

CITY COUNCIL MEETING

September 5, 2017

6:00 p.m.

Mayor Pro-Tem Frank F. Ortega called the Regular Meeting of the Belen City Council to order at 6:00 p.m. Roll Call taken by Brian McBain, Deputy City Clerk.

PRESENT: Councilor David Carter
Mayor Pro-Tem Frank Ortega
Councilor Darlene Aragon
Councilor Wayne Gallegos

NOT PRESENT: Mayor Jerah Cordova

CITY MANAGER: Leona Vigil

DEPUTY CITY CLERK: Brian McBain

REPORTER: Clara Garcia, VC News Bulletin

OTHERS: See attached Sign-in Sheet

PLEDGE OF ALLEGIANCE

Staff Sergeant Roy Cain of the 919th Military Police Company led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Pro-Tem Ortega asked for a motion to approve the agenda. Councilor Aragon made a motion. Mayor Pro-Tem Ortega asked for a second. Councilor Carter seconded the motion.

Roll Call Vote:

| | | |
|--------------------------|-----|----------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Yes | |
| Councilor David Carter | Yes | Motion Carried |

APPROVAL OF MINUTES

Mayor Pro-Tem Ortega asked for a motion to approve the minutes dated August 21, 2017 as presented. Councilor Gallegos made a motion. Mayor Pro-Tem Ortega asked for a second. Councilor Aragon seconded the motion.

Roll Call Vote:

| | | |
|--------------------------|-----|----------------------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Yes | |
| Councilor David Carter | Yes | (corrected) Motion Carried |

Mayor Pro-Tem Ortega asked for a motion to approve the minutes dated August 22, 2017 as presented. Councilor Gallegos made a motion. Mayor Pro-Tem Ortega asked for a second. Councilor Aragon seconded the motion.

Roll Call Vote:

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|--------------------------|---------|----------------------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Yes | |
| Councilor David Carter | Abstain | (corrected) Motion Carried |

PUBIC COMMENTS

Mayor Pro-Tem Ortega asked if there was anyone with a public comment.

Mike Moreno: I am a citizen of Belen, I am really concerned about this screen, I do not like it, and it is not a great use of our taxpayer money. We get a lot of money taken out of our bill for this stuff, this is not appropriate to me, it shows a lack of understanding the true needs of our community. I am concerned that it looks like the Mayor had no idea this was taking place from the article in the paper, I am concerned that there was no outside representation on the information and technology committee from taxpayers, that concerns me because this is our money and no one is there representing us as a citizen which really needs to be looked at from the Councils point of view. If we can spend this much money on this, what good is this tax that we are getting taken from us, I have been asking and begging for our street to be fix for 7 years now and still I am getting that it is coming later and I am tired of hearing that. When I see something like this, it is not appropriate, I am concerned if any laws were broken with the Sunshine laws, was this violated, because I was told this meeting goes on but I have not seen a publication for this or an announcement which concerns me, and I am going to look into this because I think the State needs to look into that and how this money was spent. I am shaking because I get so angry that I have to fight so hard, I am a volunteer for the City, I swerve on the RSVP committee, I volunteer at the Harvey House, whenever we need things we ask and beg, and we are always told there is no money in the budget for anything, yet here we are with this, it make you very angry as someone that tries to give back to the community. I hope you really think about that, it is a really serious issue for us, there are many ways that money can be spent, our seniors do not know how to use Facebook, but the City has 5 Facebook accounts, we need a computer at the senior center, just for them to use, know and feel comfortable with the computer, we can sue this so somebody can show them how to use this technology. There is no bilingual services in the technology, we don't have that information form the City like that, of course security is another issue, put GPS on City vehicles, at Eagle Park they have a new chipper, and I am concerned someone is going to steal it. In our buildings, we just had a shooting in Clovis, we need more cameras in all our City buildings, the Harvey House is one we have been asking for many years, we have valuable items there and crime in that area, it needs to be something that is looked at, employees need to understand and ask for input, instead of just making a decision like this, we need to better spend our money. I appreciate what you do for us, but when we have something good there is always something that takes us back 10 steps.

There were no other public comments and this portion of the meeting was closed.

PRESENTATIONS

A) FIRST BAPTIST CHURCH 100TH YEAR PROCLAMATION

Mayor Pro-Tem Frank F. Ortega read the proclamation on behalf of Mayor Jerah Cordova declaring September 10, 2017 as "First Baptist Church-Belen 100th Anniversary Day". The Council thanked the church for all their service to the community, especially in times of need. Pastor David A. Guerrero thanked the Council for their recognition and asked for their continued prayers as the Church continues its services in the community.

B) LITERACY WEEK PROCLAMATION

Mayor Pro-Tem Frank F. Ortega read the proclamation on behalf of Mayor Jerah Cordova declaring September 3rd through September 9th, 2017 as "Literacy Week", and thank the Literacy Council for all that they have done and continue to do for our community, promoting literacy for all. Julie Sanchez thanked the Council for their support and reminded them that the Literacy Committee meets on the third Thursday every three months at the Library.

C) SCHOOL ATTENDANCE PROCLAMATION

Mayor Pro-Tem Frank F. Ortega read the proclamation on behalf of Mayor Jerah Cordova declaring the month of September 2017 as "Attendance Awareness Month", and thanked Mr. Jeff Aragon and staff for all that they do to promote school attendance within the City of Belen Schools. Mr. Jeff Aragon thanked the Council for their support and reminded everyone of the importance of school attendance as it relates to the success of student learning.

D) PRESENTATION OF 9/11 PROGRAM

Belen Fire Chief Manny Garcia presented the Council with the program for the upcoming 9/11 ceremony that will be taking place on 9/11/2017 at 10 am at the Belen 9/11 Memorial Park. Staff Sergeant Roy Cain thanked the Council for their support and said that while many soldiers may not be from Belen, they call this home and are stationed here, and are proud to help the community in any way that they can. Ms. Gloria Sanchez talked about the history of this memorial and looks forward to working with Chief Garcia in the future to maintain the park and continue this ceremony long into the future. The Council thanked Ms. Sanchez for all her work with this memorial and spoke on the importance of this memorial to the citizens of Belen and those who serve in the military, police and fire departments.

DISCUSSION WITH POSSIBLE ACTION

APPROVAL/DISAPPROVAL OF THE LIBRARY CAFÉ LEASE AND NAME

Ms. Julie Sanchez presented the lease for the Library Café, stating that a proposal process was followed and a person to utilize this Café will be on a lease for 1 year, this lease has been reviewed by legal and advised to proceed. Ms. Killian will start once she has received the permits from the Environment Department. This café will provide healthy food options to patrons of the Library and will be beneficial to all.

Mayor Pro-Tem Ortega asked for a motion. Councilor Aragon made a motion to approve. Mayor Pro-Tem Ortega asked for a second. Councilor Gallegos seconded the motion. Roll Call Vote:

| | | |
|--------------------------|-----|----------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Yes | |
| Councilor David Carter | Yes | Motion Carried |

APPROVAL/DISAPPROVAL OF THE BELEN ART LEAGUE LEASE

Mr. Brian McBain presented the new lease to the Council for this organization, detailing that all aspects of this lease will correct audit findings from the previous years and now moves the City building leases into compliance. Mr. McBain also stated that the organization has reviewed the terms of this lease and agree to proceed as presented, in kind service will be utilized in this lease but all utilities will be paid for by the organization itself, this lease is a 6 year term as negotiated. Ms. Leona Vigil stated that these leases have needed to be restructured for a while and now with these current changes, the leases will now be in compliance with all State statutes, and recommends proceeding.

Mayor Pro-Tem Ortega asked for a motion. Councilor Gallegos made a motion to approve. Mayor Pro-Tem Ortega asked for a second. Councilor Aragon seconded the motion. Roll Call Vote:

| | | |
|--------------------------|-----|----------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Yes | |
| Councilor David Carter | Yes | Motion Carried |

APPROVAL/DISAPPROVAL OF THE EL CAMINO REAL HOUSING AUTHORITY LEASE

Mr. Brian McBain presented the new lease to the Council for this organization, detailing that all aspects of this lease will correct audit findings from the previous years and now moves the City building leases into compliance. Mr. McBain also stated that the organization has reviewed the terms of this lease and agree to proceed as presented, the lease payment will be waived based on this agencies government status but all utilities will be paid for by the organization itself, this lease is a 5 year term as negotiated. Ms. Leona Vigil has reviewed this lease and has been given approval from legal to proceed, she is happy with the five year term and the fact that we can find ways to help those that help others, the tenants of the buildings are also helping the city to maintain these buildings which in the long run benefits the City itself.

Mayor Pro-Tem Ortega asked for a motion. Councilor Aragon made a motion to approve. Mayor Pro-Tem Ortega asked for a second. Councilor Carter seconded the motion. Roll Call Vote:

| | | |
|--------------------------|---------|----------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Abstain | |
| Councilor David Carter | Yes | Motion Carried |

APPROVAL/DISAPPROVAL OF THE TIX FOR KIDS LEASE

Mr. Brian McBain presented the new lease to the Council for this organization, detailing that all aspects of this lease will correct audit findings from the previous years and now moves the City building leases into compliance. Mr. McBain also stated that the organization has reviewed the terms of this lease and agree to proceed as presented, in kind service will be utilized in this lease but all utilities will be paid for by the organization itself, this lease is a 5 year term as negotiated. The Council wanted to ensure that we keep track of and utilize the in kind services that are being presented in this lease, Ms. Leona Vigil stated that she has advised all directors on the ability to use these services and will follow up with them, making this their responsibility in the end. Ms. Vigil has reviewed this lease and has been given approval from legal to proceed.

Mayor Pro-Tem Ortega asked for a motion. Councilor Gallegos made a motion to approve. Mayor Pro-Tem Ortega asked for a second. Councilor Aragon seconded the motion. Roll Call Vote:

| | | |
|--------------------------|-----|----------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Yes | |
| Councilor David Carter | Yes | Motion Carried |

CITY MANAGER'S REPORT

Leona Vigil: Meeting with Molzen-Corbin to go over our sewer ordinance, Brian has been assigned with making the changes to the ordinance and advertising this to the public. We are going to open proposal for the solid waste service on Thursday 9/7/17, a committee has been formed to grade these proposals, should be brought before the Council at our upcoming meeting. (Councilor Gallegos wanted to make sure that we are very transparent in this process, and Roseann Peralta ensured that we will follow all the correct processes.) We will have a mental awareness training on Friday and an active shooter training next Thursday, we are also scheduling a CPR training for staff in October. The doors to the back offices will be secured via card readers within about three weeks, we have had some issues with people just walking back there, so this should take care of that. The hazmat remediation bill from Molzen-Corbin came in at \$60,000 for their plan and reports, but actual removal was at \$6,000 which will come from the Go Bond. Updated ICIP, and it has been submitted. The employee BBQ went great, and I want to thank Councilor Gallegos and Ortega for attending this and giving a great speech to the employees.

Councilor Gallegos wanted to thank the street crew who did the cleaning along Church St. just north of Wells Fargo, it is clean and looks great, it is really nice to see the employees being proactive in their cleaning. Also, we just need to be aware of how much mulch will be covered and accepted at Eagle Park, start a process now so that we can be ready to move forward in the future. Ms. Leona Vigil also stated that we have received complaints on some street that need cleaning, however, these roads have speed bumps that are too high for the street sweeper to go on safely and effectively, the community maintenance director will look into renting a commercial push sweeper for these roads.

Councilor Ortega said that since transparency has become an issue and this is something that we want to promote, he would like to call a workshop for the T.I.F. Ordinance as soon as possible, all Councilors agreed to this workshop, and he also stated that this ordinance has been followed, this has been going on since 2011 and now we can look at this in a public forum.

COMMUNICATIONS FROM THE CITY COUNCIL

Councilor Gallegos: August 22nd we had our ICIP meeting, I am glad to see a lot of projects have been cleared, now we have new projects on the list, it does take years sometimes, depending on where the funding is coming from, plus when we plan, we want to ensure this gets done right and by the law. On the 27th we had senior day at the Valencia County Fair, RSVP did a great job organizing this, and the committee has done great reach out also. On the 28th the employee BBQ was great, very positive, was not driven by administration, so the employees took the lead, we had a great turnout, these are nice for the employees, and they need to continue. On the 31st we went over the sewer line ordinance to update, we need to modify this because of the new things we are doing in the community, we are adding the grinder pumps to this ordinance. On the 5th (today) we had a meeting with Valencia County and NMDOT, we discussed a proposed road closure by BNSF that will affect our community, we have all heard about this and we are discussing a plan of action for this as a group so that we can effectively understand the issues that this closure will cause.

Councilor Aragon: Had ICIP meeting, went to NM Film Convention because Steve Tomita was the Grand Marshal for the Valencia County Fair, so I took over and helped. We also had our great building blocks grant meeting with three architects, had presentation in the chambers. Also we had our MainStreet meeting to talk about our Food, Fun and Fashion show that will be happening in November 2017. I was the guest speaker for the Business Women of Valencia County today. I would like to talk about some stuff that has been on the news and in the newspaper, we all know the elephant in the room, we saw the news report and Frank's rebuttal on there. I do not know if this is politically motivated that Jerah new about this and I kind of wonder if this is politically motivated, and I was hoping that he would be here to discuss this question, and why he went to the media to get this out, so I wonder if this is done as a political motivation or I am just unsure. Acting like there has not been transparency is wrong, Kanishiro was upset over all of this, and I know that he would like to talk to the media and the media never spoke with him, yet he is the main guy. (Mike Moreno interrupted and said the public was mad and Kanishiro won't talk, so he is upset and he then walked out.) Councilor Aragon asked why he left, it appears that people always leave when we speak, they want to talk but do not want to listen to what we have to say about the matters, it happens every time.

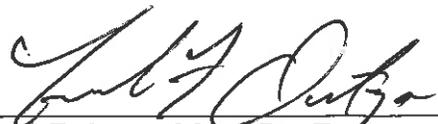
Councilor Carter: Spent the last couple of weeks working with the Food Pantry, I showed them the old transportation building, they like it, I got it fixed up and they will be moving in very soon, they now have a set of keys to the building, they will be there until May 2018. The DC sewer line crew did great, Friday they installed the sewer line at the schools, crossing the bus lanes, they installed them with no interruption to bus service, it was great and they did a great job. I didn't spend the last week belittling or disparaging the decisions of the city employees, I didn't get my face out in front of the cameras just because I wanted to have the publicity. Truly I am a student of history, Truman which is one of my favorite Presidents said, "the buck stops here", who is the Mayor, this big screen has been on a discussion item since 2014, he took office about the same time as the screen idea came up, if you want to know what is going on, you might want to ask your employees, instead of getting in front of the cameras and belittling them. He [the Mayor] is responsible for the budget, responsible for the money that is spent in the City, he is supposed to know these things. This ICT Committee was put together according to the ordinance, the committee decided on where the money was to be best spent, if he didn't like it, he should have jumped in there and brought up a proposal to change the ordinance before he allowed them, authorized them by approving the budget, to spend the money. We need a Mayor that is going to support our employees, not take every opportunity to show the faults of the employees or the City, this is what I would have said with or without him here. We talk about wasting money, but I don't sneak around and budget \$35,000 to paint a water tank or burn the public with an \$8 million project that is not even in the City limits or the responsibility of the City itself.

Councilor Ortega: Ditto to all, the only thing is, the sewer line did reach Dennis Chavez school on 9/5/2017, everything went great, we do have a situation in the county that has been taken care of, a disgruntled county citizen, but it has been dealt with, and we are working on the sewer ordinance and I want to make sure this is presented as soon as possible. The TIF workshop will also answer many questions, we can do what we need to do then, which is the way that it should have been handled. I am concerned with the Veterans Memorial, we did not get any bidders, we tried locally, but it is out again, and we will have another proposal on that, the 96 names that are on the 9/11 Memorial, will also be added to the Memorial at Eagle Park, they will have a home there along with the bricks.

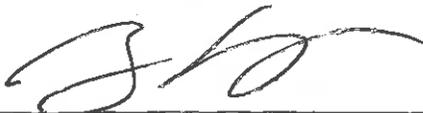
ADJOURNMENT:

Mayor Pro-Tem Ortega asked for a motion to adjourn tonight's Regular Council Meeting. Councilor Carter made a motion to adjourn. Councilor Aragon seconded the motion. Roll Call Vote:

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|--------------------------|-----|----------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Yes | |
| Councilor David Carter | Yes | Motion Carried |



Frank F. Ortega, Mayor Pro-Tem



Brian McBain, Deputy City Clerk