

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, DECEMBER 12, 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 Butcher, Commissioner Trujillo, 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 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 as submitted; Commissioner Gandy seconded. Motion carried unanimously.

Approval of the Regular Meeting Minutes of November 28, 2016: Mayor Campos called for a motion. Commissioner Gandy so moved to approve the regular meeting minutes of November 28, 2016 as submitted; Commissioner Trujillo seconded. Motion carried unanimously.

COMMISSIONER AND STAFF REPORTS:

- Finance Director Chapman stated City of Lovington has hired a new water utility clerk; auditors request are being taken care of as requested.
- Commissioner Butcher and Mayor Campos commended the City of Lovington Staff for an awesome banquet and wished everyone a Happy New Year.
- Commissioner Gandy apologized for not attending banquet and wished everyone a Merry Christmas.
- Chief Police Rodriguez stated completion date of shooting range is this Wednesday, December 14, 2016; entails actual turn targets.
- City Manager Williams reminded Commissioners to attend:
 - Thursday, December 15, 2016 at 10 A.M. only two Commissioners are needed to attend the Exit Interview.
 - Thursday, December 15, 2016 at noon, there will be a reception for the Outgoing Elected Officials at the County Courthouse in the basement.
 - Thursday, December 15, 2016 at 2:00 P.M., the groundbreaking for the new Judicial Complex.
 - Tuesday, December 20, 2016 from 2 – 4 P.M. there will be a Retirement Party for Tueredia McBride to be held at the Public Library; Mayor Campos thanked Mrs. McBride for her years of service.

- Tuesday, December 20, 2016 at 1:30 P.M. there will be a Called Commission Meeting with a Closed Session to review property and water rights issues.

PUBLIC COMMENT: RaeLynn Dunlap, Executive Director of the Chamber, invited everyone to the Lovington Chamber Open House on Wednesday, December 14, 2016 from 4 – 6 P.M.

ACTION ITEMS: **Consider Resolution 2016-109: Appointment of Honorary Life Member to Library Board:** Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-109: Appointment of Honorary Life Member to Library Board; Commissioner Gandy seconded. Mayor Campos presented Honorary Life Member Award to Donna Bengé. There being no further discussion; motion carried unanimously.

Consider Resolution 2016-110: Appointment of Library Board Member: Mayor Campos called for a motion. Commissioner Gandy so moved to consider Resolution 2016-110: Appointment of Library Board Member Ava Bengé; Commissioner Trujillo seconded. Ava Bengé thanked the Commissioners for nomination to the board and expressed her appreciation of the Library. There being no further discussion; motion carried unanimously.

Consider Resolution 2016-111: Appointments to Senior Citizens Board: Mayor Campos called for a motion. Commissioner Butcher so moved to consider Resolution 2016-111: and appoint to Ron Humphrey, Virginia Spears, and Wilma Kimbell to the Senior Center Board; Commissioner Trujillo seconded. Appointments to the board will expire December 2019; term is for three years. There being no further discussion; motion carried unanimously.

Consider Resolution 2016-112: Appointments to ETZ Board: Mayor Campos called for a motion. Commissioner Sanchez so moved to consider Resolution 2016-112: Appointments to ETZ Board; Commissioner Butcher seconded. Commissioner Sanchez amended his motion to nominate Julia Myers, Betty Price and Steve Carr to the ETZ Board; Commissioner Butcher seconded and a roll call was taken: Commissioner Sanchez – Yes, Commissioner Butcher – Yes, Commissioner Trujillo – No, Commissioner Gandy – No, and Mayor Campos - Yes. Motion was approved.

Consider Resolution 2016-113: Amendment of Grant of Waiver of NM Alcohol and Gaming License at Drylands Brewing Company: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-113: Amendment of Grant of Waiver of NM Alcohol and Gaming License at Drylands Brewing Company; Commissioner Gandy seconded. City Manager Williams stated Drylands Brewing Company has been going through the NM Alcohol and Gaming process and during a recent hearing, the officer requested that the City amend its November 23, 2015 letter of no object to include the language specifying the manufacture, storage, service, and

sale of alcohol. Resolution 2016-113 approves this specific language to be included in the new Resolution, as well as an updated letter of no objection. There being no further discussion a roll call was taken: Commissioner Gandy – Yes, Commissioner Trujillo – Yes, Commissioner Sanchez – No, Commissioner Butcher – Yes, and Mayor Campos - Yes. Motion was approved.

Consider Resolution 2016-114: Approval of Professional Service Agreement with the Lovington Chamber of Commerce: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-114: Approval of Professional Service Agreement with the Lovington Chamber of Commerce; Commissioner Butcher seconded. City Manager Williams stated this is the first of the Professional Services Agreement with the Chamber of Commerce; and are ready for Commission approval. Executive Chamber Director RaeLynn Dunlap stated there will be only one edit, which is the newly elected President of the Lovington Chamber of Commerce, Patrick Alexander. There being no further discussion; motion carried unanimously.

Consider Resolution 2016-115: Approval of Professional Service Agreement with the Lovington Economic Development Corporation: Mayor Campos called for a motion. Commissioner Gandy so moved to consider Resolution 2016-115: Approval of Professional Service Agreement with the Lovington Economic Development Corporation; Commissioner Butcher seconded. City Manager Williams stated the same applies, only minor changes; with a change of newly elected President Robbie Roberts. There being no further discussion; motion carried unanimously.

Consider Resolution 2016-116: Approval of Professional Service Agreement with the Lovington MainStreet: Mayor Campos called for a motion. Commissioner Gandy so moved to consider Resolution 2016-116: Approval of Professional Service Agreement with the Lovington MainStreet; Commissioner Butcher seconded. City Manager Williams stated this agreement for MainStreet, not just nationally, but State wide is changing the way they operate. The agreement come July, will merge into the direction taking to incorporate a different language. There being no further discussion; motion carried unanimously.

Consider Resolution 2016-117: Open Meetings Act: Mayor Campos called for a motion. Commissioner Gandy so moved to consider Resolution 2016-117: Open Meetings Act; Commissioner Trujillo seconded. City Manager Williams stated Resolution 2016-117 will approve the City of Lovington’s policy for compliance with the NM Open Meetings Act; this action must be taken each year. There being no further discussion; motion carried unanimously.

Consider Resolution 2016-118: Approval of Records Fees Schedule: Mayor Campos called for a motion. Commissioner Butcher so moved to consider Resolution 2016-118: Approval of Records Fees Schedule; Commissioner Sanchez seconded. City Manager Williams stated Resolution 2016-118 will approve the Records and Service Fees for

requests for public records of copies, paper and electronic for a reasonable fee. There being no further discussion; motion carried unanimously.

Consider Resolution 2016-119: Release of Claim of Lien – Lots 5 & 6, Block 14, Original Lovington Addition: Mayor Campos called for a motion. Commissioner Sanchez so moved to consider Resolution 2016-119: Release of Claim of Lien – Lots 5 & 6, Block 14, Original Lovington Addition; Commissioner Trujillo seconded. City Manager Williams stated in 1951, the City filed a Claim of Lien for paving work performed in the area of Avenue A and 1st Street. Two of the lots in this area are being sold and during the title search it was discovered that a release of lien was never filed. City Manager Williams stated, in order to close on this property, the lien must be paid and a release of Claim of Lien will be filed; in the amount of \$382.50. There being no further discussion; motion carried unanimously.

Consider revocation of bid award: Street Yard/Convenience Center Fence Installation: Mayor Campos called for a motion. Commissioner Gandy so moved to revoke award of bid to All Rite Construction for the construction of the Street Yard/Convenience Center fence and direct staff to re-bid the project; Commissioner Butcher seconded. City Manager Williams stated on October 10, 2016, the bid for the construction of the Street Yard/Convenience Center fence was awarded to All-Rite Construction, located in Albuquerque. City Manager Williams stated staff has been working to secure the construction contract with the contractor, but have not been successful in securing this document due to contractor requests for changes in construction plans and their failure to recognize certain plan and wage requirement. City Manager Williams stated staff is requesting that the Commission approve the revocation of the bid award and proceed with re-bidding the project. There being no further discussion; motion carried unanimously.

Consider Award of Bid: Employee Drug and Alcohol Testing: Mayor Campos called for a motion. Commissioner Gandy so moved to award bid to Vanguard Health and Safety Services and directed the City Manager to execute service agreement for the Employee Drug and Alcohol Testing; Commissioner Butcher seconded. City Manager Williams stated staff received bids for Indefinite Quantity Drug and Alcohol Testing on December 1, 2016 at 10:00 A.M.; staff chose to award bid to Vanguard Health and Safety, after evaluating the six responses. There being no further discussion; motion carried unanimously to award bid to Vanguard for a three year agreement with the City. Mayor Campos abstained from voting.

Consider Award of Bid: Employee Physicals: Mayor Campos called for a motion. Commissioner Gandy so moved to award bid to ACC Compliance and Safety and directed City Manager to execute the service agreement for the Employee Physicals; Commissioner Butcher seconded. City Manager Williams stated staff received three responses for Indefinite Quantity Employment Physicals on December 1, 2016 at 10 A.M.; staff chose to award bid to ACC Compliance & Safety, after evaluating the three

responses. There being no further discussion; motion carried unanimously to award bid to ACC Compliance and Safety for a three year agreement with the City. Mayor Campos abstained from voting.

Consider Award of Bid: Car and Truck Repair: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider award of bid for car and truck repair; Commissioner Butcher seconded. City Manager Williams stated staff received two bids for Car and Truck Repair from Valentine Auto Service, Inc. and Griffin Diesel & Automotive Repair, LLC.; staff is recommending to stay with Valentine Auto Service, Inc. because of more experience with their same day service. There being no further discussion, Commissioners awarded bid to Valentine Auto Service, Inc.; motion carried unanimously.

Consider Award of Bid: Heavy Equipment Repair: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider award of bid for heavy equipment repair; Commissioner Butcher seconded. City Manager Williams stated staff received two bids for Tractor and Heavy Equipment Repair from Seidel Diesel Service and Griffin Diesel & Automotive Repair LLC.; staff is recommending Griffin Diesel & Automotive Repair LLC. because of location and pricing. There being no further discussion, Commissioner awarded bid to Griffin Diesel & Automotive Repair LLC.; motion carried unanimously.

Consider Award of Bid: Tire Repair: Mayor Campos called for a motion. Commissioner Gandy so moved to award tire repair bid to Forrest Tire; Commissioner Sanchez seconded. City Manager Williams stated staff received three bids from M&R Tire, Lovington Tire Service, and Forrest Tire; staff is recommending Forrest Tire because they met all qualifications for this bid. There being no further discussion, Commissioners awarded bid to Forrest Tire; motion carried unanimously.

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

ADJOURNMENT: There being no further business, Mayor Campos adjourned the meeting at 6:11 p.m.

APPROVED: _____
PAUL CAMPOS, MAYOR

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK