

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, APRIL 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 Imelda Gutierrez, City Attorney Patrick McMahon and Chief of Police Danny Bryant

Invocation: Mayor Gandy gave the invocation

Pledge of Allegiance: Mayor Gandy led the pledge

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

Approval of the Regular Minutes of April 14 & Called Minutes of April 16, 2014: Mayor Gandy called for a motion to approve the regular minutes of April 14 & called minutes of April 16, 2014. Commissioner Bengé so moved. Commissioner Butcher seconded and a roll call was taken: Commissioner Butcher – Yes, Commissioner Campos – Yes, Commissioner Trujillo – Yes, Commissioner Bengé – Yes, and Mayor Gandy – Yes.

NON-ACTION ITEMS:

Discussion of 2014/2015 Budget: City Manager Williams addressed the Commissioners submitting a summary of budget changes of the FY2014/2015 Budget which includes:

- Code Enforcement - Salaries increased by \$4,160 and FICA by \$319 in lieu of an untrained officer, the department proposed to hire an experienced officer as a lead code enforcement officer. This position would be responsible for training and field supervision.
- Police – the department budgeted for 3 marked Dodge Chargers (patrol) and 1 marked Chevrolet Tahoe (administrative) to increase the number of vehicles on the street. The department proposed to purchase 2 unmarked Chevrolet Impalas (investigative) instead of the Chevrolet Tahoe. These vehicles will cost less to purchase and equip. The budget did not change. The budget for the police unit radio upgrade has been reduced by \$14,000. This is due to a lower than anticipated quote for the programming and installation.

- Streets – other supplies – street signs increased by \$4,000, the department proposed to swap the new stop signs at Avenue D and Commercial with flashing stop signs. The signs will match the existing signs located from the north and south approaching Avenue D.
- Solid Waste – Professional Services increased by \$30,000, the City proposed to budget the funds for condemnation and nuisance abatement out of solid waste.
- Water – Equipment & Machinery increased by \$20,000 and Wells & Equipment decreased by \$20,000. The quote for the Booster Pump #2 came in \$20,000 higher than anticipated. The department has reviewed past capital expenditures and proposed that the additional funds come from a reduction in the Wells & Equipment account.
- Finance - Supplies increased by \$5,000 to cover the cost of fireworks display on July 4th. Other contractual services increased by \$2,400, the funds are to assist with the summer basketball program.

Commissioner Bengé suggested considering buying new chairs by mid-season for the Commissioners. Commissioner Campos wants to meet with the Parks & Recreation Board members. Mayor Gandy asked City Manager Williams to get in touch with the State to add blinking stop signs on 17th and East Avenue D. City Manager Williams stated that the City has incorporated into the budget to replace the stop signs at Ave D and 17th Street to LED flashing stop signs. The City has asked NMDOT for permission to replace the stop signs. No action was taken.

Discussion of 40 Year Water Plan Presentation: Annie McCoy, Bio on behalf of John Shomaker & Associates addressed the Commissioners submitting a draft and explained the 40 year water development plan:

- Amount of water needed to meet demand compared to water rights, and available water resources.
- Plan required for water rights transactions going forward.
- Acquire and hold water rights for 40 years, NMSA 72-1-9.A. & B.
- Contents defined under NMAC 19.26.2.19.B.
- Groundwater resources: High plains aquifer (Ogallala and hydro-logically - connected deposits), pumping faster than recharge, saturated thickness based on water levels and top of Triassic “red beds”, and some areas predicted to become unsaturated by 2045.
- Lea County Underground water Basin Guidelines, NMOSE: water rights can be moved from one block to another, change from non-CMA to CMA generally rejected, GW model used to estimate drawdowns, application cannot create >0.05 ft./yr. on CMA, and > 0.20 ft./yr. on non-CMA.
- Potential sources of contamination: 142 OCD spill sites, 5 OCD GW sites, 4 OCD abatement sites, 14 NMED discharged permits, primarily dairies, one is active clean-up, 6 active NMED/PSTB sites, 12 NFA sites and nitrate doubled over 20 years (at about 6 or 7 mg/L in wells 9, 12, 13, 14 and 15, compared to DWB standard 10 mg/L)

- Goal for total GPCD: without recent data on diversions, consumption by category, and water losses, it is difficult to develop GPCD goal, 240 GPCD is conservative, as other systems in Southern NM have much more aggressive goals, and 240 GPCD would allow the City to serve future commercial and industrial accounts.
- Water conservation:
 - Baseline: SCADA, metering, water rates, water reclamation (about 840 ac ft. /yr. to City farm), water protection ord.
 - Plan: data collection and system audit, evaluate water rates, ICIP, and evaluate water reclamation.

Wyatt Duncan Water Supervisor stated that the piping had not been changed out since the 70's or 80's. The old piping is been changed out and 10 out of 17 wells are equipped with new meters. No action was taken.

Discussion of Carport Ordinance: City Manager Williams addressed the Commissioners stating that the City has directed Code Enforcement to address carports in the City that do not comply with existing City ordinance. The City is requesting that Commission provide direction to City staff as to how they view an acceptable variance in terms to carports. The information and direction will be shared with Planning & Zoning Board as well. There are 3 options: grandfather in carports that meet state building requirements, change the codes, and review case by case variances. Bobby McCraw addressed the Commissioners stating that there are over 455 portable carports. Commissioner Trujillo suggested doing a work session with Planning & Zoning Commission to discuss Codes 17.20.040, 17.20.070, 17.24.050, and 17.22.150 and figure out what direction to go. No action was taken.

ACTION ITEMS:

Consider Approval of Resolution 2013-13: Acquisition of Property for Utilities at 300 E. Avenue D: Mayor Gandy called for a motion to approve the resolution 2013-13: Acquisition of Property for Utilities at 300 E. Ave D. City Manager Williams stated that the resolution is required to be adopted by Commission to complete the land transaction with Haarmeyer Electric. Commissioner Trujillo so moved. Commissioner Campos seconded and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes.

Consider Approval of Summer Basketball Program Funding: Mayor Gandy called for a motion to approve the Summer Basketball Program Funding. City Manager Williams stated that they have incorporated \$2,400 to the Recreation Department Budget to fund the summer basketball program. This is a general fund appropriation. Commissioner Campos made a stipulation that if the funds are not used this year that the funds are returned to the City. Commissioner Campos so moved. Commissioner Trujillo seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Butcher – Yes, Commissioner Bengé – Yes, Commissioner Trujillo – Yes, and Mayor Gandy – Yes,

Consider Approval of 2014 Fireworks Display Funding: Mayor Gandy called for a motion to approve the 2014 Fireworks Display Funding. City Manager Williams stated that Lovington Chamber of Commerce requested \$4,500 for financial support for the 2014 Public Fireworks Display. This is allocated from the general fund account. The amount requested is the same as last year. This year a different vendor will be used because the other vendor is no longer in business. Commissioner Butcher so moved. Commissioner Bengé seconded and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Mayor Gandy – Yes, Commissioner Butcher – Yes, and Commissioner Campos – Yes.

Consider Appointments to Lodger’s Tax Board: Mayor Gandy called for a motion to approve the appointments to Lodger’s Tax Board. Commissioner Bengé so moved to reappoint Kallie Richards, Lisa Spears, and Robbie Roberts to serve a three year term on the Lodger’s Tax Board. Commissioner Butcher seconded and a roll call was taken: Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Mayor Gandy – Yes, Commissioner Butcher – Yes, and Commissioner Campos – Yes.

Consider Appointments to Planning & Zoning Board: Mayor Gandy called for a motion to approve the appointments to Planning & Zoning Board. Commissioner Campos so moved to reappoint David Lynch, Betty Price, Kallie Richards, and Lynda Kreybig to serve a two year term on the Planning & Zoning Board. Commissioner Bengé seconded and a roll call was taken: Commissioner Trujillo, Commissioner Campos – Yes, Commissioner Butcher – Yes, Mayor Gandy – Yes, and Commissioner Bengé – Yes.

PUBLIC COMMENT: Marla Price asked the Commissioners if they had anything planned for the retirement party for Former Mayor Dixie Drummond.

OTHER COMMENT: City Manager Williams thanked Lovington MainStreet for the planning of Beautification Day. Commissioner Bengé commended Dennis Martin - Park Supervisor and Lou Gilg for their pre-work at Fran Atchley Plaza.

ADJOURNMENT:

There being no further business the meeting adjourned at 6:20 p.m.

APPROVED: _____
SCOTTY GANDY, MAYOR

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK