

**BELEN CITY COUNCIL REGULAR MEETING**

**July 16, 2018**

**6:00 p.m.**

Mayor Jerah Cordova called the Regular Meeting of the Belen City Council to order at 6:00 p.m. Roll Call taken by Brian McBain, City Clerk.

**PRESENT:** Councilor Frank F. Ortega  
Mayor Jerah R. Cordova  
Councilor Ronnie Torres  
Councilor Wayne Gallegos

**NOT PRESENT:** Mayor Pro-Tem David Carter

**CITY MANAGER:** Leona Vigil

**CITY CLERK:** Brian McBain

**REPORTER:** Clara Garcia, VC News Bulletin

**OTHERS:** See attached Sign-in Sheet

**PLEDGE OF ALLEGIANCE**

Mayor Cordova led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Mayor Cordova asked for a motion to approve the agenda. Councilor Ortega made a motion. Mayor Cordova asked for a second. Councilor Gallegos seconded the motion.

Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Ronnie Torres	Yes	
Councilor Wayne Gallegos	Yes	Motion Carried

**APPROVAL OF MINUTES**

Mayor Cordova asked for a motion to approve the minutes dated July 2, 2018 as presented. Councilor Ortega made a motion. Mayor Cordova asked for a second. Councilor Torres seconded the motion.

Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Ronnie Torres	Yes	
Councilor Wayne Gallegos	Abstain	Motion Carried

Mayor Cordova asked for a motion to approve the minutes dated July 5, 2018 as presented. Councilor Ortega made a motion. Mayor Cordova asked for a second. Councilor Torres seconded the motion.

Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Ronnie Torres	Yes	
Councilor Wayne Gallegos	Abstain	Motion Carried

**PUBIC COMMENTS**

Mayor Cordova asked if there was anyone with a public comment.

Leonard Castillo: On Jarales and River Road, that stop light is dangerous, that is it, it anyone has seen this.

Stephanie Wallace: I am with the Belen Library, I wasn't planning on saying anything, but I wanted to appreciate Julie. As we all know she is leaving us and I just wanted to say that she is the best boss we have ever had, she is a great leader and we are going to miss her. Councilor Torres advised that he agrees with Stephanie, Julie has done so much for the Library and Harvey House, she was my boss for a while, she treated us with respect and as equals, this is a great loss and I wish you the very best in all that you decide to do. Councilor Ortega advised that he has enjoyed working with her on the MLK Committee, we are going to miss you on this, thank you for all your work with the City of Belen, you are going to be a heck of a teacher. Councilor Gallegos advised that he has worked with many librarians being on the library board, but when Julie came on, it was tough for her, but she did all she could to improve the library, plus taking over the Harvey House, she has worked well with the board and staff, she has planned a bookstore also, she also took on the Bugg Lights, but she will be missed, I am glad you are not moving away but thank you for everything. Mayor Cordova advised that Julie has been phenomenal for us, I begged her to stay and she is welcome to come back any second she want to, thank you for everything you have done.

There being no other public comments, this portion of the meeting was closed.

## PRESENTATIONS

### **A) LIBRARY UPDATE**

Ms. Julie Sanchez thanked everyone for their words and advised that it has been a privilege to serve you and the community, we have the best library in the state. Ms. Sanchez then presented some details on the library, showing a PowerPoint presentation that detailed all of the programs that the library and Harvey House has to offer.

## DISCUSSION

### **A) FLOODING INFORMATION UPDATE**

Fire Chief Manny Garcia gave an official update to the Council, detailing the events that took place on July 5, 2018 and what the City did to respond to the flooding events, a copy of his report has been made a part of these minutes. 1,000 residents were effected, 89 families responded to the Red Cross and Team Rubicon helped clean up 70 properties, the threshold for State Emergency Declaration is \$281,774, if State assistance is given it will cover 75%, but this is not a guarantee. Councilor Torres commended Chief Garcia and the City Staff for all their hard work in working in the flood, and the response that was given to the citizens, it is heart breaking to the citizens for the damage that occurred, we are not a rich City but we will work on this into the future. Mr. Joe Ruiz advised that no one has done anything, if the City workers are working he does not see it, and the MRGCD is not doing what is needed to repair the highline correctly, they are not compacting the repair which will lead to a break again, he also advised that a Sena said it was the risk for living here, they cannot afford to be repairing their homes all the time when it floods.

Mr. Rick Lopez with the USDA presented information to the Citizens advising that the USDA can supply grants to help clean up their homes, if you are 62 and over you are eligible for a \$7,500 grant, they will also be providing low interest rate loans for people under age 62, they can provide up to \$20,000 at 1%, and while USDA is not emergency driven, they are able to help in any way possible.

State Representative Gail Armstrong advised that she is working on the State level to ensure the State is providing everything that they can to help the citizens of Belen.

Ms. Barbara Romero from Congressman Steve Pearce's office advised that they are also working on funding, looking at the delegation to help, the water was fast and quick and will need a lot of diverting, all entities are working together to provide help, and the USDA is also available for help with funding in the repair stage.

Chief Manny Garcia advised that the citizens must remember that law does not allow the city to step into private property but we are doing what we can to help from the streets.

Mr. John Martinez advised that he lives on Hansen, this happened in 06, just like that, was bad back then, you always speak of budget problems, rumors are in the fault, but there is no fault, if they do not fix this right, then it will happen again, granddaughter is in shock and scared, I hear budget all the time, curve on ditch is the weakest point and it will break again.

Mr. Aviso advised that this is not a city or resident problem, it is the ditch, my family is doing all that it can to clean up our destroyed home, but where are the people from the ditch, they did wrong, they have not been out there helping anyone.

Ms. Florence Thompson advised that her house was hit bad, she did want to thank everyone for dumpsters and road clean up, we lost everything in our home, bottom line is that I owe \$42,000 on my home, estimate to repair my house is \$41,000, my bank will not continue the loan, I came to meeting in 2006, I understand the resources but what do I do when my home owners policy says it is not worth it anymore, what do I do then, I heard all the promises in 2006, Hansen gets hit quite often, if my mortgage company says it is not worth it, I have to move on and you have one less tax payer and there goes your budget. If all the people in the room left, how much taxes are you loosing, enough to make the fixes? I do not know, I appreciate the cleaning, I have 8 children that helped, still finding mold and moisture to this day, home is unlivable and this is not my fault, my husband is staying in the pop up because he is worried about vandals, this time I cannot fix it this time, when you people talk money, and trying to get money from the government, we pay taxes, water raged until 2am, we could not get out of our homes, could not help, we did not see anyone until Sunday, we did not have resources to help, no de-humidifiers, Red Cross was a no show until Sunday. Thank you for what you did do to help us but we need more.

Ms. Monica Kerr advised and thanked the City for being her representatives. I attended MRGCD board meeting, highline canal was briefly touched, statement that Mr. Hammon advised that Belen holding pond failed. There will be discussion on a cutoff date for dumpsters and loaders stopping work, will you publish when this date is occurring, this way we know when we have until to clean, people working hard. Will the city take care of damages to water meter and other things? Mayor advised that there is no firm cutoff date and the City will be replacing broken meters.

Mr. Ramon Baca showed a video of water behind house, nothing has been done, we need flood control, we need help from DC to help us with the channels, get water out of way and put water into the river, this place in Belen we have done good but more needs to be done, we need federal funding for big arroyos, not irrigation ditches for flood control system in the city itself, the current plan is not working.

Mr. Larry Marquez advised that he lives on Veronica Dr. and we cannot stop the water, we need to divert this instead of pond this, State should step in and help especially on freeway, water comes off Mesa, flood wasn't while it rained it all happened after, need to divert this water, channel it. Affordable flood insurance, why have insurance in a non-flood zone, if you don't have a motorcycle you don't have the insurance for it, government owes insurance too much and that is why it is not regulated, need a concrete channel to absorb money and get it out of the way, stop the water before the ditch, can only hold so much water in a pale, cannot count on conservancy to hold our flood waters, we cannot wait until a life is gone to open our eyes, do this as soon as possible not now or tomorrow, but very soon.

Mr. Alfred Sanchez advised that he is a resident of Belen, 1969 flood was same down Castillo, we need flood control, diversionary solution is the best, second is concrete walls and floors in the canal, need federal and state funding, need more storm drains, still cleaning up, silt looks like a dry river bed, I wish we can do something for this, we need to do more, we need money for this, the Red Cross was helpful, Rubicon was helpful. Went to insurance agent and they said I was not covered because I am not in a flood zone, I have to pay out of pocket for this, if in a flood zone I am forced to pay for insurance, what constitutes a flood zone? Councilor Gallegos advised that a flood zone is determined by how close you live to the river, standard are set by the State and Federal levels.

Ms. Casandra Jackson advised that her house was not house not effected, have two little kids and husband, called for help to dispatch, they replied that they were busy and advised to get sandbags, police asked if people needed

help but they were empty handed, no one helped me. City workers were in a big truck, no one got out of truck to help on the streets, next time don't come empty handed, show up with something, roads were closed, sister from Rio Communities helped me not the City Police or Fire, that is the problem here, if I call for help, I need help, but I was calling for the neighborhood, when you call for help and they come empty handed, now what, that is what hurt me, need to talk to workers, dispatch and fire, words do nothing for me, if you are coming to help, come with something to help me with.

Mr. Pedro Martinez advised that he is a City of Belen worker, people going back and forth not helping me, just ask if you need help, no one stopped to help us at all on Saturday, community member were cruising by and just looking and waving, no one helped, and that bothered me.

The Council and Mayor advised that they will do all that they can to help the citizens effected by the flood within their limits, but they are also working in a plan to ensure that this flooding problem continues to improve in the City of Belen itself.

\*5 minute recess was called to reorganize before proceeding\*

### **DISCUSSION WITH POSSIBLE ACTION**

#### **APPROVAL/DISAPPROVAL OF THE PUBLIC SERVICE AGREEMENT BETWEEN THE CITY OF BELEN AND BELEN MAINSTREET PARTNERSHIP**

Mr. Brian McBain introduced the agreement and detailed the information to the Council. Mayor Cordova advised that he would like to speak with a representative of Mainstreet before proceeding with a vote on this agreement, as he has a few questions on Sections B and C, he the advised that he would prefer this item be tabled until Mainstreet can present before the Council. Councilor Torres advised that they have been doing a lot of positive things with the money they are receiving, however would be unopposed to tabling this until they can answer some questions.

Mayor Cordova asked for a motion. Councilor Torres made a motion to table this item until the next meeting when a Mainstreet representative can appear before the Council. Mayor Cordova asked for a second. Councilor Gallegos seconded the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Ronnie Torres	Yes	
Councilor Wayne Gallegos	Yes	Motion Carried

#### **APPROVAL/DISAPPROVAL OF A RESOLUTION FOR THE 4<sup>TH</sup> QUARTER BUDGET ADJUSTMENTS**

Ms. Roseann Peralta presented this information to the Council and detailed the information as presented in the Council's packet for a total of 4 adjustments.

Mayor Cordova asked for a motion. Councilor Gallegos made a motion to approve. Mayor Cordova asked for a second. Councilor Ortega seconded the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Ronnie Torres	Yes	
Councilor Wayne Gallegos	Yes	Motion Carried

#### ***\*Resolution 2018-16\****

#### **APPROVAL/DISAPPROVAL OF A RESOLUTION FOR THE 4<sup>TH</sup> QUARTER REPORT**

Ms. Roseann Peralta presented this information to the Council and detailed the information as presented in the Council's packet advising that we ended the fiscal year in the black, which is the first time in a while, being in the positive in the amount of \$140,889. Councilor Ortega asked if we have seen an increase from Loves and other businesses in Belen. Ms. Peralta advised that we should see the boost soon, and she will e-mail the numbers once they come in which should happen this week sometime.

Mayor Cordova asked for a motion. Councilor Gallegos made a motion to approve. Mayor Cordova asked for a second. Councilor Ortega seconded the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Ronnie Torres	Yes	
Councilor Wayne Gallegos	Yes	Motion Carried

***\*Resolution 2018-17\****

**APPROVAL/DISAPPROVAL OF A RESOLUTION FOR THE FISCAL YEAR 19 FINAL BUDGET**

Ms. Roseann Peralta presented this information to the Council and detailed the information as presented in the Council's packet advising that the only change from what was seen from the interim budget was the Lodger's Tax change that was presented in a previous meeting adding the Harvey House and Public Safety line items. Councilor Gallegos advised that the budget is in good shape, it appears that we are at where we want to be in our minimum reserves per the financial policy. Ms. Peralta also advised that this will be the last time the budget appears in this format due to changes from NMDFA, and all the required transfers and adjustments have been made to eliminate our previous audit finding.

Mayor Cordova asked for a motion. Councilor Torres made a motion to approve. Mayor Cordova asked for a second. Councilor Ortega seconded the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Ronnie Torres	Yes	
Councilor Wayne Gallegos	Yes	Motion Carried

***\*Resolution 2018-18\****

**CITY MANAGER'S REPORT**

Leona Vigil stated: That she wanted to commend all city staff on their support during this flood, we have all learned by experience, everyone has worked diligently to clean up the town and help in any way that they can. The initial clean up phase is complete, we are now moving to phase 2, we are working with Molzen-Corbin to asses our ponds and get them back to normal, Dale has taken the lead on this project as Tommy is out right now, we have contracted with TLC and have opened up overtime for city workers to get the city cleaned up. ICIP workshop is scheduled for July 24 at 2 pm. We had 135 participants for our first session of Summer Recreation, we have gone up to 154 for the second half, we did not hire enough leaders, and we are short 4 leaders to go to Cliff's next Friday, we will meet at the community center at 9 am, Josh will also be working on a after school program. Councilor Ortega advised that he has received complaints that the A/C unit at the community center is not working, and would like an update on this. Ms. Vigil advised that they froze up because the thermostats were too low but they are working on getting these fixed as soon as possible.

**COMMUNICATIONS FROM THE CITY COUNCIL**

Councilor Gallegos passed on his time.

Councilor Ortega passed on his time.

Councilor Torres thanked everyone for their hard work.

Mayor Cordova thanked everyone for their work with the flood.

**EXECUTIVE SESSION**

**APPROVAL/DISAPPROVAL TO ENTER INTO EXECUTIVE SESSION FOR THE DISCUSSION OF THREATENED OR PENDING LITIGATION CONCERNING THE HOSPITAL ISSUE, AS ALLOWED PER THE OPEN MEETINGS ACT 10-15-1 (H-7)**

Mayor Cordova asked for a motion. Councilor Gallegos made a motion to enter into Executive Session. Mayor Cordova asked for a second. Councilor Torres seconded the motion. Roll Call Vote:

Councilor Frank Ortega	Yes
Councilor Ronnie Torres	Yes

Councilor Wayne Gallegos      Yes      Motion Carried

*\*The Council entered into Closed Session at 9:10 pm\**

Mayor Cordova asked for a motion. Councilor Gallegos made a motion to re-enter into Open Session. Mayor Cordova asked for a second. Councilor Ortega seconded the motion. Roll Call Vote:

Councilor Frank Ortega      Yes

Councilor Ronnie Torres      Yes

Councilor Wayne Gallegos      Yes      Motion Carried

*\*The Council returned to Open Session at 9:15 pm\**

Mayor Cordova asked for a motion to advise that the matters discussed in the closed meeting were limited only to those specified in the motion for closure, and no actions were taken. Councilor Ortega made the motion. Mayor Cordova asked for a second. Councilor Torres seconded the motion. Roll Call Vote:

Councilor Frank Ortega      Yes

Councilor Ronnie Torres      Yes

Councilor Wayne Gallegos      Yes      Motion Carried

**ADJOURNMENT:**

Mayor Cordova asked for a motion to adjourn tonight's Regular Council Meeting. Councilor Torres made a motion to adjourn. Councilor Ortega seconded the motion. Roll Call Vote:

Councilor Frank Ortega      Yes

Councilor Ronnie Torres      Yes

Councilor Wayne Gallegos      Yes      Motion Carried



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Jerah Cordova, Mayor



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Brian McBain, City Clerk/Treasurer