

REGULAR MEETING OF THE CITY COMMISSION
MONDAY, JULY 28, 2014 @ 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 Bengé, Commissioner Trujillo, Mayor Gandy, Commissioner Butcher and Commissioner Campos

Also Present: City Manager James Williams, Assistant City Manager Jared Cobb, City Clerk Carol Ann Hogue, Administrative Assistant Anna Juarez, City Attorney Patrick McMahon, and Interim Police Chief David Rodriguez

Invocation: Commissioner Campos gave the invocation

Pledge of Allegiance: Commissioner Campos led the pledge

Approval of Agenda: Mayor Gandy called for a motion to approve the agenda as submitted. Commissioner Bengé so moved to approve the agenda. Commissioner Campos seconded and a roll call was taken: Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes and Mayor Gandy - Yes.

Approval of the Regular Minutes of July 14, 2014: Mayor Gandy called for a motion to approve the regular minutes of July 14, 2014. Commissioner Trujillo so moved. Commissioner Butcher seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Butcher – Yes, Mayor Gandy – Yes, Commissioner Trujillo – Yes, and Commissioner Bengé – Yes.

COMMISSIONER AND STAFF REPORTS:

- Commissioner Bengé hoped Main Street concert will get to reschedule due to cancellation of weather and thanked Main Street Director Tabitha Lawson for trying
- City Manager Williams applauded Police Department for receiving Police accreditation, will receive recognition this coming December. Finance Director Gary Chapman has arrived in Lovington will begin working on August 1st this Friday. City has received a dozen of applicants for city planner position, City will conduct first round of interviews on August 18. City Manager Williams will be attending water rights question and answer session at the Lea County Event Center from the Office of State Engineer on Thursday, July 31st from 3-6 PM. Randy Pettigrew addressed commissioners on update on 9th street delay; the shallowness of waterline caused for fifteen feet of new water lines, increase in cost of \$18,000-\$25,000, and 30 day extension to complete project. City Manager Williams applauded Tabitha Lawson for becoming a certified Main Street Director and Lovington Main Street received national accreditation from the State.

- Mayor Gandy asked if City needs to include infrastructure in place for future street projects. City Manager Williams said yes, to help eliminate future hiccups.

ACTION ITEMS:

Consider Approval of Resolution 2014-26: SNMEDD/COG Membership: Mayor Gandy called for a motion to consider approval of Resolution 2014-26: SNMEDD/COG Membership. City Manager Williams addressed the Commissioners stating that the resolution provides an agreement for council for technical and management assistance for planning activities, legislative activities, and federal and private grant program applications. Commissioner Butcher so moved to approve resolution 2014-26: SNMEDD/COG Membership. Commissioner Trujillo seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Bengé – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Approval of Resolution 2014-27: 2014-2015 Budget Adoption: Mayor Gandy called for a motion to approve the resolution 2014-27: 2014-2015 Budget Adoption. Assistant City Manager Cobb addressed Commissioner New Mexico Department of Finance has approved Interim Budget the changes detailed in the final New Mexico Budget Adoption Resolution needs to be adopted to approve changes for quarterly report increase in Central Plaza, and City Planner unexpected expenses. Commissioner Campos so moved. Commissioner Bengé seconded and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Mayor Gandy – Yes, Commissioner Bengé – Yes, and Commissioner Campos – Yes. Motion was approved.

Consider Approval of Resolution 2014-28: Certification of 2014 Capital Asset Inventory: Mayor Gandy called for a motion to approve the resolution 2014-28: Certification of 2014 Capital Asset Inventory. City Manager Williams addressed the Commissioners to certify capital assets inventory which was verified by each department head required by our State auditor, which will need to be done annually. Commissioner Trujillo so moved. Commissioner Campos seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Mayor Gandy – Yes, and Commissioner Bengé – Yes. Motion was approved.

Consider Approval of Resolution 2014-29: 2013-2014 Budget Amendments: Mayor Gandy called for a motion to approve the resolution 2014-29: 2013-2014 Budget Amendments. Assisted City Manager Cobb stated NMDFA has approved the City's interim budget. The final approval of the 2013-2014 City's budget requires adoption of resolution 2014-29. The expenditures and revenues did not change. Commissioner Bengé so moved. Commissioner Trujillo seconded and 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 to Advertise Ordinance 528 – Local Option Hold Harmless 3/8's Tax: Mayor Gandy called for a motion to approve to advertise Ordinance 528 – local option hold harmless 3/8's tax. City Manager Williams addressed the Commissioners to approve for City to advertise ordinance 528 for implementation of 3/8 gross receipt tax to

bring additional revenue of 1.3 million extra a year. After adopting it will take three months before it takes affect.

- Option A: use for any municipal government services, including police and fire protection, street repair and maintenance.
- Option B: Creation of a Capital Improvement Fund to be used only for those purposes.
- Option C: Creation of a Capital Improvement Fund and a distribution to the General Fund to compensate for the reduction in revenue.

Commissioners discussed in further details in concerns of separation of tax funds from general funds, allowing for inflationary, possible monthly percentage distribution, reviewing every few years, and accounting issues. After further discussion, Commissioner Bengé rescinded motion to advertise ordinance 528. Commissioner Butcher rescinded his second. Commissioner Bengé so moved to plan for a work session to discuss other options for ordinance 528. Commissioner Butcher seconded the motion and a roll call was taken: Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Mayor Gandy – Yes, Commissioner Butcher – Yes, and Commissioner Campos – Yes. Motion was approved.

Consider Approval of Ordinance 529: 2014 Uniform Traffic Ordinance Amendments: Mayor Gandy called for a motion to approve the ordinance 528: 2014 uniform traffic ordinance amendments. City Manager Williams addressed the Commissioners to approve for ordinance 529 for advertisement to amend ordinance to include the new section regarding Texting While Driving. Interim Chief Rodriguez stated we definitely need; \$25 for first offense and \$50 for second offense, including court fees.

Commissioner Bengé so moved. Commissioner Campos seconded and 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 Approval of Special Dispenser Permit Application of Lea County Fair & PRCA Rodeo: Mayor Gandy called for a motion to approve special dispenser permit application of Lea County Fair & PRCA Rodeo. City Manager Williams addressed the Commissioners to approve application permit to operate a beer garden at the Lea County Fair and PRCA Rodeo from the Lovington Inn. Commissioner Trujillo so moved. Commissioner Bengé seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Butcher – Yes, Mayor Gandy – Yes, Commissioner Trujillo – Yes, and Commissioner Bengé – Yes. Motion was approved.

Consider Approval of Employee Health Benefits: Mayor Gandy called for a motion to approve employee health benefits. City Manager Williams addressed the Commissioners to approve for City to continue with United Healthcare providing a fully insured plan. City Manager Williams discussed difference between self-insured program to bill from a third party with amount owed as far as medical care versus fully insure plan pays a set premium each month amount. Fully plan insures has a set premium amount which one might pay more than what they are getting. City pays 85% premium for employees, no

increase in cost this year, for the United Healthcare. City Manager Williams discussed incentive under the Affordable Care Act; mandated copays out of pocket cost to be included in towards deductible. City Manager Williams recommended City continues with United Healthcare providing a fully insured plan versus self-insured due to lack of access to data and time constraint. Commissioner Campos so moved. Commissioner Trujillo seconded and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Benge – Yes, Commissioner Campos – Yes, Commissioner Butcher – Yes, and Mayor Gandy – Yes. Motion was approved.

PUBLIC COMMENT:

Robert Fierro owns an engineering business in Lovington since January 2013; addressed Commissioners on some concerns:

- Ordinance 511 states to be on planning commission one shall own real property within the City or reside within five mile radius of the corporate boundaries of Lovington. Randy Pettigrew might not fit these criteria's
- Asked for municipal codes to be put on the website
- Asked what are the ETZ requirements
- Client Corina Salmon owns a lot with a trailer; needs help from Code Enforcement Officer Brock to help with determining if trailer is an 82 mobile to connect to utilities.
- Land division needs 2 inch meter, but asked to determine if line could be tapped. Mr. Fierro would like to know why City Manager is getting involved with water line decisions, instead of Water Supervisor making the call.
- Asked to be added to P&Z meeting for July 21 and was not added to agenda; was told agenda would have to be amended to include me, due to not having a quorum meeting did not take place. Though it was an inconvenience due to traveling from Albuquerque to make this particular meeting.

City Manager Williams addressed Robert Fierro on concerns:

- Board members word is taken to comply with regulations, but will research information
- Showed Mr. Fierro on City website the municipal codes
- City advertises before City does any type of hiring as per our ordinance
- Land division will follow up
- Leyva Land division is based on Water Supervisor experience, it was not City Manager Williams call
- Being left off the P&Z agenda was a mistake, Mr. Fierro will be on next P&Z agenda

Mike Hartgrave addressed Commissioners on 30 plus years of experience with benefits program with the City. Stated current insurance carrier has done an excellent job, insurance did not increase in cost, and a great wellness program added with the new affordable care act. Mr. Hartgrave stated self-insured programs have not been good, in his experience.

Randy Pettigrew addressed Commissioners with concern from Robert Fierro in reference to P&Z and ETZ board; Mr. Pettigrew stated he does live within 5 mile radius, was appointed to the boards, and consistently voted based on decisions with recommendation from staff and from City Attorney to make sure he is making an informed decision.

Faye McCracken addressed City Attorney McMahon concerning law of taxation without representation; Mrs. McCracken cannot vote in city elections because of primary residency, but pays taxes on rental property in the city. City Attorney McMahon explained to Mrs. McCracken that her primary residency in Lea County, New Mexico decides where you can vote and in which district.

ADJOURNMENT:

There being no further business the meeting adjourned at 6:40 p.m.

APPROVED: _____
SCOTTY GANDY, MAYOR

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 11, 2014



TYPE: ☐ RESOLUTION ☐ ORDINANCE ☐ PROCLAMATION ☒ INFORMATION ☐ OTHER ACTION

SUBJECT: 2016-2020 ICIP
DEPARTMENT: Executive
SUBMITTED BY: Jared Cobb, Assistant City Manager
DATE SUBMITTED: August 7, 2014

STAFF SUMMARY:

The Department of Finance and Administration strongly encourages municipalities to develop a 5-year Infrastructure Capital Improvement Plan (ICIP). This document provides an orderly process to plan for the replacement, repair, acquisition, and improvement of equipment and infrastructure. An ICIP is also critical to receive state capital outlay funds, grants, and loans.

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

N/A

ATTACHMENTS:

Draft 2016-2020 ICIP

RECOMMENDATION:

Review and make recommendations.

Jared Cobb
Department Head

James R. Williams
City Manager

2016-2020 ICIP

Year	Rank	Project Title	Est. Cost
2016	1	Water Rights/Well Construction	\$ 4,300,000
2016	2	Replace Water Meters	1,080,000
2016	3	Central Plaza Project	1,694,000
2016	4	Chaparral Park Irrigation System	600,000
2016	5	Reconstruct N. 17th Street Bypass	2,536,127
2016		Industrial Park/Infrastructure Expansion	2,300,000
2016		Reconstruct N. Commercial Bypass	2,532,750
2016		Reconstruct McAlister Street	241,560
2016		Lovington Sports Complex	800,000
2016		Remodel Water Office Building	280,000
2016		Evidence Storage and Impound Lot	150,000
2016		Fire Station Construction	1,320,000
2016		Purchase Aerial Fire Apparatus	975,000
2016		Develop Southwest Neighborhood Park	150,000
2017		Library Facility Updates	200,000
2017		Apparatus Bay Exhaust System	250,000
2017		Replace Structure Fire Unit	400,000
2017		Replace Fire Rescue Vehicle	185,000
2017		Chaparral Park Splash Pad	200,000
2017		Chaparral Park Amphitheater	250,000
2017		Reconstruct Avenue R - Commercial to Main	599,878
2017		Reconstruct Adams St. - Main to Love	107,450
2017		Wastewater Front End Loader	250,000
2018		Reconstruct Washington Ave. - Love to East	130,475
2018		Reconstruct Central Ave. - Main to 9th	1,051,475
2018		Replace Structure Fire Apparatus (County)	400,000
2018		Build 3MG Water Storage Tank	3,535,000
2018		Screw Press for Sludge	270,000
2019		WWTP Plant Addition	80,500
2019		Reconstruct Jefferson Ave. - 13th to 17th	399,100
2019		Replace Wildland Fire Units	225,000
2020		Rebuild Lift Stations #3 and #5	67,000
2020		Reconstruct Urlacher St. - 9th to Apts.	571,020

2016-2020 ICIP

Year	Rank	Project Title	Est. Cost
2020		Remodel Dispatch Facility	\$ 37,500
2020		Replace Fire Department SCBAs	210,000
2020		WWTP Parking Lot	20,000
2020		Water Department Backhoe	120,000

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 11, 2014



TYPE: ☒ RESOLUTION ☐ ORDINANCE ☐ PROCLAMATION ☐ INFORMATION ☐ OTHER ACTION

SUBJECT: Amendment of Resolution 2014-24
DEPARTMENT: Human Resources
SUBMITTED BY: Carol Ann Hogue
DATE SUBMITTED: August 4, 2014

STAFF SUMMARY:

PERA received a copy of Resolution 2014-24 as adopted on July 14, 2014. The Resolution presented to Commission was prepared by PERA staff, however, the employer and employee contributions were incorrect as the amounts were transposed. PERA has requested that the Resolution be corrected to reflect the appropriate contributions.

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

ATTACHMENTS:

Amended Resolution 2014-24

RECOMMENDATION:

Motion to amend Resolution 2014-24 to reflect the employer contribution of 7.4% and the employee contribution of 8.5%.

Department Head

James R. Williams
City Manager

RESOLUTION NO. 2014-24 (AMENDED)

**A RESOLUTION APPROVING
PARTICIPATION IN MUNICIPAL GENERAL MEMBER COVERAGE PLAN 1**

WHEREAS, the Public Employees Retirement Act, NMSA 1978, Sections 10-11-1, et seq. (1995), establishes the Public Employees Retirement Association and provides for retirement benefits for employees of affiliated public employers; and,

WHEREAS, the City of Lovington is presently an affiliated public employer; and

WHEREAS, the governing board of the City of Lovington has determined that the interests of the City of Lovington and its municipal general employees will best be served by affiliation with the Public Employees Retirement Association for purposes of providing City of Lovington general (non-police and non-fire) employees with the benefits of a retirement program; and

WHEREAS, the governing board of the City of Lovington understands that affiliation with the Public Employees Retirement Association is irrevocable; and

WHEREAS, the Public Employees Retirement Act authorizes Municipal General Member Coverage Plan 1 (NMSA 1978, Section 10-11-45 through Section 10-11-49) which provides a plan for retirement of two percent (2%) of final average salary per year of service for both TIER 1 and TIER 2 members which would then provide for fifty percent (50%) of final average salary after 25 years of service with a maximum of ninety percent (90%) of final average salary after 45 years of service, under which the municipal employer contributes seven and four tenths percent (7.4%) of the member's salary to the state retirement fund and the member employee contributes eight and one-half percent (8.5%) of salary; and

WHEREAS, the governing board of the City of Lovington has determined that the adoption of PERA Municipal General Member Coverage Plan 1 is in the best interest of the City of Lovington and of its municipal member employees; and

WHEREAS, the governing board of the City of Lovington has made and will make necessary budgetary provisions to comply with the Public Employees Retirement Act; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LOVINGTON:

That the City of Lovington shall be an affiliated public employer as provided for in the Public Employees Retirement Act, as amended, or any successor act or acts, such affiliation to be effective the 1st day of August, 2014; and,

That the Public Employees Retirement Association Municipal General Coverage Plan 1 be, and the same hereby is, irrevocably adopted as the retirement plan for municipal employees of the City of Lovington.

PASSED, SIGNED, APPROVED AND ADOPTED this 11th day of August, 2014.

Scotty Gandy, Mayor

ATTEST: _____
Carol Ann Hogue, City Clerk

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 11, 2014



TYPE: ☒ RESOLUTION ☐ ORDINANCE ☐ PROCLAMATION ☐ INFORMATION ☐ OTHER ACTION

SUBJECT: Resolution 2014-30

DEPARTMENT:

SUBMITTED BY: Paul Campos, Executive Director, Lovington Housing Authority

DATE SUBMITTED: July 30, 2014

STAFF SUMMARY:

The Lovington Housing Authority has requested a waiver for payments in lieu of taxes (PILOT) for fiscal years 2011, 2012, and 2013. This waiver has been granted previously.

FISCAL IMPACT:

REVIEWED BY: Gary Lee Chapman
(Finance Director)

FY2011: \$7,598.02
FY2012: \$9,732.47
FY2013: 12,392.36

ATTACHMENTS:

Resolution 2014-30
Request Letter
HUD Forms

RECOMMENDATION:

Motion to approve Resolution 2014-30

Department Head

James R. Williams
City Manager

RESOLUTION NO. 2014-30

WHEREAS, the Lovington Housing Authority provides a valuable service to the citizens of Lovington; and

WHEREAS, historically, the City of Lovington has waived PILOT payments for the Authority; and

WHEREAS, the Authority is requested a waiver for the following fiscal years:

2011: \$7,598.02
2012: \$9,732.47
2013: \$12,392.36

NOW, THEREFORE, BE IT RESOLVED, that the City of Lovington Commission hereby approves the waiver of payments in lieu of taxes due from the Lovington Housing Authority for Fiscal Year's 2011-2013.

DONE THIS 11th DAY OF AUGUST, 2014 at

City of Lovington
New Mexico

Scotty Gandy, Mayor

ATTEST:

Carol Ann Hogue, City Clerk



City of Lovington Housing Authority

July 30, 2014

City of Lovington
213 S. Love
Lovington, NM 88260

Re: Lieu of Taxes

To The City of Lovington,

The Lovington Housing Authority is asking for a waiver of payments due to the City of Lovington in Lieu of Taxes for the following fiscal year endings of 2011, 2012, and 2013.

Enclosed are copies of the FYE's computations of PILOT payments, HUD form(s) 52267.

The amounts as listed are as follows:

2011: \$ 7,598.02

2012: \$ 9,732.47

2014: \$12,392.36

Please feel free to contact me our office if you have any questions.

Sincerely,

Paul J. Campos
Executive Director
Lovington Housing Authority

U.S. Department of Housing and Urban Development
Low-Rent Public Housing
COMPUTATION OF PAYMENTS IN LIEU OF TAXES

For Fiscal Year Ended

June 30, 2011

PUBLIC HOUSING AUTHORITY OF LOVINGTON, NEW MEXICO

(Name of Housing Authority)

LOVINGTON, NM 88260

(Location)

(Contract Number)

NM023000001

(Project Number)

PART I - COMPUTATION OF SHELTER RENT CHARGED

1. Dwelling Rental (Account 3110)	\$ 84,214.19
2. Excess Utilities (Account 3120)	-
3. Nondwelling Rental (Account 3190)	-
4. Total Rental Charged (Lines 1, 2, & 3)	\$ 84,214.19
5. Utilities Expense (Accounts in 4800 group)	8,233.95
6. Shelter Rent Charges (Line 4 Minus Line 5)	\$ 75,980.24

PART II - COMPUTATION OF SHELTER RENT COLLECTED
of PILOT on basis of Shelter Rent Collected

(To be completed only if Cooperation Agreement Provides for payment)

- Shelter Rent Charged (Line 6 of Part I above)
- Add: Accounts Receivable (Account 1122) at Beginning of Fiscal Year
- Less: Collection Losses (Account 4570) During Current Fiscal Year
- Less: Accounts Receivable (Account 1122) at End of Fiscal Year
- Shelter Rent Collected (Line 1 Plus Line 2 Minus Lines 3 & 4)

Part III - COMPUTATION OF APPROXIMATE FULL REAL PROPERTY TAXES

Taxing Districts (1)	Assessable Value (2)	Tax Rate	Approximate Full Real Property Taxes
			-
			-
			-
			-
			-
			-
Total \$			-

PART IV - LIMITATION BASED ON ANNUAL CONTRIBUTION

(To be completed if Cooperation Agreement limits PILOT to an amount by which real property taxes exceed 20% of Annual Contribution)

- Approximate Full Real Property Taxes
- Accruing Annual Contribution for ALL Projects Under Contract
- Prorate share of Accruing Annual Contribution (1)
- 20% of Accruing Annual Contribution (20% of Line 3)
- Approximate Full Real Property Taxes less 20% of Accruing Annual Contribution (Line 1 minus Line 4. If Line 4 exceeds Line 1, enter zero)

PART V - PAYMENTS IN LIEU OF TAXES

- 10% of Shelter Rent (10% of Line 6 of Part I or 10% of Line 5 of Part II, whichever is applicable)(2)
- Payments in Lieu of Taxes (If Part IV is not applicable, enter the amount shown on Line 1 above or the total on Part III, whichever is the lower. If Part IV is applicable, enter the amount shown on Line 1 above or the amount shown on Line 5 of Part IV, whichever is the lower)

Were any expenses incurred for any project during the fiscal year for services or facilities which the local body should have furnished under the terms of the cooperation agreement?

yes no X

If answer is "yes," please submit statement of expenses on Form HUD-52555

(1) Same as line 2 if the statement includes all projects under the Annual Contributions Contract. If this statement does not include all projects under the contract, enter prorata share based upon the development cost of each project.

(2) If the percentage specified in the Cooperation Agreement or the Contract with HUD is lower, such lower percentage shall be used.

Prepared By:

Approved By:

Name Paul Rogers

Name FIRST LAST

Title REAC SPECIALIST

Date

Title

EXECUTIVE DIRECTOR

Date

221573-P

HUD-Wash, D.C.

Form HUD-52267 (9-67 Edition)
Ref Handbook 7475.1

U.S. Department of Housing and Urban Development
Low-Rent Public Housing
COMPUTATION OF PAYMENTS IN LIEU OF TAXES

For Fiscal Year Ended

June 30, 2012

PUBLIC HOUSING AUTHORITY OF LOVINGTON, NEW MEXICO

(Name of Housing Authority)

LOVINGTON, NM 88260

(Location)

(Contract Number)

NM023

(Project Number)

PART I - COMPUTATION OF SHELTER RENT CHARGED

1. Dwelling Rental (Account 3110)	\$	101,925.80
2. Excess Utilities (Account 3120)		-
3. Nondwelling Rental (Account 3190)		-
4. Total Rental Charged (Lines 1, 2, & 3)	\$	101,925.80
5. Utilities Expense (Accounts in 4300 group)		4,601.07
6. Shelter Rent Charges (Line 4 Minus Line 5)	\$	97,324.73

PART II - COMPUTATION OF SHELTER RENT COLLECTED

of PILOT on basis of Shelter Rent Collected

(To be completed only if Cooperation Agreement Provides for payment)

1. Shelter Rent Charged (Line 6 of Part I above)
2. Add: Accounts Receivable (Account 1122) at Beginning of Fiscal Year
3. Less: Collection Losses (Account 4570) During Current Fiscal Year
4. Less: Accounts Receivable (Account 1122) at End of Fiscal Year
5. Shelter Rent Collected (Line 1 Plus Line 2 Minus Lines 3 & 4)

Part III - COMPUTATION OF APPROXIMATE FULL REAL PROPERTY TAXES

Taxing Districts (1)	Assessable Value (2)	Tax Rate	Approximate Full Real Property Taxes
			-
			-
			-
			-
			-
Total \$			-

PART IV - LIMITATION BASED ON ANNUAL CONTRIBUTION

(To be completed if Cooperation Agreement limits PILOT to an amount by which real property taxes exceed 20% of Annual Contribution)

1. Approximate Full Real Property Taxes
2. Accruing Annual Contribution for ALL Projects Under Contract
3. Prorata share of Accruing Annual Contribution (1)
4. 20% of Accruing Annual Contribution (20% of Line 3)
5. Approximate Full Real Property Taxes less 20% of Accruing Annual Contribution (Line 1 minus Line 4. If Line 4 exceeds Line 1, enter zero)

PART V - PAYMENTS IN LIEU OF TAXES

1. 10% of Shelter Rent (10% of Line 6 of Part I or 10% of Line 5 of Part II, whichever is applicable)(2)
 2. Payments in Lieu of Taxes (If Part IV is not applicable, enter the amount shown on Line 1 above or the total on Part III, whichever is the lower. If Part IV is applicable, enter the amount shown on Line 1 above or the amount shown on Line 5 of Part IV, whichever is the lower)
- \$ 9,732.47
- \$ 9,732.47

Were any expenses incurred for any project during the fiscal year for services or facilities which the local body should have furnished under the terms of the cooperation agreement?

yes no X

If answer is "yes," please submit statement of expenses on Form HUD-52555

(1) Same as line 2 if the statement includes all projects under the Annual Contributions Contract. If this statement does not include all projects under the contract, enter prorata share based upon the development cost of each project.

(2) If the percentage specified in the Cooperation Agreement of the Contract with HUD is lower, such lower percentage shall be used.

Prepared By:

Approved By:

Name Sue Ann Lyon

Name FIRST LAST

Title REAC SPECIALIST

Date

Title EXECUTIVE DIRECTOR

Date

221573-P

HUD-Wash, D.C.

Form HUD-52267 (9-87 Edition)

Ref Handbook 7475.1

U.S. Department of Housing and Urban Development
Low-Rent Public Housing
COMPUTATION OF PAYMENTS IN LIEU OF TAXES

For Fiscal Year Ended

June 30, 2013

PUBLIC HOUSING AUTHORITY OF LOVINGTON, NEW MEXICO

(Name of Housing Authority)

LOVINGTON, NM 88260

(Location)

(Contract Number)

NM023

(Project Number)

PART I - COMPUTATION OF SHELTER RENT CHARGED

1. Dwelling Rental (Account 3110)	\$	127,437.22
2. Excess Utilities (Account 3120)		90.00
3. Nondwelling Rental (Account 3190)		-
4. Total Rental Charged (Lines 1, 2, & 3)	\$	127,527.22
5. Utilities Expense (Accounts in 4300 group)		3,603.66
6. Shelter Rent Charges (Line 4 Minus Line 5)	\$	123,923.56

PART II - COMPUTATION OF SHELTER RENT COLLECTED

(To be completed only if Cooperation Agreement Provides for payment of PILOT on basis of Shelter Rent Collected)

- Shelter Rent Charged (Line 6 of Part I above)
- Add: Accounts Receivable (Account 1122) at Beginning of Fiscal Year
- Less: Collection Losses (Account 4570) During Current Fiscal Year
- Less: Accounts Receivable (Account 1122) at End of Fiscal Year
- Shelter Rent Collected (Line 1 Plus Line 2 Minus Lines 3 & 4)

Part III - COMPUTATION OF APPROXIMATE FULL REAL PROPERTY TAXES

Taxing Districts (1)	Assessable Value (2)	Tax Rate	Approximately Full Real Property Taxes
			-
			-
			-
			-
			-
Total			\$ -

PART IV - LIMITATION BASED ON ANNUAL CONTRIBUTION

(To be completed if Cooperation Agreement limits PILOT to an amount by which real property taxes exceed 20% of Annual Contribution)

- Approximate Full Real Property Taxes
- Accruing Annual Contribution for ALL Projects Under Contract
- Prorata share of Accruing Annual Contribution (1)
- 20% of Accruing Annual Contribution (20% of Line 3)
- Approximate Full Real Property Taxes less 20% of Accruing Annual Contribution (Line 1 minus Line 4. If Line 4 exceeds Line 1, enter zero)

PART V - PAYMENTS IN LIEU OF TAXES

- 10% of Shelter Rent (10% of Line 6 of Part I or 10% of Line 5 of Part II, whichever is applicable)(2)
- Payments in Lieu of Taxes (If Part IV is not applicable, enter the amount shown on Line 1 above or the total on Part III, whichever is the lower. If Part IV is applicable, enter the amount shown on Line 1 above or the amount shown on Line 5 of Part IV, whichever is the lower)

Were any expenses incurred for any project during the fiscal year for services or facilities which the local body should have furnished under the terms of the cooperation agreement?

yes no X

If answer is "yes," please submit statement of expenses on Form HUD-52655

(1) Same as line 2 if the statement includes all projects under the Annual Contributions Contract. If this statement does not include all projects under the contract, enter prorata share based upon the development cost of each project.

(2) If the percentage specified in the Cooperation Agreement or the Contract with HUD is lower, such lower percentage shall be used.

Prepared By:

Approved By:

Name Sue Ann Lyon

Name FIRST LAST

Title REAC SPECIALIST

Date

Title

EXECUTIVE DIRECTOR

Date

221573-P

HUD-Wash, D.C.

Form HUD-52267 (9-67 Edition)
Ref Handbook 7475.1

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 11, 2014



TYPE: ☒ RESOLUTION ☐ ORDINANCE ☐ PROCLAMATION ☐ INFORMATION ☐ OTHER ACTION

SUBJECT: Resolution 2014-31
DEPARTMENT: Executive
SUBMITTED BY: James R. Williams, City Manager
DATE SUBMITTED: July 30, 2014

STAFF SUMMARY:

Lea County has provided the City of Lovington a \$5,000 allocation for economic development for fiscal year 2014-2015. This agreement has been in place for several years and requires annual renewal and approval.

FISCAL IMPACT:

REVIEWED BY: Gary Lee Chapman
(Finance Director)

\$5,000 in reimbursement after presentation of documentation to the County demonstrating the expenditures were for economic development activities.

ATTACHMENTS:

Lea County - City of Lovington Economic Development Agreement
Resolution 2014-31

RECOMMENDATION:

Motion to approve Resolution 2014-31.

Department Head

James R. Williams
City Manager

RESOLUTION NO. 2014-31

WHEREAS, the legislature of the State of New Mexico has declared that local government may promote the general welfare of its citizenry by expenditures designed to promote economic development; and

WHEREAS, the Board of County Commissioners of Lea County and the Lovington City Commissioner have determined that public monies expended towards economic development by the City of Lovington would be monies well spent to promote the general welfare of all the citizens of Lovington and Lea County; and

WHEREAS, the Board of County Commissioners of Lea County have provided an agreement for the promotion or enhancement of economic development for the City of Lovington.

NOW, THEREFORE, BE IT RESOLVED, that the Lovington City Commission authorizes Mayor Scotty Gandy to sign the Lea County-Lovington Economic Development Agreement.

DONE THIS 11th DAY OF AUGUST, 2014 at

City of Lovington
New Mexico

Scotty Gandy, Mayor

ATTEST:

Carol Ann Hogue, City Clerk

**LEA COUNTY – CITY OF LOVINGTON
ECONOMIC DEVELOPMENT AGREEMENT
2014-2015**

WHEREAS, the legislature of the State of New Mexico has declared that local government may promote the general welfare of its citizenry by expenditures designed to promote economic development; and

WHEREAS, the Board of County Commissioners of Lea County, New Mexico has determined that public monies expended towards an economic development by the municipalities in Lea County would be monies well spent to promote the general welfare of all the citizens of Lea County.

NOW, THEREFORE, the City of Lovington, New Mexico (the "City") and the Lea County Board of County Commissioners (the "County") wish to enter into an agreement upon the following terms:

Scope of Work:

- 1.1 City covenants and agrees that the funds are to be used for the promotion or enhancement of economic development for the City. Appropriate uses of these funds are, but are not limited to: travel, printing, research, and advertising.

Term of Contract:

- 2.1 This agreement shall be effective until June 30, 2015.
- 2.2 Nothing herein shall be construed as obligating County to fund City or reimburse City for any work performed after June 30, 2015.

Compensation:

- 3.1 For services rendered to County by City pursuant to this agreement, City shall be paid up to \$5,000.00 for economic development for the 2013-2014 fiscal year.
- 3.2 City shall be reimbursed by County upon presentation of documentation, satisfactory to County, of expenditures made on economic development projects.

Performance:

- 4.1 City is permitted to subcontract those components of this contract as it deems necessary, with the written consent of County.
- 4.2 Upon payment of the compensation specified above, County shall be released from any further claims by City in connection with this contract. It is specifically understood that all expenses and obligations incurred by City in providing the services required of it by this contract shall be the sole responsibility of City.

Independent Contractor:

- 5.1 It is specifically acknowledged and understood that City is an independent contractor and not an agent of County by virtue of this contract.
- 5.2 Nothing herein shall be construed as giving City the right to make any contracts or commitments for or on behalf of County.

Miscellaneous Provisions:

- 6.1 This agreement incorporates all agreements, covenants and understandings between the parties hereto concerning the subject matter hereof, and all such agreements, covenants and understanding have been merged into this written agreement. No prior agreement or understanding, verbal or otherwise, between the parties concerning the subject matter of this contract shall be valid or enforceable unless embodied in this contract.
- 6.2 This contract is subject to New Mexico law. Should any provision herein be found to be illegal or unenforceable, it shall not affect the legality or enforceability of the remainder of the agreement, so long as the basic intent and object of this agreement is not undermined thereby.
- 6.3 City agrees to hold County safe and harmless from any cost or expenditure made in connection with this agreement determined to be ineligible by the New Mexico State Auditor's Office or the New Mexico Attorney General's Office.
- 6.4 At any time during normal business hours, and as often as County may deem necessary, there shall be made available to County, for examination, all records maintained by City with respect to all matters covered by this agreement.
- 6.5 This agreement shall not be altered, changed or amended except by a writing, signed by both parties, which clearly refers to the agreement and clearly identifies what provisions herein is to be changed thereby.

Approved and executed on the ____ day of _____, 2014.

LEA COUNTY BOARD OF COMMISSIONERS

CITY OF LOVINGTON, NEW MEXICO

Mike Gallagher, Manager

Scotty Gandy, Mayor

ATTEST: Pat Chappelle
Lea County Clerk

ATTEST: Lovington City Clerk

By: _____
Kelli Williams, Deputy

By: _____

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: _____
Lea County Attorney

By: _____
City of Lovington Attorney

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 11, 2014



TYPE: ☒ RESOLUTION ☐ ORDINANCE ☐ PROCLAMATION ☐ INFORMATION ☐ OTHER ACTION

SUBJECT: Resolution 2014-32
DEPARTMENT: Senior Citizens Center
SUBMITTED BY: Norma Vejil, Director
DATE SUBMITTED: July 30, 2014

STAFF SUMMARY:

Resolution 2014-32 allows for the City Manager and Norma Vejil to sign and enter into the contracts with the Non-Metro Area Agency on Aging. The contracts provide funding for transportation, congregate meals, and activities for the Senior Citizens Center. This Resolution is required in order to satisfy the contract requirements.

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

ATTACHMENTS:

Resolution 2014-32

RECOMMENDATION:

Motion to approve Resolution 2014-32.

Department Head

James R. Williams

City Manager

RESOLUTION NO. 2014-32

WHEREAS, the City of Lovington has determined that there is a need to provide services for senior citizens; and

WHEREAS, the public were afforded an opportunity to submit suggestions and recommendations at advertised public hearings.

NOW, THEREFORE, BE IT RESOLVED, that James Williams and Norma J. Vejil are authorized to sign and enter into a contract(s) with the Non-Metro Area Agency on Aging.

DONE THIS 11th DAY OF AUGUST, 2014 at

City of Lovington
New Mexico

Scotty Gandy, Mayor

ATTEST:

Carol Ann Hogue, City Clerk

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 11, 2014



TYPE: ☒ RESOLUTION ☐ ORDINANCE ☐ PROCLAMATION ☐ INFORMATION ☐ OTHER ACTION

SUBJECT: Resolution 2014-33
DEPARTMENT: Executive
SUBMITTED BY: James R. Williams, City Manager
DATE SUBMITTED: July 30, 2014

STAFF SUMMARY:

The City has received the final draft of the 40-year Water Plan. This plan provides an analysis of the City's current water supply and identifies steps needed to be taken in order to ensure that sufficient and safe water is available to our community for the next 40 years.

Commission adoption is necessary for this plan to be implemented. In addition, it is recommended that every five years this plan be reevaluated and modified as needed. Staff will provide a brief overview of the plan during the meeting.

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

ATTACHMENTS:

The 40-Year Water Development Plan document is available on the City website.

RECOMMENDATION:

Motion to adopt Resolution 2014-33

Department Head

James R. Williams

City Manager

RESOLUTION NO. 2014-33

WHEREAS, the City of Lovington identified a need for a 40-year water development plan; and

WHEREAS, the City entered into an agreement with John Shomaker & Associates, Inc. for the study and creation of this plan; and

WHEREAS, the public were afforded an opportunity to submit comments and recommendations at an advertised public hearing and through an online public survey; and

WHEREAS, the final plan has been developed and includes a water conservation plan, a groundwater level monitoring program, transfer of existing water rights, and acquisition and transfer of additional water rights.

NOW, THEREFORE, BE IT RESOLVED, that the City of Lovington adopts the 40-Year Water Development Plan and direct City staff to begin implementation of its components.

DONE THIS 11th DAY OF AUGUST, 2014 at

City of Lovington
New Mexico

Scotty Gandy, Mayor

ATTEST:

Carol Ann Hogue, City Clerk

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 11, 2014



TYPE: ☐ RESOLUTION ☐ ORDINANCE ☐ PROCLAMATION ☐ INFORMATION ☒ OTHER ACTION

SUBJECT: Theater Project Participation Agreement
DEPARTMENT: Executive
SUBMITTED BY: James R. Williams, City Manager
DATE SUBMITTED: August 8, 2014

STAFF SUMMARY:

This Project Participation Agreement will allow the Lea Community Foundation for the Arts to begin the remodeling, upgrading, and operation of the Lea Theater. The agreement specifies project goals that must be achieved within one year of signing the agreement. After one year and all obligations are met, the Foundation has the option to enter into a ten year lease with the City with the option to purchase the Theater from the City at any time during the lease period with the consent of the City Commission. This is allowable given the Metropolitan Redevelopment Area (MRA) designation the downtown area received several years ago.

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

ATTACHMENTS:

Project Participation Agreement

RECOMMENDATION:

Motion to approve agreement.

Department Head

James R. Williams

City Manager

PROJECT PARTICIPATION AGREEMENT

This Agreement is entered into on this ____ day of _____, 2014 by and between the City of Lovington, New Mexico, a municipal corporation (hereinafter referred to as "City") and the Lea Community Foundation for the Arts (hereinafter "Foundation").

1. Recitals

- A. Pursuant to the Local Economic Development Act, NMSA 1978, §§ 5-10-1 through 5-10-13, (LEDA); the City adopted the Ordinance No. 495 (LEDA Ordinance), authorizing the City of Lovington to consider applications for economic assistance.
- B. The Foundation has submitted an application to the City for assistance under the LEDA Ordinance. In the application, the Foundation has proposed the purchase of the Lea Theater, begin operations of the Theater, and initiate renovations to the Theater.

2. Contribution by Lea Community Foundation for the Arts

- A. The Foundation will adopt bylaws that create a permanent position on the Foundation's Board of Directors for a Lovington Economic Development Corporation Director.
- B. The Foundation will be required to begin operation of the Lea Theater within one year of the execution of this agreement. Operation is deemed as conducting its first regular digital movie or performing arts production, as defined by the foundations mission statement and goals. Fundraisers, of any form, held at the theater will not satisfy this requirement.
- C. The Foundation is expected to solicit donations and grants to complete the renovations needed for this project.
- D. The Foundation will be responsible for all engineering and architectural services, improvements, renovations, construction waste disposal, hazard removal, safety improvements, inspections and testing, insurance, repairs, maintenance, operating costs, and all utilities unless otherwise specified in this agreement.
- E. It is agreed and understood that all improvements, renovations, and removal of any equipment, furniture, or fixtures must be authorized by the City.

3. Contribution by City of Lovington

- A. The City will purchase the Lea Theater utilizing one time funding from the Local Economic Development Fund in the amount of two hundred fifty thousand dollars (\$250,000).
- B. The City will enter into an agreement with the Lea Community Foundation for the Arts to operate a theater and performing arts center in the Lea Theater building.

4. Specific Project Objectives and Completion Dates

Objective	Completion Date
Complete Foundation Bylaws and filing with State of New Mexico	(30 days)
Licensing contracts with film distributors completed	(8 months)
Cinema digital upgrades, phase one lighting, and cosmetic upgrades complete	(11 months)
Theater reopened and operating	End of 12 th month

5. Review

The Lovington Economic Development Corporation will review the project timeline, progress, and the Foundation's finances each quarter for the duration of this agreement. Financial review will be conducted utilizing normal and standard accounting procedures.

6. Termination

If it is determined that the Foundation has become insolvent or fails to meet the project objectives and deadlines, the Lovington Economic Development Corporation will obtain the right to operate the facility as a theater and performing arts center

7. Amendments

This agreement may be amended or modified, and the performance by any part of its obligations hereunder may be waived, only in a written instrument duly executed by the City, the Lovington Economic Development Corporation, and the Foundation.

8. Term of Participation Agreement

This agreement will be effective upon execution of the agreement and terminate in one year if obligations and conditions as specified are not met. If all commitments and obligations are met by the Foundation as specified in this agreement, the City will enter into a lease agreement with the Foundation for a ten (10) year period with an option to

purchase the property for one dollar (\$1.00) at any time during the lease period upon approval by the City Commission.

9. Use

It is agreed and understood that the Lea Theater may be used by the Foundation for the purposes of operating a theater and performing arts center and in such manner the Foundation shall not violate any ordinances or other regulations of the City of Lovington, County of Lea, or any other state or federal rule, regulation or law, now in force or hereinafter adopted, which in any manner shall affect the use of the premises.

10. Improvements

It is agreed and understood that the Foundation may construct certain improvements of the structure and equipment upon the Lea Theater at the Foundation's own cost and conforming to the building code or regulations of the City of Lovington. It is further agreed and understood by the parties that the Foundation shall obtain structure, building, electrical, plumbing, environmental, facility, or other permits.

All improvements permanently installed or are necessary for the continued operation of the facility as a theater and performing arts center upon termination or cessation of this agreement shall become the property of the City of Lovington.

11. Liens

The Foundation shall not permit any liens or encumbrances to be filed against the property, which is subject to this agreement, or against the City's interest in the premises.

The Foundation shall make no contract or agreement for the construction, alteration, or repairing of any portion of the Lea Theater without prior written approval by the City. Any such contract shall provide for ten (10) days notice to the City prior to the beginning of any work and such contract or agreement is in writing and contains an express waiver by such contractor of any claim for mechanic's or materialman's lien against the premises or improvements thereon.

12. Condition

The Foundation agrees that it will surrender the property peaceably and in good condition at the termination of this agreement, ordinary wear and tear excepted.

13. Utilities

The City will provide water, sewer, and trash collection for the Lea Theater. Upon execution of this agreement, the City will provide electrical and gas utilities for six (6) months, after which time the Foundation will be responsible for providing continuous electrical and gas service to the facility at its own expense.

14. Access

The Foundation hereby grants to the City the right of access, ingress, and egress from the Lea Theater by the City and its agents.

15. Assignment/Subletting

The Foundation shall not assign or sublet any portion of the Lea Theater, whether it is for a set fee, amount, or free of charge.

16. Insurance Requirements and Hold Harmless Provision

- A. The Foundation agrees to maintain appropriate insurance for the duration of this agreement. Liability insurance will be obtained that will provide a minimum of one million dollars (\$1,000,000) per occurrence. The Foundation will provide a Certificate of Insurance to be attached to this agreement, with the City of Lovington shown as an additional insured party.
- B. The Foundation shall indemnify, defend, and hold harmless the City, its employees, agents, officers and officials from any and all claims, demands, losses, causes of action, costs, expenses, and liability of any nature whatsoever, including court costs, attorney's fees, and any expenses incurred in enforcing this provision, which may result from, arise out of, be related to, or in any way be connected with the City of Lovington providing financial assistance to the Foundation; provided, however, that nothing shall be construed to require or obligate the Foundation to indemnify the City of Lovington against or hold the City harmless from the City's own negligent acts or omissions.

17. Governing Law and Provisions

- A. This Agreement shall be governed by the laws of the State of New Mexico. Jurisdiction and venue relating to any litigation or dispute arising out of this Agreement shall be in the District Court of Lea County, New Mexico, only. If any part of this contract shall be deemed in violation of the laws or Constitution of New Mexico, only such part thereof shall be thereby invalidated, and all other parts hereof shall remain valid and enforceable.

- B. If any party is found by a court to have breached this Agreement, the breaching party agrees to pay all reasonable costs, attorney's fees and expenses that shall be made or incurred by another party in enforcing any covenant or provision of this Agreement, including the expenses of in house counsel.

18. Entire Agreement

The foregoing constitutes the entire agreement between the parties hereto and may be modified only in writing by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first written above.

City of Lovington

**Lea Community Foundation
for the Arts**

By: Scotty Gandy, Mayor

By: Connie Seveir

ATTEST:

APPROVED AS TO FORM:

Carol Ann Hogue, City Clerk

Patrick McMahon, City Attorney

City Manager

Lovington Economic Development
Corporation

By: James R. Williams

By: Randall Pettigrew, President

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 11, 2014



TYPE: ☒ RESOLUTION ☐ ORDINANCE ☐ PROCLAMATION ☐ INFORMATION ☐ OTHER ACTION

SUBJECT: Resolution for Self Storage Facility Variance

DEPARTMENT:

SUBMITTED BY: Planning and Zoning

DATE SUBMITTED: August 5, 2014

STAFF SUMMARY:

Mr. Ryan Burkett, on behalf of the Hasbrook Living and Safford Beeson Trust's has submitted a request for a variance to develop a self-storage facility in an area that is designated Zone B - Multifamily. This facility will be developed on the northern half of "Tract 5-A", which is designated on Exhibit A.

This request recommended for approval by the Lovington Planning and Zoning Commission at the August 5, 2014 meeting.

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

ATTACHMENTS:

Resolution
Exhibit A
Support petition

RECOMMENDATION:

Motion to approve Resolution for variance.

Upon making the motion for approval, the City Clerk will provide the Resolution number.

Department Head

James R. Williams

City Manager

RESOLUTION NO. 2014-_____

WHEREAS, the Lovington Planning and Zoning Commission was presented a request for a zoning variance at the August 5, 2014 meeting; and

WHEREAS, this variance requested that the development of a self-storage facility be allowed in an area that is designated Zone B - Multifamily; and

WHEREAS, the request specifies that the self-storage facility will be developed and operated on the northern half of the 8.28 acre tract of land, described as Tract 5-A on the attached Exhibit A.; and

WHEREAS, the Lovington Planning and Zoning recommended granting the variance request

NOW, THEREFORE, BE IT RESOLVED, that the City of Lovington approves the zoning variance for the development of a self storage facility submitted by Mr. Ryan Burkett on behalf of the Hasbrook Living Trust and Safford Beeson Trust.

DONE THIS 11th DAY OF AUGUST, 2014 at

City of Lovington
New Mexico

Scotty Gandy, Mayor

ATTEST:

Carol Ann Hogue, City Clerk

\\Seagate-4004ED\\Public\\PROJECTS\\ENG\\14100700\\CADD\\SHEETS\\14107_PLAT.dwg8/7/2014 2:40:27 PM

DRAFT
SUMMARY REVIEW FOR 8.28 ACRE LAND DIVISION
LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9,
TOWNSHIP 16 SOUTH, RANGE 36 EAST, N.M.P.M., LEA COUNTY, NEW MEXICO

Exhibit A

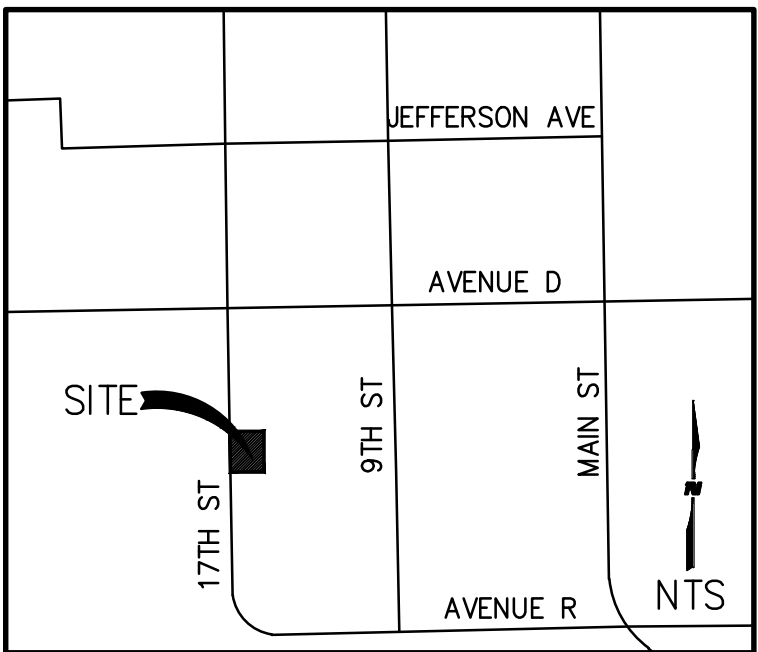
THE FOREGOING LAND DIVISION OF TRACT 5 AS DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED IN DOCUMENT NO. 42484 OF THE OFFICIAL RECORDS OF LEA COUNTY, NEW MEXICO, INTO THE FOLLOWING DESCRIBED LOTS:

TRACT 5-A:
COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 16 SOUTH, RANGE 36 EAST, OF THE N.M.P.M. AS MONUMENTED BY A SET 5/8 INCH REBAR WITH ALUM. CAP; THENCE S00°37'29"E ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 538.00 FEET, THENCE N89°07'58"E, 50.00 FEET; THENCE S00°37'33"E, 126.00 FEET TO THE NORTHWEST CORNER OF TRACT 5-A, BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE EAST BOUNDARY OF 17TH STREET S00°44'22"E, 333.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 5-A; THENCE N89°26'41"E, 473.96 FEET; THENCE N00°48'02"E ALONG THE WEST BOUNDARY OF 15TH STREET, 315.60 FEET; THENCE N89°16'30"E, 60.38 FEET; THENCE N00°48'08"W, 146.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT 5-A; THENCE S88°42'36"E ALONG THE SOUTH BOUNDARY OF AVENUE I, 59.63 FEET; THENCE S00°30'36"E, 125.44 FEET, THENCE S89°07'58"W, 473.71 FEET TO THE SAID NORTHWEST CORNER OF TRACT 5-A, THE POINT OF BEGINNING, SAID TRACT 5-A CONTAINING 167,122 SQ.FT. OR 3.8366 ACRES MORE OR LESS.

TRACT 5-B:
INTENTIONALLY LEFT BLANK

ROADWAY DEDICATION:
INTENTIONALLY LEFT BLANK

- NOTES:
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS NOTED OTHERWISE.
 - BASIS OF BEARING IS NAD83 (2011) (EPOCH 2010.0000) NEW MEXICO STATE PLANE ZONE.
 - THE UTILITY LOCATIONS SHOWN ARE FROM INFORMATION OBTAINED FROM THE CITY OF LOVINGTON'S WATER DEPARTMENT, FIELD SURVEY OF SURFACE UTILITIES AND THE UTILITY MARKINGS PROVIDED BY AN NM ONE CALL DESIGN SURVEY REQUEST.



VICINITY MAP

 P.O. BOX 936 LOVINGTON, NEW MEXICO 88260 PH (575) 396-3377 www.fierrocompany.com	OWNER: XXXXXXXXXXXX	STATE OF NEW MEXICO COUNTY OF LEA FILED
	PROJECT NO: 141-07	
 LAND SURVEYING, LLC Capturing The True World	FIELD WORK BY: RJF, SAH, LDL	_____, 2014, AT _____, O'CLOCK ____M AND RECORDED IN BOOK _____ PAGE _____ PAT CHAPPELLE, LEA COUNTY CLERK BY _____ DEPUTY
	DRAWN BY: RJF, OR	
	CHECKED BY: RJF, LDL	
	SCALE: 1:50	
	DATE: AUGUST 2014	
SUB-CONSULTANT:	SHEET: 1 OF 1	

- LEGEND
- FOUND SECTION CORNER AS NOTED
 - FOUND PROPERTY CORNER AS NOTED
 - SET 18"x5/8" REBAR WITH BLUE PERMA CAP NMPS 10856
 - GATE
 - FENCE
 - OVERHEAD ELECTRIC
 - POWER POLE
 - RECORD BEARING & DISTANCE
 - MEASURED BEARING & DISTANCE

CERTIFICATE OF MUNICIPAL SUMMARY PROCESS APPROVAL:
I, JAMES WILLIAMS, CITY MANAGER FOR THE CITY OF LOVINGTON, NEW MEXICO AND CAROL ANN HOGUE, CITY CLERK FOR THE CITY OF LOVINGTON, NEW MEXICO, DO HEREBY CERTIFY THAT THE FOREGOING PLAT IN THE CITY OF LOVINGTON, LEA COUNTY, NEW MEXICO WAS REVIEWED AND DEEMED COMPLIANT WITH THE NEW MEXICO SUMMARY PROCESS REGULATIONS ON THIS ____ DAY OF _____, 2014.

JAMES WILLIAMS, CITY MANAGER

CAROL ANN HOGUE, CITY CLERK

ACKNOWLEDGEMENT:
STATE OF NEW MEXICO)
)SS.

COUNTY OF LEA)
ON THIS ____ DAY OF _____, 2014, BEFORE ME PERSONALLY APPEARED JAMES WILLIAMS AND CAROL ANN HOGUE KNOWN TO ME TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.
WITNESS MY HAND AND OFFICIAL SEAL THE DAY, MONTH AND YEAR LAST ABOVE WRITTEN.
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

OWNERS STATEMENT:
SAID TRACTS ARE BEING SUBDIVIDED AND REPLATTED AND THE SAID NEW EASEMENTS ARE BEING GRANTED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) THEREOF, AND IS SURVEYED AND SUBDIVIDED AS THEY APPEAR ON THE PLAT AFFIXED HEREIN.

LAND OWNER

LAND OWNER

ACKNOWLEDGEMENT:
STATE OF NEW MEXICO)
)SS.
COUNTY OF LEA)

ON THIS ____ DAY OF _____, 2014, BEFORE ME PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.
WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION
EXPIRES: _____

NOTARY PUBLIC

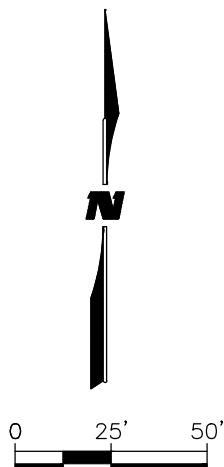
SURVEYOR'S CERTIFICATION

I, LYNN D. LANTZ, NEW MEXICO PROFESSIONAL SURVEYOR NO. 10856, DO HEREBY CERTIFY THAT THIS PLAT OF SURVEY WAS PREPARED FROM FIELD NOTES OF AN ACTUAL GROUND SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION; THAT IT ACCURATELY MEETS THE STANDARDS FOR LAND SURVEYS IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS.

LYNN D. LANTZ, N.M.P.S. No. 10856



Date _____



★ All supporting neighbors are within 600 yards of proposed facility.

City of Lovington Variance Support

★ Only 1 signature per household.

I have been informed of the variance request(s) "as stated below" and I have NO objection.
(DO NOT SIGN PETITION IF SECTION IS BLANK)

Requested variance to allow for a self storage facility to be constructed on the northern half of the property. The property is currently in Zone B. A self storage facility can only be constructed and operated in Zone C.

Neighbors Name	Neighbors Signature	Address
Daisy Aguilar	Daisy Aguilar	1402 W Ave J
Rasha Trevino	Rasha Trevino	1400 W. Ave. J.
SOEL LOWRY	Soel Lowry	1213 W. Ave N.
James Embree	James Embree	511 S. 13th
Ron Hogan	Ron Hogan	601 S. 13th
Judy Smilee	Judy Smilee	609 S. 13th St.
Elise Aranda	Elise Aranda	1402 XUCA DR.
Travis McElmick	Travis McElmick	1212 W. AVE N
Dale Layton	Dale Layton	1404 W. Clayton
Jim Hayes	Jim Hayes	1400 W. Clayton
Mike Jones	Mike Jones	903 W Ave I
Denise Toland	Denise Toland	707 S 11th St
Janet Nester	Janet Nester	1501 Clayton Ave
Key Passos	Key Passos	1103 Ave I
MICAH DUNNAN	MICAH DUNNAN	2306 W. AVE J
Joe Sanchez	Joe Sanchez	1301 S 13th
Lisa Mares	Lisa Mares	1509 W. Ave L
Kathleen Donohue	Kathleen Donohue	1411 W. Ave I
Shaunette Stock	Shaunette Stock	1100 W. Ave J
Demetria Mares	Demetria Mares	1503 W. Ave M
Amanda Fiteer	Amanda Fiteer	1609 W. Ave L
Heather Vega	Heather Vega	1301 W. Ave H
Chris Kemp	Chris Kemp	1300 W. Clayton 871 S. 13th

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 11, 2014



TYPE: ☒ RESOLUTION ☐ ORDINANCE ☐ PROCLAMATION ☐ INFORMATION ☐ OTHER ACTION

SUBJECT: Approval of Resolution for Variance - 721 W. Taylor

DEPARTMENT:

SUBMITTED BY: Planning and Zoning

DATE SUBMITTED: August 5, 2014

STAFF SUMMARY:

The owner of the property (Clint Gomez) has requested a variance for the size of an accessory building in his rear yard that he has started construction on. When Mr. Gomez started this process, to include obtaining a State building permit, it occurred prior to the State requiring City approval before issuing a building permit. Mr. Gomez started construction and ordering of all materials under the belief that he had all necessary approvals.

The Planning and Zoning Commission recommended approval of this variance at the August 5, 2014 meeting.

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

ATTACHMENTS:

Request letter from Mr. Gomez
Petition from neighbors supporting variance
Foundation plan
State plan approval stamp

RECOMMENDATION:

Motion to adopt Resolution approving variance.

When making motion to approve resolution, the City Clerk will provide the Resolution number.

Department Head

James R. Williams

City Manager

RESOLUTION NO. 2014-_____

WHEREAS, the Lovington Planning and Zoning Commission was presented a request for a zoning variance at the August 5, 2014 meeting; and

WHEREAS, this variance requested that the owner of the property be allowed to construct an accessory building in the rear yard of 721 W. Taylor Street, Lovington, New Mexico that exceeds the maximum allowable size; and

WHEREAS, the Lovington Planning and Zoning recommended granting the variance request

NOW, THEREFORE, BE IT RESOLVED, that the City of Lovington approves the zoning variance for the construction of an accessory building that exceeds the maximum allowable size at the property located at 721 W. Taylor Street.

DONE THIS 11th DAY OF AUGUST, 2014 at

City of Lovington
New Mexico

Scotty Gandy, Mayor

ATTEST:

Carol Ann Hogue, City Clerk

July 16, 2014

To whom It may concern:

When I was going to build my shop I went to the city to see what I needed to do. They directed me straight to the state for permits and approvals. When all permits were in order I began to build my shop. It's been a slow ongoing project to get it finished. I am now ready to finish it up, everything from concrete, to outside metal, to garage doors are set, ready and paid for and ready for my ok are non-refundable.

The reason I made my shop so big is because I have 5 older model race cars that I have in storage right now. It's hard for me to work on them after a race in the storage. I can work on my cars as soon as my shop is up and ready, save me a storage expense. I restore and rebuild them and there very valuable to me and my family. It's a third generation family affair shop. I've put a lot of work into them and I don't want the kids vandalizing them like before when they were on my property.

I'm also a welder and I will be storing all my equipment in my shop as well as my welding truck. Everything is expensive and having to replace stolen equipment every few months starts to add up, especially when I'm working out of town on jobs. I also have a vinyl business I'm trying to get going and will be using the shop as my office as well.

I can get a lot of things out of my home and into my shop for storage. I don't see the need to upgrade my home for I am a single man. My work permits all of it was already ongoing and in effect before the city ordinance came into effect. I have no use for the backyard space, my cars can be protected from the weather.

All inspections are up to code with the state with no issues, I've spent a total of \$17,000.00 not including what's already been paid in advance and what I need to finish the inside of shop. All my neighbors are in compliance and in agreement with my shop. The shop will have 5 exits total to meet fire code. The structure can pull up to 140mph winds. Building will be sound proof and will nice from outside for the city. Fabrication is top of the line. Proper gutters will be in use. All steps needed by state or city have been met so far and will continue to be met.

Many city professionals have been involved in building the shop. I have lots of use for this size of shop as I've explained. I would appreciate your approval to continue with finishing my shop.

Thank You


Clint E Gomez

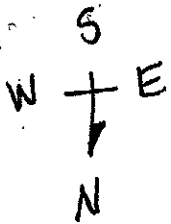
PETITION FOR CONTINUANCE OF ONGOING SHOP
ERIC GOMEZ, 721 W TAYLOR LOVINGTON, NM 88260 (575)513-1504
PERMIT # 2012010755

We, the undersigned have no issues with our neighbor Mr. Gomez's building being built. We feel that the shop building being built in Mr. Gomez's backyard will not affect us and will be no interference to us as his neighbors. We sign this petition because we approve of his building and believe Mr. Gomez should be allowed to finish his shop.

Thank You.

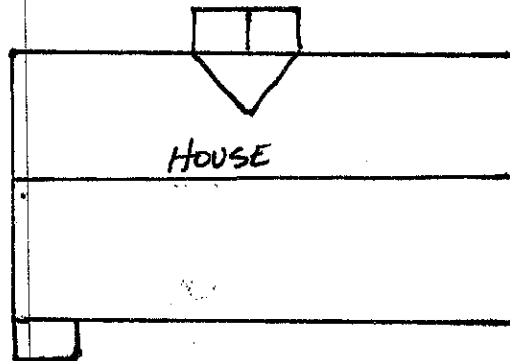
NAME	SIGNATURE	ADDRESS	PHONE #
1. <i>Longo</i>	<i>399-9408</i>		
2. <i>Isidro Barrera</i>	<i>396-6813</i>		
3. <i>Jan Valle</i>	<i>575-396-7009</i>	<i>720 W. Taylor</i>	
4. <i>Jan Valle</i>	<i>575-396-7009</i>	<i>720 W. Taylor</i>	
5. <i>Patricia Nova</i>	<i>575-441-3242</i>	<i>716 W. Taylor</i>	
6. <i>al B. Lora</i>	<i>396-2329</i>	<i>720 W. Taylor</i>	
7. <i>Al</i>	<i>575-411-3242</i>	<i>716 W. Taylor</i>	
8. <i>Betty</i>	<i>575-396-3888</i>	<i>716 W. Taylor</i>	<i>316-3808</i>
9. <i>Cindy Willis</i>	<i>575-704-0769</i>	<i>711 W. Taylor</i>	<i>Cindy Willis</i>
10. <i>ROBERTA M.</i>	<i>575-947-4511</i>	<i>106 W. 8th</i>	
11. <i>Anthony</i>	<i>575-676-1930</i>	<i>106 W. 8th</i>	
12. <i>Flavia Gomez</i>	<i>575-390-9412</i>	<i>725 W. Taylor</i>	
13. <i>Flavia Gomez</i>	<i>575-370-0714</i>	<i>725 W. Taylor</i>	
14. <i>Damian Gomez</i>	<i>575-390-0090</i>	<i>725 W. Taylor</i>	
15.			
16.			
17.			
18.			
19.			
20.			
21.			
22.			
23.			
24.			

SITE PLANS



TAYLOR STREET

ADDRESS:
721 WEST
TAYLOR ST.



PLANS APPROVED

Construction Industries Division
General Construction Bureau

☐ NO EXCEPTIONS TAKEN
☒ EXCEPTIONS AS NOTED

By [Signature]
Permit No. 2012010755
Does not include Mechanical or Electrical

NOTE

APPROVED PLANS AND SPECIFICATIONS
SHALL NOT BE CHANGED WITHOUT
AUTHORIZATION FROM CONSTRUCTION
INDUSTRIES DIVISION.

ALL INSPECTIONS MUST BE MADE AND A
CERTIFICATE OF OCCUPANCY ISSUED
BEFORE THIS BUILDING MAY BE OCCUPIED

SHOP

NOTICE!
THE APPROVED PLAN MUST BE AT THE JOB
SITE AT ALL TIMES DURING CONSTRUCTION

An electrode encased by at least 2 inches of concrete, located within and near the bottom of a concrete foundation or footing that is in direct contact with the earth, consisting of at least 20 feet of one or more electrically conductive steel reinforcing bars or rods of not less than 1/2 inch diameter, or consisting of at least 20 feet of bare copper conductor not smaller than No. 4 reinforcing bars shall be permitted to be bonded together by the steel steel tie wires or other effective means.

Seal of New Mexico
Construction Industries Division

FOUNDATION PLAN.

NOTE

SECTIONS R40
OF THE INTERNATIONAL RESIDENTIAL
CODE MUST BE COMPLIED
WITH (N.M. RESIDENTIAL BUILDING CODE)

FOUNDATION

48.333 FT Concrete Floor

FOOTER
10" X 9"
CONCRETE

FOOTER
10" X 9"
CONCRETE

48.333 FT
CONCRETE
FLOOR
WIDTH

SEAM OF CONCRETE

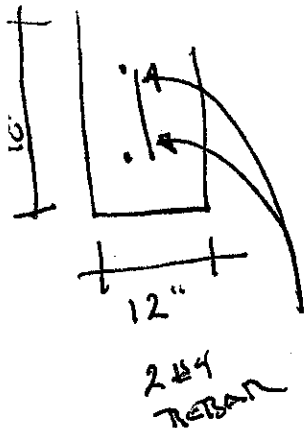
24.167 FT
CONCRETE FLOOR LENGTH
3 INCH THICK

24.167 FT
CONCRETE
FLOOR LENGTH
3 IN THICK

48.333 FT FLOOR WIDTH

45 FT CORNER TO CORNER

50 FT



ALLEY OF TAYLOR STREET
IN LOVINGTON, N.M.

State of New Mexico
Construction Industries Division

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 11, 2014



TYPE: ☒ RESOLUTION ☐ ORDINANCE ☐ PROCLAMATION ☐ INFORMATION ☐ OTHER ACTION

SUBJECT: Resolution for Variance 1106 W. Tyler

DEPARTMENT:

SUBMITTED BY: Planning and Zoning

DATE SUBMITTED: August 5, 2014

STAFF SUMMARY:

The owners of 1106 W. Tyler (Sergio and Misty Andaluz) have requested a variance in regards to the size of the accessory building they would like to complete in their rear yard. The Andaluz's report that they poured the concrete six years ago but due to personal circumstances did not finish the project.

The Planning and Zoning Commission recommended approving this variance at the August 5, 2014 meeting.

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

ATTACHMENTS:

Request Letter
Site Plan
Petition for support from neighbors

RECOMMENDATION:

Motion to approve Resolution to grant variance.

When motion to approve is made, the City Clerk will provide the Resolution number.

Department Head

James R. Williams

City Manager

RESOLUTION NO. 2014-_____

WHEREAS, the Lovington Planning and Zoning Commission was presented a request for a zoning variance at the August 5, 2014 meeting; and

WHEREAS, this variance requested that the owner of the property be allowed to construct an accessory building in the rear yard of 1106 W. Tyler Street, Lovington, New Mexico that exceeds the maximum allowable size; and

WHEREAS, the Lovington Planning and Zoning recommended granting the variance request

NOW, THEREFORE, BE IT RESOLVED, that the City of Lovington approves the zoning variance for the construction of an accessory building that exceeds the maximum allowable size at the property located at 1106 W. Tyler Street.

DONE THIS 11th DAY OF AUGUST, 2014 at

City of Lovington
New Mexico

Scotty Gandy, Mayor

ATTEST:

Carol Ann Hogue, City Clerk

July 17, 2014

Planning and Zoning Commission

213 S. Love

Lovington, NM 88260

To Whom It May Concern:

We, Sergio and Misty Andaluz, the property owner of 1106 W. Tyler Avenue, Lovington, New Mexico, request a variance of size for a rear building to be constructed on our property. The proposed structure will be used as a personal garage/storage building, which would allow us to shelter and maintain our vehicles and store personal belongings.

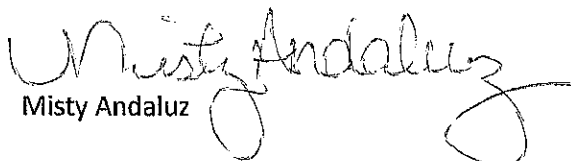
Two members of our family, Sergio and our son Gavin, are vehicle enthusiasts. The proposed structure would allow us ample room, to not only house our vehicles and protect them from damage, theft and/or bad weather, but allow for better enjoyment of their restoration hobby. At the present time, we have a 7 foot by 18 foot metal structure that is used for storage of things such as lawn equipment, Christmas decorations and vehicle parts. It is not a very wide structure, which causes us to have to store some things in the den of the residence as well, such as bicycles and toolboxes. The proposed structure would allow for the removal of storage items from the home, freeing up space in the family area.

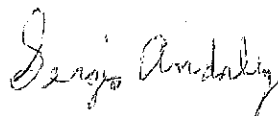
The structure would be constructed in a solid manner that would meet all applicable building laws, codes and requirements of the City of Lovington and the State of New Mexico Construction Division to ensure the safety and protection of ourselves, adjacent and abutting properties.

Thank you for your time and consideration of this matter.

Sincerely,

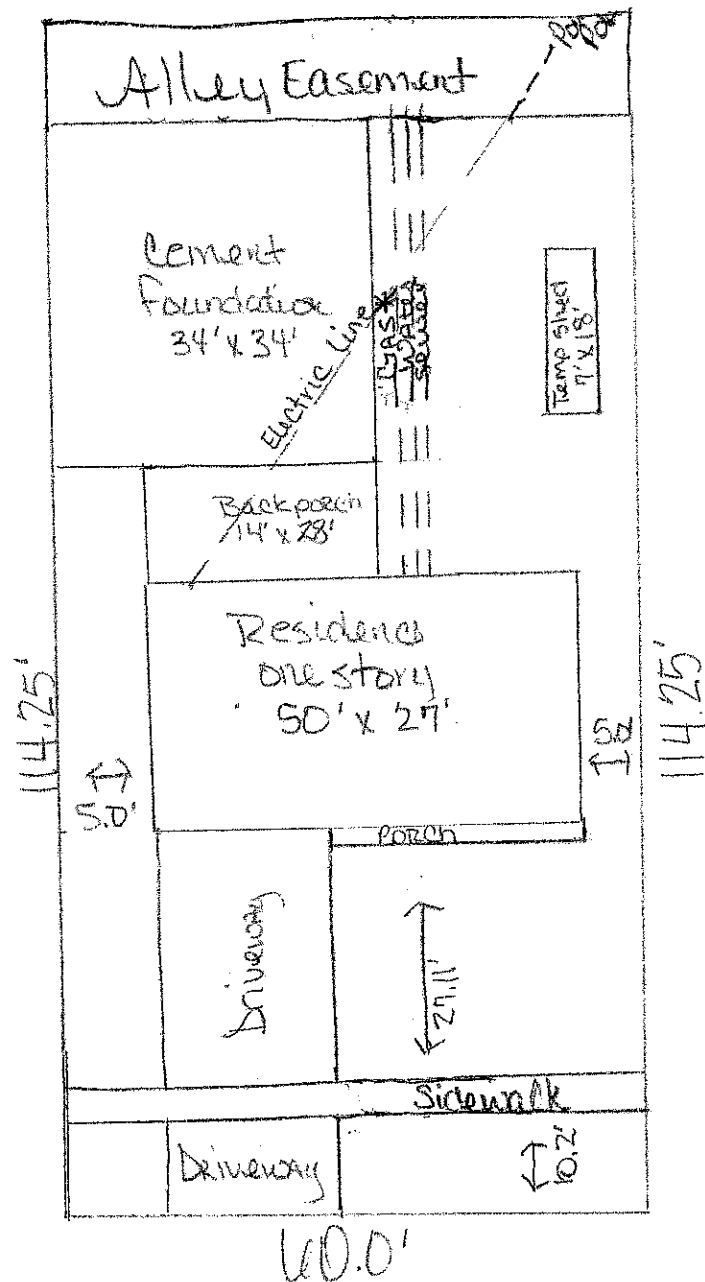
Sergio Andaluz


Misty Andaluz



Sergio + Misty Anchut
High School Addition
lot 19, Blk. 2
1106 W. Tyler Ave.

North ↑



Tyler Ave.

Scale
1" = 20'

Petition for Variance Request

We, Sergio and Misty Andaluz, being the property owners of 1106 W. Tyler Ave., Lovington, NM, Request a Variance Approval for the construction of a rear building upon our property. Said building will be used as a garage/storage building.

We, the neighbors of 1106 W. Tyler Ave., DO NOT oppose the Request of Variance for the construction of a rear building upon said property.

[illegible]

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: _____

TYPE: ☒ RESOLUTION ☐ ORDINANCE ☐ PROCLAMATION ☐ INFORMATION ☐ OTHER ACTION

SUBJECT: Resolution to Approve Zone Change, College Add, Block 6
DEPARTMENT:
SUBMITTED BY: Planning and Zoning
DATE SUBMITTED: August 5, 2014

STAFF SUMMARY:

The owner of the property (Luis Teran) described as Block 6, College Addition is requesting that the southern portion of this property (see attached map for reference) be changed from Zone A - Single Family to Zone C - Commercial. The remaining property is currently zoned Commercial.

The Planning and Zoning Commission recommended approving the zoning change at the August 5, 2014 meeting.

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

ATTACHMENTS:

Reference Map
Request letter from Mr. Teran

RECOMMENDATION:

Motion to approve Resolution for zoning change.

When motion is made, the City Clerk will provide a Resolution number.

Department Head

James R. Williams

City Manager

RESOLUTION NO. 2014-_____

WHEREAS, the Lovington Planning and Zoning Commission was presented a request for a change in zoning at the August 5, 2014 meeting; and

WHEREAS, the owner of Block 6 of the College Addition has requested that the entire parcel of land be classified as Zone C - Commercial; and

WHEREAS, the existing zoning defines the parcel being zoned as the northern half as Zone C – Commercial and the southern half as Zone A – Single Family; and

WHEREAS, the Lovington Planning and Zoning Commission recommended approving this zoning change.

NOW, THEREFORE, BE IT RESOLVED, that the City of Lovington approves the zoning change from Zone A – Single Family to Zone C – Commercial for the southern portion of Block 6, College Addition.

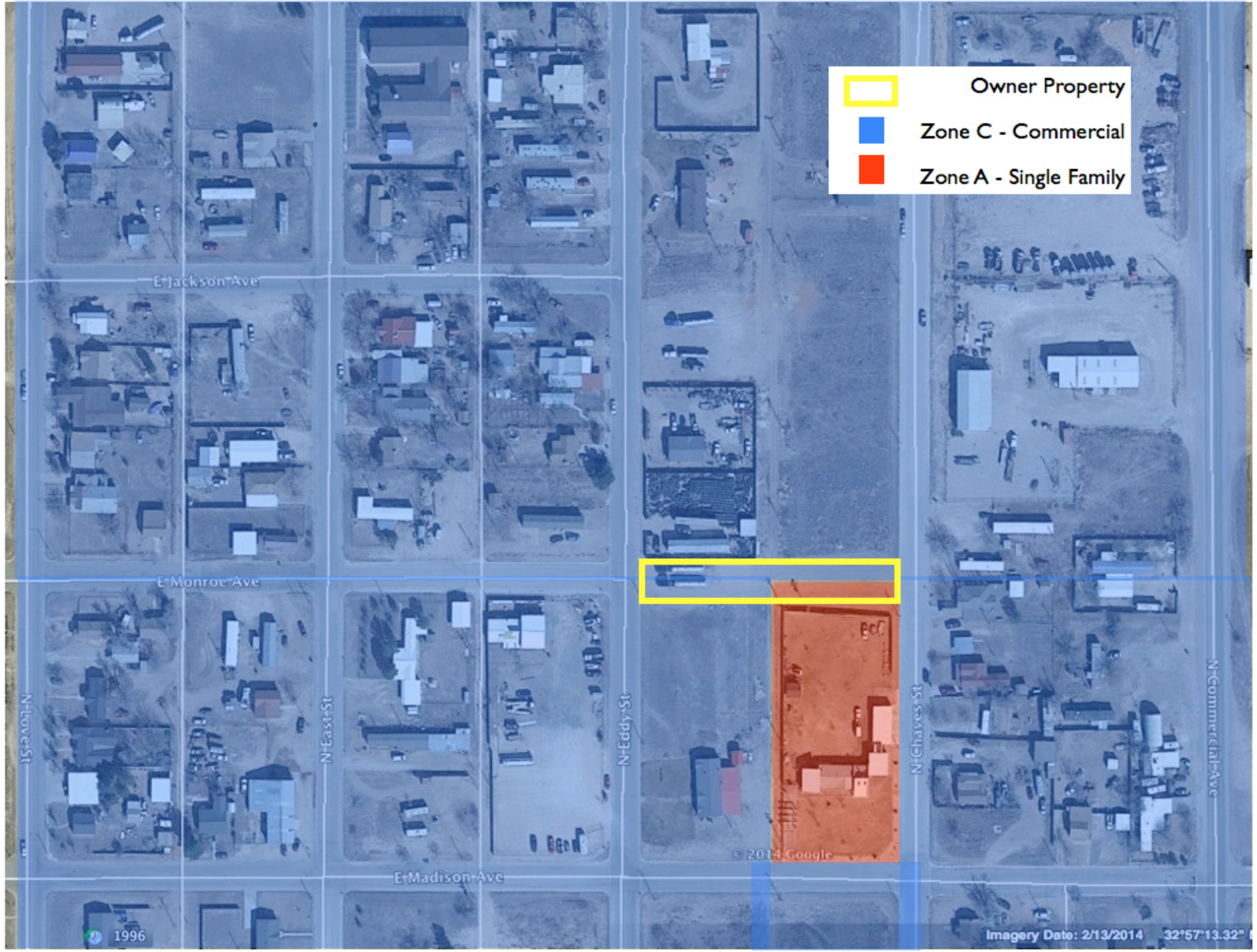
DONE THIS 11th DAY OF AUGUST, 2014 at

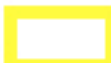


City of Lovington
New Mexico

Scotty Gandy, Mayor

ATTEST:

Carol Ann Hogue, City Clerk



	Owner Property
	Zone C - Commercial
	Zone A - Single Family

E-Jackson Ave

E-Monroe Ave

E-Madison Ave

N-Love St

N-East St

N-Eddy St

N-Chaves St

N-Commercial Ave

© 2014 Google

1996

Imagery Date: 2/13/2014 32°57'13.32"

07-31-14

I' Luis Andres TERAN, I WANT
THE SURFACE TO A 80 FEET LET
WAS MONROE AV. BETWEEN BLACS
ONE AND SIX. TO BE THE ALL
80 FEET A COMECIA ZONE
PLEASE.

Luis Andres TERAN.

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM

MEETING DATE: August 11, 2014



TYPE: ☐ RESOLUTION ☐ ORDINANCE ☐ PROCLAMATION ☐ INFORMATION ☒ OTHER ACTION

SUBJECT: Approval of Accounts Payable
DEPARTMENT: Finance
SUBMITTED BY: Gary Chapman, Finance Director
DATE SUBMITTED: August 7, 2014

STAFF SUMMARY:

Finance Department staff have prepared the accounts payable for your review and approval.

FISCAL IMPACT:

REVIEWED BY: Gary Lee Chapman
(Finance Director)

See accounts payable detail. The General Fund expenditures (\$1,193,403.01) are higher than normal due to the payment for the first half of the City liability insurance premium (\$245,716.00), continuing hail damage repair work (\$151,230.95), and payments for park restrooms and shade structure construction (\$66,015.02).

ATTACHMENTS:

Accounts Payable detail for General Fund and Utility Fund

RECOMMENDATION:

Motion to approve accounts payable.

Gary Lee Chapman
Department Head

City Manager

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeting - General
From 8/1/2014 Through 8/30/2014

101 - General Fund

Vendor Name	Dept Code	Current Balance
3 M Cogent		8.30
ALCO Stores, Inc		128.28
Alsco		1,214.45
American Library Sales		368.88
American Medical Group, Inc		1,810.48
Atco International		252.00
Baja Broadband		3.00
BeGeo Investment LLC		479.50
Benchmark		138.03
Blaine Industrial Supply		1,571.07
Bob's Thriftway		808.73
Bound Tree Medical, LLC		2,447.08
C & S Motor Parts Co.		545.63
Constructors, Inc		2,587.71
Copies, Inc.		617.48
Cowboys Corner		253.00
Dailey-Wells Communications		13,341.30
Demco Inc.		223.53
Farmer Brothers Company		93.99
Forrest Tire Co.		1,605.64
Frank's Supply Company, Inc.		100.80
Gale/Cengage Learning		639.82
Galls/Quartermaster		597.82
Gebo Credit Corporation		5,265.52
GECRB/Amazon		294.31
Gempler's, Inc		171.50
General Mailing & Shipping		175.00
General Welding Supply		631.00

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeeting - General
From 8/1/2014 Through 8/30/2014

101 - General Fund

Vendor Name	Dept Code	Current Balance
Govconnection, Inc.		1,942.80
H & K Pest Control Co.		469.28
Higginbotham-Bartlett Co.		5,228.13
High Plains Refrigeration, Inc		256.36
Hobbs News-Sun		292.32
Hospital Services Corporation		136.96
Joyce's Threadworks		127.99
KLEA Radio		598.00
Knowbuddy		428.88
Lea County Oil & Gas Co.		10.35
Lea County Roadside		316.50
Lea County Septic Tank Service		527.50
Lovington Auto Supply		955.92
Lovington Leader		1,992.38
M & R Tire Service, LLC		516.94
MailFinance		1,015.50
Marker Services, LLC		993.94
Master Plumbers		138.94
Master Printers		99.90
MicroMarketing LLC		1,563.93
Mustang Country		1,168.60
New Mexico Jr. College		495.00
NewsBank		2,835.00
NM City Mgment Assoc.		510.00
NM Fire Chiefs Association		100.00
NM Mun Court Clerks Assoc.		60.00
Noble Industrial Supply Corp		1,180.65
OCLC, Inc.		416.38
Odessa Pumps & Equipment		915.97
Outlaw Graphics & Etching		283.22

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeting - General
From 8/1/2014 Through 8/30/2014

P & D Petroleum, Inc	16,296.08
Patriot Pipe & Supply LTD	275.87
Pro Vision Video Systems	7,707.63
Pro-Treat Power Equipment	857.51
Professional Communications	1,116.19
Recorded Books LLC	134.97
Reid Insurance Group, Inc.	140.00
Roberts Oil & Lube	594.06
Rogers All Electric Service	3,571.18
Roswell Daily Record	96.41
San Bar Construction Corp	1,629.40
Sherwin-Williams	3,611.55
Southwest Safety Specialists	131.65
Squeaky Clean	4,547.53
Staples Advantage	3,043.79
Star Welding Service	45.42
Stericycle, Inc.	696.54
Strong Electric	2,478.21
Stryker Finance	22,702.81
Sunbelt Pools, Inc.	2,022.00
Sunbird Home Resort Products	28.78
SWAT, LLC	453.96
Symbol Arts	470.00
SYSCO West Texas, Inc.	1,364.10
Taser International	827.95
TransUnion Risk and Alternativ	3.25
Triple H Engine Service	231.54
U S Food Service	1,695.64
Valentine Auto Service	1,601.25
Visa	0.00
W-H-B, Inc.	1,202.34
Wallach Concrete	330.24

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeting - General
From 8/1/2014 Through 8/30/2014

Watermaster Irrigation Supply	251.75
World Trade Press	814.20
Report Balance	<u>142,974.84</u>

Payee	Transaction Description	Check Amount
ALCO Stores, Inc	Fire-Cascade/Batteri	52.93
ALCO Stores, Inc	es Fire-Coffee/Dish	53.94
Alsco	Soap Ambulance-Linens	379.93
AT&T Mobility	Gen-Cell Phone Bill July 2014	2,438.57
B- Line Filter & Supply, Inc	Streets-Air Filters	103.11
Baja Broadband	Police-Monthly Charges	1.50
Blaine Industrial Supply	Police-Cleaning Supplies	233.14
Bob's Thriftway	Parks-Cleaning Supplies for Restrooms	24.92
Bob's Thriftway	Police-4th of July Supplies	90.80
Bob's Thriftway	for Cook out Police-Meat for 4th of July Cook out	126.34
Bob's Thriftway	Senior Center- Food	16.77
Bob's Thriftway	Swimming Pool- Ice/Water	10.97
Bob's Thriftway	Swimming Pool- Supplies	100.44
C & S Motor Parts Co.	Police-Battery	149.95
C & S Motor Parts Co.	Cemetery- Supplies	140.65
C & S Motor Parts Co.	Police-Power Steering Fluid	9.24

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeeeting - General
From 8/1/2014 Through 8/30/2014

C & S Motor Parts Co.	Recreation-Oil	131.76
	Dry	
C & S Motor Parts Co.	Streets-Supplies	2.95
C E S	Parks-Shade	30,307.14
	Structures 50%	
	Complete	
C E S	Recreation-	35,707.88
	Erect Building	
	64% Complete	
C.D. General Contractors	Senior Center-	30,034.07
	Pay No 2/Roof	
Cornerstone Coffeehouse	Finance-	500.00
	Catering for	
	June 2 2014	
	Visioning	
	Meeting	
Cowboys Corner	Police-Dar Dog	31.95
	Food	
Double J Animal Hospital	Vet/Animal	100.00
	Control-Spay	
	Certificates	
Farmer Brothers Company	Police-Coffee	121.08
	Supplies	
Federal Express Services	Finance-	346.94
	Transportation	
	of packages	
	overnight	
Forrest Tire Co.	Police-Flat Tire	55.58
Gary Chapman	Finance-Reimb	1,081.94
	flight,car,Hotel	
	interview for	
	finance Dir	
Gary Chapman	Moving	2,500.00
	expenses for	
	Gary	
	Chapman/the	
	new Finance	
	Officer	

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeting - General
From 8/1/2014 Through 8/30/2014

General Welding Supply	Parks-Cylinder Rental	34.00
General Welding Supply	Streets-Tank Rental	51.00
General Welding Supply	Ambulance-Oxygen	40.00
General Welding Supply	Compressed Ambulance-Oxygen Type B	112.00
H & K Pest Control Co.	Gen-Spray for Bugs June 2014	117.32
Heidel, Samberson, Newell ,Cox	Finance-Attorney Fees 6/2/14-6/27/14	5,525.27
Higginbotham-Bartlett Co.	Finance-Supplies	115.11
Higginbotham-Bartlett Co.	Fire-Supplies	8.44
Higginbotham-Bartlett Co.	Parks-Supplies	18.96
Higginbotham-Bartlett Co.	Parks-Wood Stake	9.99
Higginbotham-Bartlett Co.	Police-Supplies	5.49
Higginbotham-Bartlett Co.	Recreation-Supplies	122.21
Higginbotham-Bartlett Co.	Vet/Animal Control-Supplies	98.41
Higginbotham-Bartlett Co.	Streets-Supplies	68.90
Higginbotham-Bartlett Co.	Swimming Pool-Coupling	7.74
Higginbotham-Bartlett Co.	Swimming Pool-Supplies	116.37
Higginbotham-Bartlett Co.	Swimming Pool-Wire Rope	3.98

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeeting - General
From 8/1/2014 Through 8/30/2014

Hobbs News-Sun	Lodgers Tax-Advertising 4th of July 2014	203.08
Hustler Turf Equipment, Inc.	Cemetery-Lawn Mower	13,907.40
Joe Clark	Police-Reimb J Clark/J Lopez/D Miranda/ Meals	42.28
Kenzie Plumbing	Vet/Animal Control-Leak	320.28
KLEA Radio	Lodgers Tax-Advertising for 4th July	200.00
Lea County Clerk	Record Ord. 527-Annexation on 17th	25.00
Lea County Electric	Gen-Electric Bill June 2014	24,467.33
Lea County Roadside	Police-Towing Case 14-1151	105.50
Lea County Treasurer	Judicial-Inmate housing june 2014	5,272.75
Lovington Auto Supply	Police-Jumper Cables for unit 24	129.99
Lovington Auto Supply	Police-Washer Fluid	15.42
Lovington Chamber of Commerce	Lodgers Tax-Visitor Upkeep Center	1,000.00
Lovington Chamber of Commerce	Finance-Auxiliary Funding July 1-September 30 2014	8,750.00
Lovington Main Street	Finance-4th Qtr Billing 4/1/14-6/30/14	8,750.00

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeeting - General
From 8/1/2014 Through 8/30/2014

Lowe's RV	Police- Command Post Repairs	655.15
Lydia's Sports & Uniforms	Lodgers Tax- Advertising T- Shirts(Wild Bunch)	1,125.09
Lyle Signs	Streets- All Way Signs	681.66
Master Plumbers	Fire-Mens Restroom Mainline Clogged	331.31
Master Plumbers	Swimming Pool- Finance Charge/Invoic 8650	3.54
Master Plumbers	Swimming Pool- Labor/Plumber	128.25
Master Printers	Finance-Official Receipts	629.85
Michael's Prescription Corner	Ambulance- Medical Supplies	262.40
Moreno Roofing	EDC-Payment No. 1 and Final Key Energy Building Repairs	29,400.00
Mr. Key's Locksmith	Swimming Pool- Lock Storm door Lever	265.02
Nancy Marquez	Police-Reimb for 4th July Supplies	56.57

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeting - General
From 8/1/2014 Through 8/30/2014

National Academy of Ambulance	Ambulance- Training/ S Wilmeth/A Wellborn	2,239.90
New Mexico Gas Company	Gen-Gas Utility Bill June 2014	482.09
New Mexico Municipal League	Finance-2014- 2015 Dues/Subscripti ons Membership	16,725.00
NM Judicial Education Center	Judicial Fees for June, 2014	729.00
NM Mun Clerk & Finance Officer	Finance- Membership dues/Carol Ann/July 1 2014- June 30 2015	60.00
NM Mun Court Clerks Assoc.	Judicial-Court Clerk Membership dues 2014	60.00
NM Mun Judges Assoc.	Judicial-Judge annual dues 2014	150.00
Noalmark Broadcasting Corp.	Lodger Tax- Advertising for 4th July 2014	170.90
Noalmark Broadcasting Corp.	Lodgers Tax- Advertising for 4th July 2014	160.22
Norma Vejil	Senior Center- Reimb P6195703	37.69
P & D Petroleum, Inc	Cemetery-Fuel	871.28
P & D Petroleum, Inc	Finance-Fuel	219.13
P & D Petroleum, Inc	Fire-Fuel	3,891.63
P & D Petroleum, Inc	Parks-Fuel	433.37
P & D Petroleum, Inc	Police-Fuel	1,729.37
P & D Petroleum, Inc	Recreation-Fuel	684.58
P & D Petroleum, Inc	Recreation-fuel	38.52

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeting - General
From 8/1/2014 Through 8/30/2014

P & D Petroleum, Inc	Recreation-Fuel	103.73
P & D Petroleum, Inc	Senior center-Fuel	318.02
P & D Petroleum, Inc	Streets-Fuel	5,932.12
P & D Petroleum, Inc	Vet/Animal Control-Fuel	583.29
Paul Campos	City Commission Meetings for April - June, 2014	591.30
Phillips 66 Co.	Gen-Fuel Card for July 2014	52.54
Porter Lee Corp.	Police-Annue Support Fee Beart Barcode	767.00
Premier Electric	Rereation-Work on Connection of Electricity at Softball Fiel	225.76
Premier Electric	Swimming Pool-Work on Circulation Pump	164.59
Pro Vision Video Systems	Police-Cameras	5,054.07
Reid Insurance Group, Inc.	Finance-Renew Vehicle Insurance Police 2014-2015	245,716.00
Roberts Oil & Lube	Fire-Oil Change	77.00
Roberts Oil & Lube	Police-Oil/Lube unit 17	31.00
Science Spectrum	Library-Summer Reading Program 2014/Pop, Fizz, Boom	217.00

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeting - General
From 8/1/2014 Through 8/30/2014

Shell Oil Co.	Ambulance-Fuel Trip to Pick up new Ambulance	140.65
Southwest Polygraph	Police- Polygraph Services/Kristi Lvon	267.03
Staples	Police-office Supplies	97.70
Staples	Senior Center- Office Supplies	38.03
Staples Advantage	Finance-Office Supplies	171.66
Staples Advantage	Judicial-Credit	(13.79)
Staples Advantage	Judicial-Office Supplies	143.87
Staples Advantage	Police-Office Supplies	549.02
Sunbird Home Resort Products	Recreation-Vac head	72.00
Sunbird Home Resort Products	Swimming Pool- Pool Poles	107.98
Sunbird Home Resort Products	Swimming Pool- Supplies	235.29
SWAT, LLC	Police-Removed Viruses	136.19
SWAT, LLC	Judicial- Resolved Email Issues	90.79
SWAT, LLC	Judicial-Setup Court Email/Monica	90.79

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeeting - General
From 8/1/2014 Through 8/30/2014

Sweetie Pies	Finance- Catering for July 17 2014 Visioning Meeting	495.00
The Flag Lady's Flag Store	EDC/Lodgers Tax-Banner for Fair & Rodeo 2014	5,386.01
Tom's Sharp Shop	Recreation- Repair to Mower	342.66
Tom's Sharp Shop	Recreation- Repairs to Mower	138.58
Travelers	Finance-K Porter Claim Wrongful Termination	144.62
Triple H Engine Service	Swimming pool- Rebuilt Water pump	470.53
Tueredia McBride	Library-Reimb Walmart Gift Cards for Volunteers 2014	160.00
U S Food Service	Senior Center- Food	675.62
U.S. Postal Service	Library-Rolls of Stamps	147.00
Visa	Visa CH 8456- Youth Center- Fuel for Trip to Lubbock Tx for Summer Program Supplies	56.13

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeting - General
From 8/1/2014 Through 8/30/2014

Visa	Visa CH 8456- Youth Center- School Supplies for Summer Programs	723.35
Visa	Visa-CH 8456 Fire-Badges collar pin gold	149.40
Visa	Visa CH 8456- Fire Walmart twin over twin metal bunk beds	382.39
Visa	Visa CH 8456- Fire-Amazon Order Fire/Emergency Service Training Books	357.06
Visa	Visa CH 8456- Police-Discount Mugs/Supplies for Lea County Fair and Rodeo 2014	1,810.00
Visa	Visa CH 8456- Youth Center- Meals/Trip to Lubbock Tx for Summer Program Supplies	60.62

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeeting - General
From 8/1/2014 Through 8/30/2014

Visa	Visa CH 8456- Finance- Fuel for Buick LeSabre	39.37
Visa	Visa CH 8456- Ambulance- Marriot Room	93.79
Visa	Visa-JC 7334- Finance-2 Night At The Lodge at Sierra Blance- Ruidoso NM - J.Cobb and J. Williams	423.84
Visa	Visa-JC 7334 Youth Center- Two Wireless Microphones/Ac cossories	331.36
Visa	Visa-JC 7334 Finance ICMA Conference Registration- Charlotte NC	680.00
Visa	Visa-JC 7334 Finance-Bottled Water	4.35
Visa	Visa JC 7334- Finance-Efile Unemployment comp report- Aatrix	50.20
Visa	Visa-Org trv 2- 8621- Vet/Animal Control-Room Best Western in Albuq NM- Training	384.15

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeting - General
From 8/1/2014 Through 8/30/2014

Visa	Visa-Org trv 2	282.04
	8621-	
	Vet/Animal	
	Control-Fuel	
	And Meals	
	Training in	
	Albuquerque NM	
Visa	VISA-8621	8.81
	Finance Charge	
Windstream	Gen-Phone Bill	4,477.48
	7/14	
Windstream	Chamber of	231.03
	Comm-Phone	
	Bill for June	
	2014	
Windstream	EDC-Phone Bill	175.22
	for June 2014	
Windstream	Finance-Main	134.61
	Phone Bill July	
	2014	
WTG Fuels, Inc	Police-Fuel	5,973.91
WWRC, Inc	Museum/Youth	46,347.24
	Center-Payment	
	No 2 Roofing	
WWRC, Inc	Museum/Youth	45,449.64
	Center-Payment	
	No 3 Roofing	
Zia Consulting, Inc.	Police-Services	<u>605.00</u>
	6-27-14-6-28-14	
GRAND TOTAL		<u><u>1,193,403.01</u></u>

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeting - Water
From 8/1/2014 Through 8/30/2014

505 - Water & WasteWater

Vendor Name	Current Balance
American Medical Group,	309.75
Atco International	204.00
B.I.C.I., LLC.	11,372.20
BlueTrap Financial, Inc.	301.95
C & S Motor Parts Co.	67.30
California Cont. Supplies,	239.52
Cardinal Laboratories	729.00
Certified Laboratories	3,106.13
Dana Kepner Co.	9,765.52
DPC Industries Inc.	1,466.95
Farmer Brothers Company	9.47
Garage Doors Unlimited,	165.66
General Welding Supply	85.00
Haarmeyer Electric	1,727.58
Higginbotham-Bartlett Co.	900.00
Industrial Muncipal	1,444.04
Just Supplies	2,131.51
LightHouse BIS, LLC	100.31
Lovington Auto Supply	130.70
Lovington Leader	887.58
M & R Tire Service, LLC	34.20
MailFinance	1,015.50
Master Printers	1,580.00
P & D Petroleum, Inc	3,246.94
Polydyne Inc.	1,008.00
Pro-Treat Power Equipment	182.67
Rocky Mountain Office	836.21
Star Welding Service	22.71

Strong Electric	246.88
SWAT, LLC	45.39
TWS, Inc.	187.79
Wallach Concrete	386.00

Report Balance	<u>43,936.46</u>
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AT&T Mobility	Water-Cell Phone Bill July 2014	599.11
BlueTrap Financial, Inc.	WasteWater-Bed Liner	59.41
C & S Motor Parts Co.	WasteWater-Battery	73.95
C & S Motor Parts Co.	WasteWater-Supplies	40.61
C & S Motor Parts Co.	WasteWater-Supplies	6.11
Certified Laboratories	WasteWater-Cleaning Supplies	198.00
Culligan Water Conditioning	WasteWater-Rental Ro	49.00
Dana Kepner Co.	Water-Meter Supplie	128.61
DPC Industries Inc.	WasteWater-Cylinders	1,082.21
ESSCO Environmental, Inc.	WasteWater-Field Sampling Dump Site	7,075.00
General Welding Supply	Water-Month Cylinder Rental June 2014	42.50
Haarmeyer Electric	WasteWater-Repairs to Screw Press	228.45
Higginbotham-Bartlett Co.	WasteWater-Supplies	65.41
Higginbotham-Bartlett Co.	Water-Credit	(1.50)
Higginbotham-Bartlett Co.	Water-Supplies	140.45
Higginbotham-Bartlett Co.	WasteWater-Supplies	81.37
Higginbotham-Bartlett Co.	Water-Supplies	15.56
J & L Equipment	Water-Supplies	148.00
John Shomaker & Associates, IN	Water-40yr waterplan fees 6/1/-6/30/14	2,503.80
Lea County Electric	Water-Electric Bill 6/14	28,511.09
M & R Tire Service, LLC	Water-Alignment	138.94
Master Printers	Water-Window Envelopes	469.50
Mid-American Research Chemical	WasteWater-Cleaning Remover	1,851.06

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeting - Water
From 8/1/2014 Through 8/30/2014

Miguel De La Cruz	WasteWater-Reimb	25.49
	meals/Lubbock to Pick	
	Up Sample Bottles	
New Mexico Gas Company	Water-Utility Gas Bill	128.75
	6/14	
NM Water & Wastewater	Water School for Ron	250.00
Assoc.	Woods in Albuquerque	
NMWWA, West Central	WasteWater-Ray	100.00
Section	espinosa Memorial	
	Workshop/M Astudillo	
NMWWA-SE Section	WasteWater-Association	72.00
	Meeting in Artesia	
Odessa Pumps & Equipment	WasteWater-Repair to	1,503.00
	L/S Pump	
Odessa Pumps & Equipment	Water-Mechanical Seals	9,124.00
P & D Petroleum, Inc	WasteWater-Fuel	3,045.94
P & D Petroleum, Inc	Water-Fuel	1,343.35
Padge's Flower Shop	Water-Fresh	75.00
	Arrangement/M	
	Ramirez	
Pettigrew & Associates, P. A.	Water-Professinal Serv	2,247.94
	Wells 28.29 & 30	
	Project 2013.1025	
Polydyne Inc.	WasteWater-Drum of	504.00
	Clarifloc	
Shell Oil Co.	Water-Gas to Ruidosa	98.87
	for Training	
Solid Waste Authority	Solid Waste-Roll-off	7,275.69
	Containers Pick up 06-	
	31-14	
Star Welding Service	Water-angle iron	54.76
Star Welding Service	Water-Flat Strap	14.96
Strong Electric	Water-Work on Ave D	680.92
	Water Tower	
Utility Operator Certification	WasteWater-	30.00
	Certification Exam/M	
	Astudillo	
Utility Operator Certification	Test for Water Level III	30.00
	for Ron Woods	

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeeting - Water
From 8/1/2014 Through 8/30/2014

Visa	Visa-7326 New Travel Card- WasteWater/Repairs to Tractor	364.89
Visa	Visa-7334 JC- WasteWater-Rooms-Inn of the Mountain God/School/R Salmon/I Jacobo	240.15
Visa	Visa 8621 New Travel Card #2-Amazon Samsung Data Cable for Charging/Keycase cover	31.85
Waste Management of New Mexico	Solid Waste-Roll-offs June 2014	10,962.27
Windstream	Water-Phone Bill June 2014	458.09
Windstream	WasteWater-Internet Service July 2014	124.35
GRAND TOTAL		<u>220,312.87</u>