

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, FEBRUARY 22, 2016 @ 5:30 P.M.
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

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

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

Also Present: City Manager James Williams, City Attorney Patrick McMahon, Police Chief David Rodriguez, Finance Director Gary Chapman, City Clerk Carol Ann Hogue, and Administrative Assistant Anna Juarez

Invocation: Commissioner Butcher gave the invocation.

Pledge of Allegiance: Commissioner Butcher led the pledge.

Approval of Agenda: Mayor Gandy called for a motion. Commissioner Trujillo so moved to amend the agenda to move Public Comment before Closed Session. Commissioner Butcher seconded and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengue – Yes, Commissioner Campos - Yes, Commissioner Butcher – Yes, and Mayor Gandy – Yes.

Approval of the Regular Meeting Minutes of February 8, 2016: Mayor Gandy called for a motion. Commissioner Bengue so moved to approve the regular meeting minutes of February 8, 2016; Commissioner Campos seconded. Roll call was taken: Commissioner Butcher – Yes, Commissioner Trujillo – Yes, Commissioner Bengue – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes.

COMMISSIONER AND STAFF REPORTS:

- Finance Director Chapman stated Staff has begun budget process and is planning to have a Special Budget Meeting in mid-April with Commission.
- City Clerk Carol Ann Hogue stated Friday is the last day to early vote and election will be held on March 1st.
- Commissioner Campos asked for an update on Splash pad; City Manager Williams stated construction will take 30 days weather permitting, City needs to get permitting by the State and Parks department. We have two additional Pool Certified Operators for the Splash pad.
- Commissioner Butcher asked if Chaparral Park restroom on the Southeast could be fenced off or demolished; Pool and Wastewater department need to address issue with weeds.
- City Manager Williams stated none of the hold harmless bills went through and the local option gross receipt tax (LEDA) funds is going to the governor for

signature; severance tax bond projects which are needing final approval by governor are \$220,000 for radio read meters, \$150,000 police department evidence facility and impound lot, senior center \$35,000 for vehicles.

NON-ACTION ITEMS:

Discussion of Lea County Water Users Association: Mayor Pro-Tem Bengé updated and discussed with Commissioners concerns regarding the Lea County Water Users Association. Mayor Pro-Tem Bengé stated a document discussing aquifer for Lea County will be available online for the public to read and make comments.

ACTION ITEMS:

Consider Resolution 2016-12: Use of Local Economic Development Funds for Construction of Public Parking in the Downtown Area: Mayor Gandy called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-12: Use of Local Economic Development Funds for Construction of Public Parking in the Downtown Area; Commissioner Campos seconded. City Manager Williams addressed Commissioners of Resolution 2016-12 which will authorize the use of LOGRT Funds (LEDA) for the construction and development of the public parking spaces the City committed to for the Judicial Complex Project; these funds are being utilized to preserve General Fund reserves. City Manager Williams stated a cost of no more than \$87,000.00 will include lighting, striping, and pavement to create 79 additional parking spots. There being no further discussion, a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Campos – Yes, Commissioner Butcher – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Resolution 2016-13: Authorization to Submit for a NM CDBG Program Application and Authorizing the Mayor to Act as the Authorized Representative for all Matters Pertaining to the City's Participation in the CDBG Program: Mayor Gandy called for a motion. Commissioner Campos so moved to consider Resolution 2016-13: Authorization to Submit for a NM CDBG Program Application and Authorizing the Mayor to act as the authorized representative for all matters pertaining to the City's participation in the CDBG Program; Commissioner Butcher seconded. City Manager Williams stated resolution will authorize the submission of a CDBG application, authorize the Mayor to act on behalf of the City in regards to this application and participation in the CDBG program, and directs staff to do any and all acts necessary to carry out the intent of the resolution. There being no further discussion, a roll call was taken: Commissioner Bengé – Yes, Commissioner Campos – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Resolution 2016-14: Amendment of ICIP to include CDBG Application Projects: Mayor Gandy called for a motion. Commissioner Butcher so moved to consider Resolution 2016-14: Amendment of ICIP to include CDBG Application Projects; Commissioner Campos seconded. City Manager Williams addressed Commissioners of

resolution which will authorize the amendment of the ICIP to include the addition of CDBG Projects:

- West Jefferson – 13th to 17th
- South 5th – Avenue D to Avenue K
- North 2nd Street – Avenue D to Jackson Avenue
- West Avenue H – 5th Street to 2nd Street
- South 1st Street – Avenue O to Avenue J

The addition of these individual projects to the ICIP will create additional points for the City in the application process. There being no further discussion, a roll call was taken: Commissioner Trujillo – Yes, Commissioner Campos – Yes, Commissioner Butcher – Yes, Commissioner Bengé – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Resolution 2016-15: Approval of Professional Services Agreement between the City and the SENMEDD/COG: Mayor Gandy called for a motion. Commissioner Bengé so moved to consider Resolution 2016-15: Approval of Professional Services Agreement between the City and the SENMEDD/COG; Commissioner Trujillo seconded. City Manager Williams addressed Commissioners of resolution authorizing the execution of a Professional Services Agreement with the SENMEDD/COG for administration of the CDBG grant, if awarded funding. The grant process and administration would entail environment assessment, engineering RFP's federal reporting, and monthly progress reports; the costs associated can be funded by the CDBG funds of up to 3%, with the remaining 1% being a cash match or any combination. There being no further discussion, a roll call was taken: Commissioner Campos – Yes, Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Resolution 2016-16: Approval of MAP Application for North 17th Project: Mayor Gandy called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-16: Approval of MAP Application for North 17th Project; Commissioner Campos seconded. City Manager Williams addressed Commissioners resolution is to support the City's application to the NMDOT Municipal Arterial Grant Program for reconstruction of North 17th from Jefferson Avenue to 0.25 miles north of Polk Avenue. There being no further discussion, a roll call was taken: Commissioner Campos – Yes, Commissioner Bengé – Yes, Commissioner Butcher – Yes, Commissioner Trujillo – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Resolution 2016-17: Approval of LGRF Application for North 17th Project: Mayor Gandy called for a motion. Commissioner Bengé so moved to consider Resolution 2016-17: Approval of LGRF Application for North 17th Project; Commissioner Butcher seconded. City Manager Williams addressed Commissioners of resolution which will endorse the City's application to the NMDOT Local Government Road Fund for the reconstruction of North 17th from Jefferson Avenue to 0.25 miles North of Polk Avenue. City Manager Williams stated curbing, sidewalk, and drainage for both sides might have to be phased in; trying to incorporate as much through the grant funding to restore

pavement, but as well having pedestrian and ADA access. City Manager Williams stated sidewalk will be more on the interior on the East side to start with. There being no further discussion, a roll call was taken: Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, Commissioner Bengé – Yes, and Mayor Gandy – Yes. Motion was approved

Consider Resolution to Approve Encroachment Easement at 609 South 3rd Street, Lovington, New Mexico: Mayor Gandy called for a motion. Commissioner Campos so moved to consider Resolution to Approve Encroachment Easement at 609 South 3rd Street, Lovington, New Mexico; Commissioner Butcher seconded. Planning and Zoning Crystal Ball addressed the Commissioners of property owner agreeing to move cinder block fence to property line, due to a visual safety concern when coming out of driveway onto the street; resolution will grant an encroachment easement of 14 feet onto City right of way. Commissioner Campos so moved to amend motion to include 2016-18 as the Resolution number; Commissioner Butcher second. There being no further discussion, a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Approval of Accounts Payable: Mayor Gandy called for a motion. Commissioner Bengé so moved to approve the accounts payable; Commissioner Campos second. There being no further discussion, a roll call was taken: Commissioner Butcher – Yes, Commissioner Bengé – Yes, Commissioner Campos – Yes, Commissioner Trujillo – Yes, and Mayor Gandy – Yes. Motion was approved.

PUBLIC COMMENT:

No public comment was made.

CLOSED SESSION:

At 5:55 p.m., Commissioner Trujillo moved to adjourn Regular Session and convene in Closed Session Pursuant to Section 10-15-1 NMSA 1978, Subsection H-8, regarding the purchase, acquisition, or disposition of real property or water rights – Disposition of City Owned Commercial Property. Commissioner Campos seconded and a roll call vote was taken: Commissioner Trujillo - Yes; Commissioner Butcher - Yes; Commissioner Campos - Yes; Commissioner Bengé – Yes; and Mayor Gandy - Yes.

At 6:19 p.m., Commissioner Bengé 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 Trujillo - Yes; Commissioner Butcher - Yes; Commissioner Bengé - Yes; Commissioner Campos – Yes; and Mayor Gandy - Yes.

ADJOURNMENT: There being no further business, Mayor Gandy adjourned, the meeting at 6:20 p.m.

APPROVED: _____
SCOTTY GANDY, MAYOR

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK