

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, NOVEMBER 28, 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, Fire Chief Terrance Lizardo, Public Works Director Wyatt Duncan, Finance Director Gary Chapman, and Administrative Assistant Anna Juarez

Invocation: Commissioner Butcher gave the invocation.

Pledge of Allegiance: Commissioner Butcher led the pledge.

Approval of Agenda: Mayor Campos called for a motion. Commissioner Trujillo so moved to amend agenda to change Subsection H-8 to Subsection H-2 on the closed session section; Commissioner Gandy seconded. Motion carried unanimously.

Approval of the Regular Meeting Minutes of November 14, 2016: Mayor Campos called for a motion. Commissioner Gandy so moved to approve the regular meeting minutes of November 14, 2016; Commissioner Trujillo seconded. Motion carried unanimously.

COMMISSIONER AND STAFF REPORTS:

- Public Works Director Duncan informed Commissioners of temporary closure on Main Street on the intersection of Central and Avenue A scheduled for November 30, 2016 to repair street from water line break.
- Finance Director Chapman stated Auditors have received all the data to compile final audit and the fixed assets was lined out.
- Commissioner Butcher asked for an update on pool bids; City Manager Williams stated City is waiting to get it scheduled, all quotes were received; City is waiting on company to get a scheduled time to re-plaster and fix exterior of leak. Public Works Director Duncan stated Recreation Department will run the backflush on pool water, than water will go down to sanitary sewer and pump the rest onto lawn; the water will not have chlorine content that it has in the summer.
- Mayor Campos thanked EDC, Chamber of Commerce, Lea Theater, and Main Street Directors for attending meeting tonight.
- Commissioner Gandy asked for City Manager Williams to check on street lights on the section of Avenue I and J off of 11th and 13th street and Central and 1st. City Manager Williams will ask the police night shift to take note of locations of lights which need to be reported to Lea County Electric.

- City Manager Williams reminded Commissioners of Annual Employee Award Banquet to be held at Youth Center on December 1, 2016 at 6:00 p.m. and of Law Enforcement Academy Graduation Ceremony on December 2, 2016 at the Event Center at 10:00 a.m.
- Planning and Zoning Coordinator Ball informed Commissioners of Keep Lovington Beautiful recreate event held in November for National Recycle Month at the Youth Center. Planning and Zoning Coordinator Ball recognized and thanked volunteers and announced the prize winners for the recreate contest.
- City Manager Williams informed Commissioners of the Shop Local Award were Silvano Hernandez, Jeff Silveira, and Mike Mann. City Manager Williams stated City plans on having more events to encourage citizens to shop local.

PUBLIC COMMENT:

No public comment was made.

NON-ACTION ITEMS:

Discussion of Senior Citizen Board appointments: City Manager Williams informed Commissioners of expiring terms for positions will be advertised and appointments will be presented at the December 12, 2016 meeting; term is for two years. The following individual's terms on the Senior Citizen Board will expire at the end of December 2016: Virginia Spears, Wilma Kimbell, and Thomas Griffin. Discussion only, no action was taken.

Discussion of ETZ Board appointments: City Manager Williams informed Commissioners of expiring terms for positions will be advertised and appointments will be presented at the December 12, 2016 meeting; the term is for one year. The following individual's terms on the ETZ Board will expire at the end of December 2016: Randy Pettigrew, Betty Price, and Raymond Moreno. Discussion only, no action was taken.

Discussion of Library Board appointments: City Manager Williams informed Commissioners of need to fill an unexpired term for Donna Benge, position will be advertised and appointment will be presented at the December 12, 2016 meeting. Donna Benge has submitted her resignation from the Library Board; she has served over 20 years on this board and meets the qualifications to be appointed as a Honorary Life Member. A new member must be appointed to serve out the remainder of Ms Benge's term. Discussion only, no action was taken.

Discussion of Records Fees: City Manager Williams stated Staff has discussing copies for public records; the last time action was taken to address or increase fees for copies was in 2010. At that time, the amount of electronic records was not as widely available and no charges for these copies were ever assessed. State law allows for a "reasonable fee" to be charged for public records. City Manager Williams stated staff will provide recommendations for consideration at the next regular meeting in December 12, 2016. Discussion only, no action was taken.

Discussion of Municipal Reserve Funds: City Manager Williams discussed GRT distribution report broken down between the LEDA, the Capital Improvement Fund, and the Gas Tax Fund; with the revised estimates the City still has a reserve of 37%. Discussion only, no action was taken.

Discussion of Auxiliary Professional Services Agreements: City Manager explained to Commissioners the draft professional services agreement to protect the City and the Chamber, EDC, and MainStreet. City Manager Williams stated each agreement is almost identical except with the Section 3 of the agreement that defines the individual agency scope of work. Staff is requesting Commission to review, give input and direction to place this item on the December 12, 2016 agenda for approval. City Manager explained funding, scope of services, amendments, and assignments of the agreement to Commissioners. The agreements are set to go into effect January 1, 2017, with the first initial term being only six months. The remaining terms will be 12 months each, to coincide with the fiscal year. MainStreet Director Tabitha Lawson, Chamber Director RaeLynn Stuart, and EDC Randy Pettigrew addressed Commissioners of excitement, concerns, and expectation of accountability to the agreement with City of Lovington. Commissioners and Staff discussed the allocation and consideration of the \$50,000 disbursement to the EDC with all entities if needed; City Manager Williams stated City is limited due to State statues on how funds are disbursed. Discussion only, no action was taken.

ACTION ITEMS:

Consider award of CDBG engineering services: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider award of CDBG engineering services; Commissioner Gandy seconded. City Manager Williams stated staff issued an RFP for Design Professional Services for the 2016 CDBG Projects and tentative 2017 projects from the following individuals; Ideals, Inc., Pettigrew & Associates, and Occam Engineers, Inc. City Manager Williams recommended award of this RFP to Pettigrew & Associates contingent with DFA approval. Commissioner Trujillo so moved to amend his motion to award RFP to Pettigrew & Associates contingent upon DFA approval; Commissioner Gandy seconded. City Manager Williams informed Commissioners of the projects included as follows:

- 2016 CDBG Projects
 - West Jefferson: 13th to 17th
 - Avenue H: 2nd Street to 5th Street
 - 2nd Street: Avenue D to Jackson
- 2017 tentative Projects
 - 5th Street: Avenue D to Avenue K
 - 1st Street: Avenue J to Avenue O

There being no further discussion; motion carried unanimously.

CLOSED SESSION:

At 6:14 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, regarding limited personnel matters – employee resignation. Commissioner Sanchez seconded and a roll call vote was taken: Commissioner Trujillo – Yes; Commissioner Gandy - Yes; Commissioner Sanchez - Yes; Commissioner Butcher - Yes; and Mayor Campos - Yes.

At 6:32 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 Sanchez - Yes; Commissioner Butcher - Yes; Commissioner Trujillo – Yes; and Mayor Campos - Yes.

City Manager Williams appointed three Deputy City Clerks to help City Clerk Carol Ann Hogue due to demand for different documents that City needs, they are Anna Juarez, Tracy Rodriguez and Shannon Lester.

Commissioners, Staff and Pettigrew discussed setting up a scheduled time for a work session to answer or discuss questions concerning how the EDC process works, rules and regulations, and any other questions or concerns the citizens and Commissioners might have.

ADJOURNMENT: There being no further business, Mayor Campos adjourned the meeting at 6:37 p.m.

APPROVED: _____
PAUL CAMPOS, MAYOR

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK