

**REGULAR MEETING OF THE CITY COMMISSION**  
**Monday, February 26, 2024 @ 5:30 PM**  
**CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

**Call To Order**

Mayor Roberts called the meeting to order at 5:30 pm.

**Roll Call**

**Present & Answering Roll Call:** Mayor Roberts, Commissioner Trujillo, Commissioner Gandy, and Commissioner Boldt and Commissioner White.

**Also Present:** Police Chief Joe Clark, Fire Chief Skip Moorehead, City Manager David Miranda, City Clerk Shannon Lester, Deputy Treasurer Melissa Boydstun, Accounting Specialist Christy Gasman, Asset Management and Water Billing Analyst Kevin Mijares, Planning and Zoning Assistant Gabriel Astorga, and City Attorney Patrick McMahon

**Invocation-** Scott Boldt

**Pledge of Allegiance and Zia-** Scott Boldt

**Approval of Agenda-** Commissioner Gandy made a motion to approve the Agenda Commissioner Boldt seconded. A Roll Call Vote was taken. Mayor Roberts, yes; Commissioner Trujillo, yes; Commissioner Gandy, yes; Commissioner Boldt, yes; Commissioner White, yes. Motion carried.

**Consideration of Minutes-** February 12, 2024- Commissioner Gandy motioned to approve the minutes and Commissioner Boldt seconded the motion. Mayor Roberts requested a roll call vote. Commissioner Trujillo, yes; Commissioner White yes; Commissioner Gandy, yes; Mayor Roberts, yes; Commissioner Boldt, yes. Motion carried.

**COMMISSIONERS & STAFF REPORT:**

- City Clerk Shannon Lester had nothing to report.
- Accounting Specialist Christy Gasman had nothing to report.
- Police Chief Joe Clark stated they hired Daniel Soto and another officer should be hired by the end of the week. Twelve officers are out on the streets, and they are running 3 shifts now (day, evening, and nights) and they have 2 CID detectives.
- This week the numbers are:  
Calls for Service – 605

Crashes – 17  
Traffic Stops- 92  
Arrests – 17  
Alarms Calls – 7  
Citations - 17

- Fire Chief Skip Moorehead stated Code 3 is still working on the emergency sirens. Pole equipment put together, working in transmitter box. There was a large structure fire at 521 W Ave B. on Thursday the 15th at 2:00 am. We will be participating in the Light It Up Blue on April 27, Fire department will bring trucks and goody bags for the kids. This will be from 9:00 am -3:00 pm at the fairgrounds. A quote has been turned in to Mrs. Gasman so she can give it to Dora so that we can get funds allocated from the Capital Outlay Grant for the hot water heater. We are still waiting on all the quotes for the mold removal in station 1. From what we can see, the roof had been replaced several years ago and the water may have come in where the roof was replaced. No one knows who replaced the roof so we can't find out if there is a warranty on it.
- Commissioner Boldt said thank you for coming to the meeting and not to forget to eat local shop local and buy local.
- Commissioner Trujillo thanked everyone for being there.
- Commissioner White thanked everyone for being there.
- Commissioner Gandy thanked everyone for being there.
- Deputy Treasurer Melissa Boydstun had nothing to report at this time but she would be available for any questions regarding the Accounts Payable later in the meeting.
- City Manager David Miranda listed out his items in order. 1. The GRTs for the month of December came in at \$857k which compares to \$1.08 million the previous period and \$938k for the same period a year ago. Our 12-month trailing GRT average is \$904k/month. 2. Last week we had about a dozen officials from NMDOT district 2, along with the Texas New Mexico Railway, out at our South Main Street railroad crossing. In the next 4-6 weeks, NMDOT will prepare a traffic control plan for the repair work, which should take place in the next several months through an agreement by NMDOT and Texas New Mexico Railway. This repair will call for concrete to take the place of the plastic material in between the rails and ties, which allows spikes to come lose and cause tire damage to passing vehicles. 3. Last week, various department heads met here at City Hall with the management, architect, and site engineer for United Albertsons to prepare for the anticipated construction of the Albertson's Supermarket on North Main Street. Various topics

discussed included the moving of a gas line and electrical box, plating, electrical service drainage and retention, landscaping, permitting, and other specifics involved in the construction. All aspects of the project are moving ahead without issue. 4. Finally, Utility Director Robert Perez would like to brief the commission on our latest water testing for the Water and Wastewater departments. Mr. Perez explained they have replaced the pump 24 for the north pond. That leaves the foreign pivots they've been having issues with the last several months. They finally got everything pressured up and where it should be. They replaced an 80-inch valve and effluent room slot number 3 that had been that way for 20 years. So now they have 4 functional pumps that are coming into the Wastewater Plant. We are having issues with Commercial accounts and our pumps. There is a lot of trash and everything else coming into the pumps. It is out at Gilmore and it's just overflowing all over the road. He showed pictures of the pumps and how they go into the lift station. This was the second pump that was put in the last three weeks. Tomorrow we'll put the third one in. There has been a lot of man hours and overtime spent just on this one pump and lift station. Commissioner Gandy asked if there is a biodegradable product that can be pumped up line, but there is nothing available. Mayor Roberts suggested something that could be put in that would separate the trash from restaurants such as a grease trap that separates the grease from the wastewater. After discussion between the commissioners, Robert Perez, Attorney, City Manager, they agreed this topic would need further discussion. Robert Perez went on to explain they are now tracking 97.1% of the water that comes into the plant which compared to last year it was .6% so we have come a long way. We have one position open in Wastewater. In the Water department we have 14 wells working and the other 4 have programing issues. Well 21 just got replaced with a new motor and new pumps. We have started replacing fire hydrants throughout the city. We purchased 5 at a time and replaced one on Polk and 11<sup>th</sup> street and we are in the process of replacing them around the courthouse. The Maverick gas station has water so we will start charging it soon. We have repaired about 25 leaks throughout the city this past month and we've got 2 open positions that we're hoping to fill in the water department.

- Planning & Zoning Assistant Gabriel Astorga stated he did not have anything at the time and would have items for later.
- Mayor Roberts stated he appreciated everyone being there.

## PUBLIC COMMENT

- Citizen Dominguez- Came forward to talk about her neighbor who has a fence that is taller than the ordinance allows. Gabriel explained this issue was being addressed at the next P&Z meeting.
- Citizen Elaine Vigil-Commented that once we get a new municipal judge, they need to be strict and keep the citizens who break the law and are cited to pay the citations.
- Mark Owens was present and introduced himself. He is a municipal judge candidate. He wanted to let the Commission know he will be out of town with sporadic cell phone service so if a decision is made to please know he will be checking his messages frequently and returning calls right away.

## NON-ACTION ITEMS:

- **Discussion of Reorganization of City Board of Commissioners Every Two Years (due in March)-D Trujillo-** Every 2 years there needs to be a change in Commissioners and their status. After discussion between the Commissioners, Mayor, and Attorney McMahon they decided to continue this discussion at a later date.
- **Discussion of Appointment of Municipal Judge-** There was an advertisement put out for the Municipal Judge position and 4 people were interested in the position, Jim Trujillo, Nellie Strobe, Speedy Faith, and Mark Owens. Today was the closure date for the advertisement for the position. The current position will expire December 31, 2025, at which time the Municipal Judge will be elected at the Regular Local Election held on the first Tuesday of November, 2025. One candidate, John "Speedy" Faith, was found to not reside in the city limits, according to County Clerk Keith Manes. Attorney McMahon said he would check into the issue of him not being eligible for the Municipal Judge position.

## ACTION ITEMS:

- **Resolution 2024-011 Approval for Submission in Local Government Road Fund Program Administer By New Mexico Department of Transportation-** Commissioner Gandy made a motion to approve, Commissioner Boldt seconded the motion. Mr. Astorga explained this resolution was micro seal to be done. The micro seal maintenance projects are: W Ave C (from 2nd St to 5th St), Eddy St (from E Ave D to E Madison Ave), W Polk Ave (from 8th St to 11th St), W Gore Ave (from 6th St to 9thSt), W Aspen Ave (from 12th St to Polk Ave), N 8th St (from Jackson Ave to Jefferson Ave), S 9th St (from Ave K to

Brian Urlacher), W Ave H (from 5th St to 9th St), and W Ave J (from Main St to 5th St). Total cost 218,560.13, State share 75% = 163,920.09, City match 25% = 54,640.04. Mayor Roberts requested a Roll call Vote. Commissioner Gandy, yes; Commissioner Boldt, yes; Commissioner Trujillo, yes; Mayor Roberts, yes; Commissioner White, yes. Motion Carried.

- **Resolution 2024-012 Approval of DESIGN PROJECT SUBMISSION FOR THE FISCAL YEAR 2025 MUNICIPAL ARTERIAL PROGRAM (MAP) PROJECT FUND SUPPORT** - Commissioner Gandy made a motion to approve, Commissioner Boldt seconded the motion. Mr. Astorga explained this resolution Municipal Arterial Program FY25 project grant funding to design a section of E. Washington Avenue (from Love Street to Commercial St) to reconstruct  $\frac{1}{4}$  mile with new ADA sidewalks, curbs, gutters, pavement, striping, and possible bike lanes. Total is \$87,414.16 to be proportionally shared by the parties as follows: New Mexico Department of Transportation shall be 75% or \$65,560.62 Lovington's matching share shall be 25% or \$21,853.54. Mayor Roberts requested a Roll call Vote. Commissioner Boldt, yes; Commissioner White, yes; Commissioner Trujillo, yes; Commissioner Gandy, yes; Mayor Roberts, yes. Motion Carried.
- **Resolution 2024-013 Approval for Capital project submission for the FY25 Transportation Project Fund and Project Support-** Commissioner Gandy made a motion to approve, Commissioner Boldt seconded the motion. Mr. Astorga explained this resolution for an application for the Transportation Project Fund FY25, for the construction of W Jackson Avenue from 9th Street to 17th Street. This project will construct a wider roadway between 9th and 13th St, new ADA sidewalks and ramps, and new curb and gutter for this final phase of W Jackson Ave. This project will require \$2,175,500.00 to complete. Total grant funding is \$2,175,500.00. New Mexico Department of Transportation shall be 95% or \$2,66,725.00. City of Lovington's matching share shall be 5% or \$108,775.00 Mayor Roberts requested a Roll call Vote. Commissioner White, yes; Commissioner Boldt, yes; Mayor Roberts, yes; Commissioner Trujillo, yes; Commissioner Gandy, yes. Motion Carried.
- **Resolution 2024-014 Approval of Submission of the Transportation Project Fund for project #1 Maintenance of various roads-** Commissioner Gandy made a motion to approve, Commissioner Boldt seconded the motion. Mr. Astorga explained this resolution Transportation Project Fund (TPF FY25), for the maintenance of 1.35 miles of city Streets. The maintenance will include the following roadways: N 6th Street (from Jefferson to Adams Ave), W Adams Ave (from 9th St to 5th St), E Ave C (from Main St to Eddy St), W Ave I (from 2nd St to 9th St), E Ave R (from Main St to Commercial St). Funding request of \$1,928,675.00 is a cost share grant, NMDOT 95% = 1,832,241.25, City 5% = 96,433.75. Mayor

Roberts requested a Roll call Vote. Mayor Roberts, yes; Commissioner Gandy, yes; Commissioner White, yes; Commissioner Boldt, Commissioner Trujillo, yes. Motion Carried.

- **Resolution 2024-015 Approval of Submission of the Transportation Project Fund for project #2 Maintenance of various roads-** Commissioner Gandy made a motion to approve, Commissioner Boldt seconded the motion. Mr. Astorga explained this resolution for the Transportation Project Fund FY25, for the maintenance of 1.33 miles of City Streets. The maintenance will include the following roadways: W Harrison Ave (from 9th to 6th St), E Harrison Ave (from Main to Love St), E Jackson Ave (from Main to Eddy St), N 5th St (from Jefferson to Central Ave), E Washington Ave (from Commercial to Industrial St) and McAlister Drive (from Brian Urlacher to Main St). Funding request of \$1,875,271.30 is a cost share grant, NMDOT 95% = 1,781,507.74, City 5% = 93,763.57. Mayor Roberts requested a Roll call Vote. Commissioner Gandy, yes; Commissioner Boldt, Commissioner White, yes; Mayor Roberts, yes; Commissioner Trujillo, yes. Motion Carried.
- **Resolution 2024-016 Special Use Permit for El Sazon Mexicano Food Truck-** Gandy made a motion to approve, Commissioner Boldt seconded the motion. Mr. Astorga explained this resolution is for the Owner of El Sazon Mexicano Food truck has requested a business registration for the truck to be located at 828 W Jackson Ave. This lot is Zoned as an A Zone, Single Family dwelling district, although historically there has been a small covenant store, a grocery store, and a Dr Office in the existing buildings on site that does not allow a new commercial type of business to be on the site. With this lot being historically used as a commercial property staff feels it is adequate to allow a special use permit for the food truck on the lot. There is adequate parking, and the property owner has a written rental agreement with the food truck owner for parking space of the food truck and access to a restroom in the building. Special use permits need to have a time frame attached to it or only the specified use and once the use is removed it is no longer valid. Mayor Roberts requested a Roll call Vote. Commissioner Trujillo, yes; Mayor Roberts, yes; Commissioner White, yes; Commissioner Gandy, yes; Commissioner Boldt, yes. Motion Carried.
- **Resolution 2024-017 Variance request for 507 W Ave G Carport size and setback-** This resolution was reset for a later date. To be determined.
- **Resolution 2024-018-Approve Paramedic Program Agreement between Nor-Lea and LFD/EMS-** This resolution was set back for a later date. To be determined.
- **Resolution 2024-019-Approval of Lease of Denton Bldg. to Chamber of Commerce-** Gandy made a motion to approve, Commissioner Boldt seconded the motion. The City Manager drafted a lease for 5 years. If they leave before the 5 years, the City will not reimburse the Chamber of Commerce for the

improvements. If the City sells the building before the lease is up before the 5 years, then the City will reimburse the Chamber of Commerce for the improvements made by the Chamber. Mayor Roberts requested a Roll call Vote. Commissioner Boldt, yes; Commissioner Gandy, yes; Mayor Roberts, yes; Commissioner Trujillo, yes; Commissioner White, yes;. Motion Carried.

- **Finance Report and Accounts Payable**

Commissioner White made a motion to approve the bills and Commissioner Gandy seconded the motion. Mayor Roberts requested a Roll call Vote. Mayor Roberts, yes; Commissioner Gandy, yes; Commissioner Trujillo, yes; Commissioner White, yes; Commissioner Boldt, yes. Motion Carried.

**ADJOURNMENT:**

Mayor Roberts adjourned the meeting at 7:10 pm

APPROVED: \_\_\_\_\_  
HOWARD D. ROBERTS, MAYOR

ATTEST: \_\_\_\_\_  
SHANNON LESTER, CITY CLERK