

**REGULAR MEETING OF THE CITY COMMISSION  
MONDAY, FEBRUARY 10, 2014 @ 5:30 P.M.  
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

**Present and answering roll call:** Mayor Drummond, Commissioners Trujillo, Gandy, Granath and Bengé.

**Also Present:** City Manager James Williams, Assistant City Manager Jared Cobb, Finance Director Mashell Stephens, City Clerk Carol Ann Hogue, Chief of Police Danny Bryant, and City Attorney Patrick McMahon.

**Not Present:** Administrative Assistant Imelda Gutierrez

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

**Invocation:** Commissioner Trujillo gave the invocation

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

**Approval of Agenda:** Mayor Drummond asked for a motion to approve the agenda as submitted. Commissioner Gandy so moved to omit an action item: Consider Approval of Carport Variance at 416 W. Tyler. Commissioner Bengé seconded. Motion was approved.

**Approval of the Regular Minutes of January 27, 2014:** Mayor Drummond asked for a motion for approval of the regular minutes of January 27, 2014. Commissioner Trujillo so moved. Commissioner Gandy seconded. Motion was approved.

**NON-ACTION ITEMS:**

**Discussion of Ordinance for Annexation of Property at 17<sup>th</sup> & Jefferson & Zoning Classification:** City Manager Williams addressed the Commissioners stating that Khalid Farooq on behalf of Armaan Enterprises requested two (2) properties be annexed into the City limits and zoned as indicated: #1- proposed zone B (9 acres) and #2- proposed zone C (25 acres). The Lovington Planning & Zoning Board recommended that the adjacent property owners be contacted and asked if they would agree with the annexation. Armaan Enterprises change its annexation petition to reflect annexation of all of the properties. The property owners are: Energy Research, Adair, Chevron, & Solorzano, The Energy Research and Adair properties would be zoned as C- Commercial and the Chevron and Solorzano properties would be zoned B- Multi-family. Mayor Drummond asked City Manager Williams to bring back to the Commissioners on the next regular meeting.

**Discussion of Zoning Change at 1<sup>st</sup> Unit, Solar Addition, Block 1, Lot B:** City Manager Williams addressed the Commissioners stating that the Lovington Planning & Zoning Board recommends the zone change at 1<sup>st</sup> Unit, Solar Addition, Block 1, Lot B (1100 block of West Avenue D) to be changed from Zone A - Single Family Dwelling to Zone C – Commercial. This item will be presented to Commission for action at the February 24<sup>th</sup> meeting due to publication requirements. The property owners within one hundred feet (100’) of the property have been notified by letter.

**Discussion of Off Street Parking Ordinance:** City Manager Williams addressed the Commissioners stating that the Planning & Zoning Board recommends splitting this ordinance into two (2) separate documents, one limiting off street parking of commercial vehicles and one limiting parking of non-commercial and recreational vehicles in residential zones. The commercial vehicle off street parking ordinance was recommended for approval by Planning & Zoning. If adopted, 12.08.060 should have the allowable weight for off street parking in residential zones be reduced. The second portion was tabled at the Planning & Zoning meeting and the Board is requesting from the Commissioners to provide direction on whether to proceed with further review of this ordinance or not. This ordinance will be brought back to the next regular commission meeting for approval to advertise. The property owners in Zone A & B will be notified by letter.

**Discussion of Carports:** City Manager Williams addressed the Commissioners stating that Code Enforcement has submitted for review and consideration to the Planning & Zoning Board the three (3) proposed ordinances that would amend the carport use. The Planning & Zoning recommends adopting the changes. Changes are summarized below:

- Zone A: Modifies Chapter 17.20 to increase the maximum allowable size of a carport to 720 square feet. Also modifies the intensity of use to allow carports in the event the dwelling has a garage.
- Zone B: Modifies Chapter 17.24 which will eliminate the requirement that a carport does not have to be attached to a permanent structure or conform to existing construction materials, character, or design.
- Manufactured Homes & Mobile Homes: Modifies 17.22 to state carports must conform to Chapter 17.24

**Discussion on Mobile Home Utilities & Permits:** City Manager Williams addressed the Commissioners stating that Commissioner Benge requested a discussion on an ordinance that would require the City to issue a mobile or manufactured home permit to be obtained prior to the connection of any Non City utilities (i.e. electricity, gas, phone). This item will be taken to Planning & Zoning Board for review.

**Discussion of Comprehensive Plan:** Assistant City Manager Cobb addressed the Commissioners stating that the City has received a proposal from Architectural Research Consultants, Incorporated to develop a new comprehensive plan. The total cost for the scope of work is \$75,617 and is estimated to be completed within eleven (11) months. An additional three options have been proposed, however, these may be selected at a later date. To be proactive, NMFA recommends the City file for an extension to their twelve (12) month grant period. The City will prepare a resolution for consideration at the next regular commission meeting. The company would like to come down and meet with everyone.

- The total cost is \$75,617 without additional options; \$50,000 is covered by an NMFA Planning Grant and the remaining \$ 25,617 is recommended to be covered by a combination of LEDA and/or EDC funds.

**Discussion of Parks & Recreation Survey Results:** City Manager Williams addressed the Commissioners stating that three (3) months Parks & Recreation Survey was completed and the City has compiled the results for review. The City had 290 responses. The survey results have been presented to the Parks & Recreation Board for their review and will be used for the development of the Parks & Recreation Master Plan.

#### **ACTION ITEMS:**

**Consideration of Approval of 2013 Municipal Audit:** Mayor Drummond called for a motion to approve the 2013 Municipal Audit. Shelly Olsen (Manager) and Cindy Bryant on behalf of Accounting & Consulting Group, LLP stated that the City has had a big improvement and has received a qualified opinion. In 2012, the City had 16 findings which 7 were resolved. In 2013, there were 12 findings that 9 were repeated findings that are getting resolved and some have been going on since 2007 and 2008. The General funds account has increased by two million dollars. Commissioner Trujillo so moved. Commissioner Gandy seconded. Motion was approved.

**Consideration of Approval of Resolution 2014-05: Budgetary Increases:** Mayor Drummond called for a motion to approve the resolution 2014-05: Budgetary Increases. City Manager Williams addressed the Commissioners stating that the Finance Department has prepared a resolution in order to reflect income being received by grants and adjusting expenditures from completion of the funded project.

- \$6,512 increase to Fire Protection Grant for purchase of an SCBA fill station.
- \$15,000 increase in recreation from Maddox Foundation Grant for pool exterior.
- \$100,000 increase in parks & recreation from Lea County Quality of Life Funding.

Commissioner Bengé so moved. Commissioner Trujillo seconded. Motion was approved.

**Consideration of Approval of Resolution 2014-06: Release of Municipal Lien at 914 W. Monroe:** Mayor Drummond called for a motion to approve the resolution 2014-06: Release of Municipal Lien at 914 W. Monroe. City Manager Williams addressed the Commissioners stating that Juan Carrillo purchased the property at 914 W. Monroe. The City discovered it had filed a lien on the property on March 30, 2001 in the amount of \$3,120 this lien was filed to recover the cost of removing a condemned structure. Mr. Carrillo has paid the City the full amount of the lien on January 22, 2014. Commissioner Bengé so moved. Commissioner Granath seconded. Motion was approved.

**Consideration of Approval of LEACO Tower Use Agreement:** Mayor Drummond called for a motion to approve the LEACO Tower Use Agreement. City Manager Williams addressed the Commissioners stating that LEACO has performed and completed its testing of wireless internet equipment at the Avenue R water tower. They are ready to begin installation at our remaining two water towers. The agreement specifies that in exchange for tower space, we will receive internet services at various municipal locations. The savings per month is approximately \$600. Commissioner Granath so moved. Commissioner Gandy seconded. Motion was approved.

**Consideration of Approval of Lodgers Tax Application:** Mayor Drummond called for a motion to approve the Lodgers Tax Application. City Manager Williams addressed the Commissioners stating that the City has prepared an application for Lodgers Tax Funding for review and approval. The application has been reviewed by the Lodgers Tax Board and they recommend implementing this process. Commissioner Bengé so moved. Commissioner Trujillo seconded. Motion was approved.

**Consideration of Approval of Carport Variance at 715 W. Avenue I:** Mayor Drummond called for a motion to approve the carport variance at 715 W. Avenue I. Jose Campos addressed the Commissioners requesting a carport variance to install at his residence that is 638 square feet. A notice was sent to each property owner located within 100 feet of the property. Commissioner Granath so moved. Commissioner Gandy seconded. Motion was approved.

**Consideration of Approval of Accounts Payable:** Mayor Drummond called for a motion to approve the accounts payable. Commissioner Bengé so moved. Commissioner Granath seconded. Motion was approved.

**PUBLIC COMMENT:**

- Clint Laughrin addressed the Commissioners stating that the City should enforce the laws we have now instead of making more laws.
- Commissioner Gandy stated that the City needs to do something now because we are constantly settling and not moving forward.
- Evelyn Holguin stated that she agrees with the Commissioners about cleaning up the City. Three developers have been drawn away from developing in the City due to how our neighborhoods look.
- Sherron Little stated that most people are not financially stabled to afford it.

**OTHER:**

- City Clerk Hogue mentioned that early voting begins Wednesday, February 12, 2014 at the City Hall from 8:00 a.m. – 5:00 p.m.
- Commissioner Benge mentioned that she has tickets for Richard Flora of the Lecture Series for Communities on Tuesday, February 25, 2014 at Tydings Auditorium in Hobbs, NM
- Detective Joe Clark mentioned that he was contacted by Mr. Manes - School Superintendent who would like for the Police Department to participate in active shooters at the Lovington Schools.
- City Manager Williams mentioned he will be getting tickets for the Richard Flora presentation.

**ADJOURNMENT:**

There being no further business the meeting adjourned at 6:45 p.m.

**APPROVED:** \_\_\_\_\_  
**DIXIE DRUMMOND, MAYOR**

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

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: February 24, 2014



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Ordinance 512 Public Comment  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** February 11, 2014

**STAFF SUMMARY:**

Staff have started advertising of Ordinance 512 - Off Street Parking of Commercial Vehicles in Residential Zones and mailing notification of the Ordinance to property owners in affected zones.

Staff are requesting commission allow a public comment period limited to this Ordinance only. We are requesting that individuals wishing to speak sign in at podium and comments are limited to no more than 5 minutes.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

(Finance Director)

**ATTACHMENTS:**

Ordinance 512 - Off Street Parking of Commercial Vehicles in Residential Zones

**RECOMMENDATION:**

Comment only. Ordinance will be voted on at the March 10, 2014 Commission Meeting.

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager

**ORDINANCE NO. 512**

An ordinance of the City of Lovington, New Mexico, amending Title 17, Chapter 17.16 – General Use Regulation, of the Lovington Municipal Code.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOVINGTON THAT TITLE 17, CHAPTER 17.16 BE AND HEREBY IS AMENDED AS FOLLOWS:

**17.16.080 Off Street Parking of Commercial Vehicles in Residential Zone**

- A. No truck tractor, semitrailer, the truck tractor individually, or the semitrailer individually is permitted to park anywhere within any residential zone of the City.
  
- B. No commercial vehicles are to be parked and/or stored in the front yard, side yard, or rear yard within any residential zone of the City. Commercial vehicles are defined as vehicles with more than two axles, a vehicle used to transport hazardous materials requiring Department of Transportation placarding, construction vehicles designed for off road usage, and vehicles requiring the driver to have either a Class A, Class B, or Class C drivers license or the equivalent. A non-commercial vehicle is defined as one that has a gross vehicle weight rating of not more than fifteen thousand (15,000) pounds and can be legally parked in a standard eight and a half (8.5) foot by twenty (20) foot parking space.

APPROVED, PASSED, AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2014.

CITY OF LOVINGTON

\_\_\_\_\_  
DIXIE DRUMMOND, MAYOR

ATTEST:

\_\_\_\_\_  
CAROL ANN HOGUE, CITY CLERK

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: February 24, 2014



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Carport Ordinance Public Comment  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** February 11, 2014

**STAFF SUMMARY:**

Staff have started advertising of Ordinance 520 - Zone A Carports, 521 - Zone B Carports, and 522 - Manufactured and Mobile Home Carports and mailing notification of the Ordinances to property owners in affected zones.

Staff are requesting commission allow a public comment period limited to these Ordinances only. We are requesting that individuals wishing to speak sign in at podium and comments are limited to no more than 5 minutes.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

(Finance Director)

**ATTACHMENTS:**

Ordinance 520  
Ordinance 521  
Ordinance 522

**RECOMMENDATION:**

Comment only.

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager



**ORDINANCE NO. 520**

An ordinance of the City of Lovington, New Mexico, amending Title 17, Chapter 17.20 – “A” Single-Family Dwelling District, of the Lovington Municipal Code.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOVINGTON THAT TITLE 17, CHAPTER 17.20 BE AND HEREBY IS AMENDED AS FOLLOWS:

**17.20.040 Front yard requirements – Carport.**

B. A carport no larger than seven hundred twenty (720) square feet may be added and attached to the structure, but only if it meets the following:

**17.20.070 Intensity of use.**

Every lot shall have an area of not less than seven thousand square feet per family; except that, if a lot has less area than required in this chapter and was a lot of record prior to February 12, 1971, the effective date of the ordinance codified in this section, such lot may be used for one single-family dwelling, provided that all other district regulations are observed.

APPROVED, PASSED, AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2014.

CITY OF LOVINGTON

\_\_\_\_\_  
DIXIE DRUMMOND, MAYOR

ATTEST:

\_\_\_\_\_  
CAROL ANN HOGUE, CITY CLERK

**ORDINANCE NO. 521**

An ordinance of the City of Lovington, New Mexico, amending Title 17, Chapter 17.24 – “B” Multiple Dwelling District, of the Lovington Municipal Code.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOVINGTON THAT TITLE 17, CHAPTER 17.24 BE AND HEREBY IS AMENDED AS FOLLOWS:

**17.24.050 Yard regulations**

- A. Yard size regulations shall be the same as in the “A” single family dwelling district.
  
- B. Carport regulations shall be the same as in the “A” single family dwelling district, except:
  - i. Carports are not required to be attached to a permanent building; and
  - ii. Carports are not required to match or conform to the permanent building in materials, character, and design.
  
- C. All interior courts shall have a width equal to at least the height of the highest part of the building forming the court.

APPROVED, PASSED, AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2014.

CITY OF LOVINGTON

\_\_\_\_\_  
DIXIE DRUMMOND, MAYOR

**ORDINANCE NO. 522**

An ordinance of the City of Lovington, New Mexico, amending Title 17, Chapter 17.22 – Manufactured Homes and Mobile Homes, of the Lovington Municipal Code.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOVINGTON THAT TITLE 17, CHAPTER 17.22 BE AND HEREBY IS AMENDED AS FOLLOWS:

**17.22.150 Carports**

Regulations of Chapter 17.24 shall apply.

APPROVED, PASSED, AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

CITY OF LOVINGTON

\_\_\_\_\_  
DIXIE DRUMMOND, MAYOR

ATTEST:

\_\_\_\_\_  
CAROL ANN HOGUE, CITY CLERK

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: February 24, 2014



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** City Manager Report  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams, City Manager  
**DATE SUBMITTED:** February 14, 2014

**STAFF SUMMARY:**

The City Manager will be providing a report on completed and ongoing projects within the City.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

(Finance Director)

**ATTACHMENTS:**

**RECOMMENDATION:**

Information only.

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: February 24, 2014



TYPE:  RESOLUTION     ORDINANCE     PROCLAMATION     INFORMATION     OTHER ACTION

**SUBJECT:** Resolution 2014-07: Vacation and Quitclaim  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** James R. Williams  
**DATE SUBMITTED:** February 13, 2014

**STAFF SUMMARY:**

Resolution 2014-07 will authorize the Mayor to sign a quitclaim deed for the alley easement vacated at the January 13, 2014 Commission Meeting.

This vacation was requested so that the Allsup's Store can develop a diesel fueling station.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

(Finance Director)

**ATTACHMENTS:**

Resolution 2014-07  
Vacation and Quitclaim Deed

**RECOMMENDATION:**

Motion to approve Resolution 2014-07.

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager

**RESOLUTION OF THE CITY OF LOVINGTON  
LEA COUNTY, NEW MEXICO**

**RESOLUTION NO. 2014-07**

**A RESOLUTION APPROVING THE VACATION AND QUITCLAIM OF PROPERTY**

**WHEREAS**, the Governing Body of the City of Lovington, a New Mexico Municipal Corporation, declares that the real estate described below is not essential for municipal purposes; and

**WHEREAS**, the City of Lovington, has an alley easement for the described real estate in Lea County, New Mexico:

The East one hundred forty (140) feet of the twenty (20) foot wide alley lying North and adjacent to Lot Nine (9) of Block one hundred ten (110), South Llano Addition to the City of Lovington, Lea County, New Mexico. Said Alley contains 2,800 sq. ft. or 0.0643 acres more or less.

All in Lovington, New Mexico; and

**WHEREAS**, the City of Lovington has no plans for the development of this easement; and

**WHEREAS**, the City of Lovington issued a quitclaim for such property to Mike and Carolyn Taylor, whose address is 7411 N. Valdez, Hobbs, New Mexico 88242; and

**WHEREFORE**, I, Dixie Drummond, Mayor of the City of Lovington, do hereby certify that the foregoing is a true copy of the Resolution adopted by the City of Lovington Council at a meeting held on February 24, 2014. I further certify that the above-referenced signatures are true and correct and that this Resolution does not conflict with any other documents governing the City of Lovington.

**IN WITNESS WHEREOF**, I approve this Resolution on this 24<sup>th</sup> day of February, 2014.

\_\_\_\_\_  
Dixie Drummond, Mayor

ATTEST:

\_\_\_\_\_  
Carol Ann Hogue, City Clerk

**VACATION AND QUITCLAIM DEED**

Pursuant to the authority of the governing body of the City of Lovington, a municipal corporation at a regularly scheduled meeting, the City of Lovington acting by and through the City Commission, City Planning & Zoning Board and City Clerk, having no present plans to develop the following described alley does hereby quit claim to Mike Taylor and Carolyn J Taylor, all of its right title and interest in the following described real estate in Lea County, New Mexico:

THE SURFACE ESTATE ONLY:

DESCRIPTION OF TRACT TO BE VACATED

The East one hundred forty (140) feet of the twenty (20) foot wide alley lying North and adjacent to Lot Nine (9) of Block one hundred ten (110), South Llano Addition to the City of Lovington, Lea County, New Mexico. Said Alley contains 2,800 sq. ft. or 0.0643 acres more or less.

**WITNESS** THE SIGNATURE OF THE City of Lovington, by its Mayor and City Clerk this 24<sup>th</sup> day of February, 2014 .

CITY OF LOVINGTON

\_\_\_\_\_  
DIXIE DRUMMOND, MAYOR

ATTEST:

\_\_\_\_\_  
CAROL ANN HOGUE, CITY CLERK

STATE OF NEW MEXICO     }  
  } SS.  
COUNTY OF LEA            }

Acknowledged, Subscribed and sworn before me, on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by Dixie Drummond, Mayor and Carol Ann Hogue, City Clerk.

NOTARY PUBLIC: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

**CITY OF LOVINGTON**  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: February 24, 2014



TYPE:  RESOLUTION     ORDINANCE     PROCLAMATION     INFORMATION     OTHER ACTION

**SUBJECT:** Resolution 2014-08: Extension Request  
**DEPARTMENT:** Executive  
**SUBMITTED BY:** Jared Cobb, Assistant City Manager  
**DATE SUBMITTED:** February 18, 2014

**STAFF SUMMARY:**

The planning grant awarded by the NMFA specifies that the date of completion for the project is October 25, 2014. The consultant has requested eleven months to complete the project, bring the date of completion to January 2015.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

(Finance Director)

**ATTACHMENTS:**

Resolution 2014-08

**RECOMMENDATION:**

Motion to approve Resolution 2014-08.

*Jared Cobb*

Department Head

*James R. Williams*

City Manager



**RESOLUTION NO. 2014-08**

**AUTHORIZING THE SUBMISSION OF AN EXTENSION REQUEST FOR THE NEW MEXICO FINANCE  
AUTHORITY PLANNING GRANT**

**WHEREAS**, the City of Lovington was awarded a planning grant from the New Mexico Finance Authority on October 25, 2013 to update the comprehensive plan, with a completion deadline of October 25, 2014; and

**WHEREAS**, the planning consultant selected for the project has requested eleven (11) months to update the plan for an estimated completion date of January 2015; and

**WHEREAS**, the planning consultant has provided assurance that the project can be completed within the original timeframe, however, additional time would result in a more developed plan to address the long-range needs of Lovington;

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Lovington is requesting a four month extension from the New Mexico Finance Authority to update the comprehensive plan and close on the planning grant.

APPROVED THIS 24<sup>th</sup> DAY OF FEBRUARY, 2014.

ATTEST

\_\_\_\_\_  
DIXIE DRUMMOND, MAYOR

\_\_\_\_\_  
CAROL ANN HOGUE, CITY CLERK

CITY OF LOVINGTON  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: February 24, 2014



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

SUBJECT: Truck and Trailer Street Parking (Ordinance 523)  
DEPARTMENT: Executive  
SUBMITTED BY: James R. Williams, City Manager  
DATE SUBMITTED: February 14, 2014

**STAFF SUMMARY:**

As previously presented to Commission during the discussion of Ordinance 512 - Commercial Vehicle Off Street Parking, the Planning and Zoning Commission recommended lowering the acceptable weight listed in Chapter 12.08.060 to mirror the 15,000 lb limit identified in Ordinance 512.

The attached amendment has the recommended change in red font, with the omissions struck through.

**FISCAL IMPACT:**

REVIEWED BY: \_\_\_\_\_

(Finance Director)

**ATTACHMENTS:**

Truck and Trailer Parking Ordinance Amendment (Ordinance 523)

**RECOMMENDATION:**

Motion to approve advertisement of this ordinance.

\_\_\_\_\_  
Department Head

*James R. Williams*  
\_\_\_\_\_  
City Manager

**ORDINANCE NO. 523**

An ordinance of the City of Lovington, New Mexico, amending Title 12, Chapter 12.08 – Street and Sidewalk Use Regulations, of the Lovington Municipal Code.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LOVINGTON THAT TITLE 12, CHAPTER 12.08 BE AND HEREBY IS AMENDED AS FOLLOWS:

**12.08.060 Stopping or parking of trucks, trailers, and other vehicles prohibited in certain places.**

- A. It is unlawful for any person to park a tractor trailer rig, freight trailer, bus, hazardous cargo, tank vehicle, semitrailer, recreational vehicle, a vehicle with a manufacturer’s gross vehicle weight rating (GVWR) of more than ~~twenty-six thousand pounds~~ **fifteen thousand pounds (15,000)** or other vehicle determined to be situated in a location causing a safety hazard in any street, alley or public way within the city which is not zoned as a commercial district or an industrial district, except for temporary purposes of loading and unloading.
  
- B. It is unlawful for any person to park any vehicle designed to be pulled by a self-propelled vehicle on any street, alley or public way when such vehicle is detached from a self-propelled vehicle.

APPROVED, PASSED, AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2014.

CITY OF LOVINGTON

\_\_\_\_\_  
DIXIE DRUMMOND, MAYOR

ATTEST:

\_\_\_\_\_  
CAROL ANN HOGUE, CITY CLERK

CITY OF LOVINGTON  
COMMISSION STAFF SUMMARY FORM

MEETING DATE: February 24, 2014



TYPE:  RESOLUTION  ORDINANCE  PROCLAMATION  INFORMATION  OTHER ACTION

**SUBJECT:** Consider Approval of Senior Center Heating/Cooling Install  
**DEPARTMENT:** Senior Citizen Center  
**SUBMITTED BY:** Norma Vejil, Director  
**DATE SUBMITTED:** February 18, 2014

**STAFF SUMMARY:**

In the current fiscal year, \$18,000 was budgeted for installation of heating and cooling in the Senior Citizen Annex. The budgeted amount was based on estimates received during budget preparation.

Following City procurement policy, quotes were obtained. The lowest quote received was for \$25,592.53.

Staff are requesting Commission approval to proceed with this project.

**FISCAL IMPACT:**

REVIEWED BY: Mashell Stephens  
(Finance Director)

To account for the extra cost, a budget adjustment will be required at the end of the fiscal year. Funds are available for this project.

**ATTACHMENTS:**

Quotations for project.

**RECOMMENDATION:**

Motion to proceed with project.

Mashell Stephens

Department Head

James R. Williams  
City Manager

# Proposal

## CERTIFIED AIR CONDITIONING

907 N Grimes P.O. BOX 7

Hobbs, NM 88240

575-397-5965

WE ARE CERTIFIED!

January 16, 2014

Summary: ESTIMATE

Reference #: 9391-125257

Due Date: 1/16/2014

LOVINGTON SENIOR CITIZENS CENTER  
18 WAVE F  
Lovington, NM 88260

Job Name:  
ESTIMATE  
10% DISCOUNT CASH OR CHECK

575-396-4161

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### We Hereby Submit Specifications And Estimates For:

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THE INSTALLATION OF 3,2 TON AND 1, 4 TON PACKAGE ROOF TOP SYSTEM ONE FOR EACH ROOM WITH GAS HEAT DUCT SYSTEM ON CONCENTRIC AND THE LARGER UNIT IN WEST GARAGE ROOM TO BE INSTALLED PER THE FOLLOWING: (SEER rating is approximate.)

OPTION #1: A TRANE, rated at 13 SEER\*(10yr compressor, 5yr parts, & 1yr labor warranty)

PRICE..\$ 27,351.00  
TAX .... \$ 1,914.57  
TOTAL..\$29,265.57

OPTION #2: GOODMAN , rated at 13 SEER\*(99 yr compressor, 10 yr parts, & 10 yr labor warranty)

PRICE...\$23,918.25  
TAX.....\$ 1,674.28  
TOTAL....\$25,592.53

\*SEER - Seasonal Energy Efficiency Rating

NOTE: DISCOUNT GOOD IF PAID WITHIN 5 DAYS OF START UP!

SCOPE OF WORK: Installation of 1 4 ton and 3 2 ton new Trane/Goodman package rooftop units. Installation of a sheet metal flashing and duct system. Setting curb and unit on roof. Connection of electrical system and controls. Installation of new duct system with 15 runs and required return air runs. Installation of a new thermostat and run test of the new equipment. Removal and disposal of the existing equipment as necessary. All permits and fees.

We propose hereby to furnish material and labor - complete in accordance with the above specifications, for the sum of: \$0.00

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon delays beyond our control. Purchaser agrees to pay all costs of collection, including attorney's fees. This proposal may be withdrawn by us if not accepted by the above due date .

Authorized  
Signature \_\_\_\_\_

Acceptance  
Signature \_\_\_\_\_

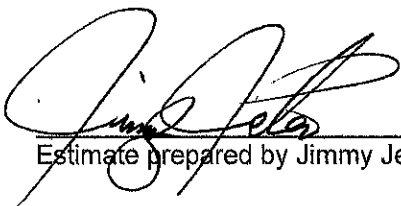
Date \_\_\_\_\_

**ABSW REFRIGERATION**  
**3211 North Dal Paso Ste. A**  
**Hobbs, NM 88240**  
**(575)492-0802 Fax (505)392-8033**

Estimate  
Lovington Senior Center  
A/C-Heat 3 ph Roof top package

We will install 3 3-ton gas package units and 1 5-ton gas package unit. This bid to include running the gas line and putting dura blocks under gas lines to be place on roof. We place package units on curbs (built by us) and cut and seal curbs to roof, install concentric duct. The units will be placed in the middle of each room and connected with flex duct to the concentric duct. Electrical to be done by others(Hobbs Electric 5000.00 plus tax.) This bid to include labor and material and a crane truck to set units on roof 26892.00 plus tax. Equipment is Allied which is a division of Lennox.

*\$31,892.<sup>00</sup> + tax*



*2-3-14*

Estimate prepared by Jimmy Jeter

This estimate is for completing the job as described above. It is based on our evaluation and does not include material which may be required should unforeseen problems occur or adverse weather conditions arise after the work has started. This estimate is good for 30 days.

# Proposal

## Caprock Air Conditioning & Heating, Inc.

PO BOX 281-116 E ALSTON

HOBBS, NM 88241

575-397-4247

caprockhvac@leaco.net

January 14, 2014

Summary: BID

Reference #: 9139

Due Date: 1/14/2014

LOVINGTON SENIOR CENTER  
18 W AVE F  
LOVINGTON, NM 88260

**Job Name:**

LOVINGTON SENIOR CENTER  
ANNEX  
18 W AVE F  
LOVINGTON, NM 88260

396-4161

396-4161

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**We Hereby Submit Specifications And Estimates For:**

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INSTALLATION OF(4) CARRIER 13 SEER 230V 3 PHASE GAS ELECTRIC ROOFTOP PACKAGE UNITS.  
INSTALLATION INCLUDES ROOF CURB, ELECTRICAL, GAS PIPING, DIGITAL THERMOSTATS AND  
CONCENTRIC DIFFUSERS.

12 TONS TOTAL.

5 YEAR MANUFACTURER PARTS WARRANTY - 1 YEAR PARTS, LABOR AND WORKMANSHIP WARRANTY

PRICE INCLUDES APPLICABLE SALES TAX

1/29/2014	HVAC INSTALLATION LABOR	1.00
1/29/2014	INSTALLATION HVAC EQUIPMENT AND MATERIALS	1.00
1/29/2014	ELECTRICAL	1.00

**We propose hereby to furnish material and labor - complete in accordance with the above specifications, for the sum of: \$35,397.31**

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon delays beyond our control. Purchaser agrees to pay all costs of collection, including attorney's fees. This proposal may be withdrawn by us if not accepted by the above due date .

Authorized  
Signature \_\_\_\_\_

Acceptance  
Signature \_\_\_\_\_

Date \_\_\_\_\_