken: Commissioner Gandy - Yes; Commissioner Trujillo - Yes; Commissioner Butcher - Yes; Commissioner Sanchez – Yes; and Mayor Campos - Yes.

**ADJOURNMENT:** There being no further business, Mayor Campos adjourned the meeting at 6:49 p.m.

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

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