

REGULAR CITY COUNCIL MEETING

August 19, 2013

6:00 P.M.

Mayor Rudy Jaramillo called the Regular Meeting of the Belen City Council to order at 6:00 P.M. Roll call taken by Leona Vigil, Deputy Clerk.

PRESENT: Councilor David Carter
Mayor Pro-Tem Jerah Cordova
Mayor Rudy Jaramillo
Councilor Audrey Torres-Vallejos
Councilor Wayne Gallegos

CITY STAFF: Mary Lucy Baca, City Manager
Leona Vigil, Deputy Clerk
Steve Tomita, P & Z
Chief Dan Robb, Police Dept.
Robert Uecker, Airport Manager
Manny Garcia, Fire Chief
Lenore Pena, Risk Manager
Roseann Peralta, Finance
Lisa Miller, P & Z

REPORTER: Clara Garcia, VC News Bulletin

OTHERS: See attached sign-in sheet

PLEDGE OF ALLEGIANCE:

Mayor Rudy Jaramillo led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Jaramillo asked that letter J be moved to letter A under Section 7, and an executive session be added to discuss pending litigation, land acquisition and limited personnel matters to tonight's Agenda. Councilor Jerah Cordova moved approval of the Agenda with the said changes. Mayor Jaramillo asked if there was a second. Councilor Audrey Torres-Vallejos seconds the motion. Roll Call Vote:

Councilor Wayne Gallegos Yes
Councilor Audrey Torres-Vallejos Yes
Councilor Jerah Cordova Yes
Councilor David Carter Yes Motion carried

APPROVAL OF THE MINUTES DATED AUGUST 5, 2013

Mayor Rudy Jaramillo asked for a motion to approve the minutes dated August 5, 2013. Councilor Audrey Torres-Vallejos moved approval of the minutes. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

Councilor Wayne Gallegos Yes
Councilor Audrey Torres-Vallejos Yes
Councilor Jerah Cordova Yes
Councilor David Carter Yes Motion carried

PUBLIC COMMENTS

Seth Cooper. He stated that he lives on Third Street and reported that there is a gang and graffiti problem in that area. He would like to see more police patrol in that area.

Jan Johnson. She commended the City of Belen for their remarkable effort, professionalism and hard work on the Celebrate Belen Country Americana Festival.

DISCUSSIONS WITH ACTION REQUIRED

APPOINTMENT OF THE P & Z COMMISSION BOARD MEMBERS: Rudy Jaramillo, Mayor

Mayor Rudy Jaramillo called Gordon Reeves up to the podium to introduce himself to the Council. Gordon informed the Council that he is currently a Moose Lodge Member, he has lived in Belen for about 4 years, and he is a co-partner in the Perizetti Apartments in Belen. Gordon has been with the Moose Lodge for the past 2 ½ years, and he received the Rooky of Year Award, out of 38 participating Lodges. He advised that he has 40 years of construction background and loves this community. He is currently going to college to obtain his associates in Business and Administration. Mayor Jaramillo asked if there were any questions. Councilor Gallegos asked Gordon if he knew the scope of work in being on the Commission. Gordon answered that Steve briefly disclosed information on the position, and he knows that it is a volunteer position. Councilor Cordova asked Gordon is he was committed for multiple years. Gordon answered yes.

Mayor Jaramillo made a recommendation to appoint Gordon Reeves to the Planning & Zoning Commission Seat that was left vacant by Durbra Kurnes-Padilla. Councilor Audrey Torres-Vallejos made a motion to accept Gordon Reeves as the new P & Z Commissioner. Mayor Jaramillo asked for a second. Councilor Jerah Cordova seconds the motion. Roll Call Vote:

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| Councilor Wayne Gallegos | Yes | |
| Councilor Audrey Torres-Vallejos | Yes | |
| Councilor Jerah Cordova | Yes | |
| Councilor David Carter | Yes | Motion Carries |

APPROVAL OR DISAPPROVAL OF THE RESOLUTION TO ADOPT BELEN’S AFFORDABLE HOUSING PLAN: Nicole Sanchez-Howell

Nicole Sanchez-Howell introduced herself; she is the Program Manager with the Mortgage Finance Authority (MFA). The MFA was created in 1975 by the State Legislature to provide quality affordable housing for all New Mexicans. MFA oversees the Affordable Housing Act; the Act is one of the few exceptions to the anti donation clause in the State of New Mexico Constitution. The Act allows local governments to donate resources towards the development on preservation of Affordable Housing. In 2011, MFA met with Mayor Jaramillo and Staff to discuss the Act. The City wanted to create the Affordable Housing Plan to encourage developers to provide affordable housing in the downtown area. Belen had said they have some possible assets they wanted to explore donating through this Act. The City had a Plan completed which was approved by MFA, now the second step is to adopt that Plan through a Resolution, and then third step is to adopt an Affordable Housing Act Ordinance that will meet the minimum criteria that MFA outlines. Councilor Gallegos asked what the commitment and responsibilities are of the City. Nicole explained that there is no commitment to the Plan; the Plan is a tool to provide resources to the community. The Plan does outline recommendations for the City, but the City is not committed to those recommendations. Nicole reiterated that by adopting the

Plan and going through the process it will be legal for City to donate to Affordable Housing; the Ordinance that the City will adopt will be specific to their needs. Councilor Cordova asked who would be responsible for oversight and compliance in general. Nicole answered that that decision will be made by the City. Councilor Cordova asked if the City would be financially responsible for the oversight. Nicole answered yes; MFA will not pay for the oversight. Several questions were asked about the process after the adoption of the Resolution; Nicole explained that all those small details can be outlined in the Ordinance. Councilor Torres-Vallejos asked how the City gets passed the anti-donation clause, and will it be in writing. Nicole answered that by adopting the Plan and with letters from MFA stating the Plan and Ordinance was approved is the legal process for making donations.

Mayor Rudy Jaramillo asked for a motion to approve or disapprove the Resolution to adopt the Belen's Affordable Housing Plan. Councilor Wayne Gallegos made a motion to approve the Resolution to adopt Belen's Affordable Housing Plan. Mayor Jaramillo asked if there was a second. Councilor Audrey Torres-Vallejos seconds the motion.

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| Councilor Wayne Gallegos | Yes | |
| Councilor Audrey Torres-Vallejos | Yes | |
| Councilor Jerah Cordova | Yes | |
| Councilor David Carter | Yes | Motion Carries |

APPROVAL OR DISAPPROVAL OF THE FAA GRANT APPLICATION RESOLUTION: Mike Provine, Molzen & Corbin

Mike Provine informed the Council that Belen Alexander Airport is eligible for \$150,000 of FAA Funding, per year, if budget permits. The project developed for this year includes the paving improvement on the access road into the airport, a safety improvement to one of the access gates to the hangar area and grading and drainage improvements towards the lease area. Mike is seeking approval of the resolution to submit an application to FAA. The FAA funding will pay for 90% of the cost for the project, the City is responsible for 10%; however, there is a grant with State Aviation that will split that cost of the match with the City, and so the total match for the City is really 5%. Councilor Carter clarified that the City's match is \$5,250.00; and he asked if it was put into this year's budget. Roseann answered yes. Mike mentioned that the GRT from the project will come back into the General Fund.

Mayor Rudy Jaramillo asked for approval or disapproval of the FAA Grant Application Resolution. Councilor Wayne Gallegos made a motion to approve the Resolution. Mayor Jaramillo asked for a second. Councilor Audrey Torres-Vallejos seconds the motion. Roll Call Vote:

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| Councilor Wayne Gallegos | Yes | |
| Councilor Audrey Torres-Vallejos | Yes | |
| Councilor Jerah Cordova | Yes | |
| Councilor David Carter | Yes | Motion Carries |

APPROVAL OR DISAPPROVAL OF THE SIGNATURE AUTHORITY FOR THE FAA GRANT APPLICATION: Mike Provine, Molzen & Corbin

Mike Provine is seeking the approval to appoint Rudy Jaramillo as the signature authority to sign the proposed grant offer.

Mayor Rudy Jaramillo asked for a motion to approve Rudy Jaramillo, Mayor as the signature authority for the

grant offer. Councilor Wayne Gallegos made a motion to approve. Mayor Jaramillo asked for a second. Councilor Audrey Torres-Vallejos seconds the motion. Roll Call Vote

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| Councilor Wayne Gallegos | Yes | |
| Councilor Audrey Torres-Vallejos | Yes | |
| Councilor Jerah Cordova | Yes | |
| Councilor David Carter | Yes | Motion Carries |

APPROVAL OR DISAPPROVAL OF THE CONTRACT AWARD RECOMMENDATION FOR THE BELEN ALEXANDER MUNICIPAL AIRPORT ACCESS ROAD AND DRAINAGE IMPROVEMENTS: Mike Provine, Molzen & Corbin

Mike Provide advised the Council that a Bid Opening was held last week on the project. There were 6 bids submitted from construction contractors. He is recommending the Award, contingent on FAA offering the City funding, to the apparent low bidder, Mountain States Constructors Inc. out of Albuquerque. Mayor Jaramillo asked if Mountain States has experience with this work; Mike answered that he has worked with Mountain States on several projects, and they are a competent and stable firm; they have done other jobs with the City in the past. The lowest bid, from Mountain States, was \$104,863.83 and the highest bid came in at 167,600 roughly, with gross receipt tax. Councilor Cordova asked what accounted for the bid being much lower than the engineer’s estimate. Mike answered that he usually bids a project higher than anticipated due to the fact that part of the engineers estimate goes toward budgeting. The base course played a large deficit in the price because it depends where the base course is being hauled out of.

Mayor Rudy Jaramillo asked for a motion to approve the Contract Award to Mountain States Constructors contingent upon FAA offering a grant. Councilor Wayne Gallegos moved approval of the Contract Award pending on the approval of the grant. Mayor Jaramillo asked for second. Councilor Audrey Torres-Vallejos seconds the motion. Roll Call Vote:

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| Councilor Wayne Gallegos | Yes | |
| Councilor Audrey Torres-Vallejos | Yes | |
| Councilor Jerah Cordova | Yes | |
| Councilor David Carter | Yes | Motion Carries |

APPROVAL OR DISAPPROVAL OF THE RESOLUTION TO AMEND THE CHANGES TO THE INFORMATION SECURITY POLICIES AND STANDARDS (ISPS) POLICY: Lawrence Kaneshiro

Councilor David Carter had a concern with cell phones while driving either City or personal vehicles. He explained that the City can enforce the use of cell phones while driving a City vehicle, but he doesn’t believe the City can enforce the use of cell phones while driving in their personal vehicles when they are out on vacation. Lawrence answered that he added additional language that includes cell phone use in their personal vehicles while conducting City business only. Councilor Cordova had a concern with the language that states employees must turn off their phones while conducting City business in “City facilities”; he would prefer it just to say while conducting City business, listing facilities will restrict them to turn off the use of cell phones while in City buildings. Councilor Cordova also asked about video surveillance retention, and if it is all video surveillance. Lawrence answered that it is six months, and it does include all types of video surveillance.

Mayor Rudy Jaramillo asked for an approval or disapproval of the Resolution to amend the changes to the

Information Security Policies and Standards. Councilor David Carter made a motion to approve the Resolution with the two updates that were suggested by Councilor Cordova and himself. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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| Councilor Wayne Gallegos | Yes | |
| Councilor Audrey Torres-Vallejos | Yes | |
| Councilor Jerah Cordova | Yes | |
| Councilor David Carter | Yes | Motion Carries |

APPROVAL OR DISAPPROVAL OF THE PROPOSED AMENDMENTS TO THE AGREEMENT BETWEEN THE BELEN FIRE DEPARTMENT AND THE FIRST BAPTIST CHURCH: Manny Garcia, Fire Chief

Chief Manny Garcia informed the Council that this agreement to use the building donated by the First Baptist Church for training was approved back in January; however due to his absence from work he was unable to act on the training. He would like the Council to approve the agreement once again with the dates of training changed to September and October of 2013. Chief Manny Garcia assured the Council that for safety reasons, he would thoroughly check the building one more time before the department does any type of hazardous training.

Mayor Rudy Jaramillo asked for an approval or disapproval of the agreement between the Belen Fire Department and the First Baptist Church. Councilor Wayne Gallegos moved approval. Mayor Jaramillo asked for a second. Councilor Jerah Cordova seconds the motion. Roll Call Vote:

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| Councilor Wayne Gallegos | Yes | |
| Councilor Audrey Torres-Vallejos | Yes | |
| Councilor Jerah Cordova | Yes | |
| Councilor David Carter | Yes | Motion Carries |

APPROVAL OR DISAPPROVAL OF THE OUT OF STATE TRAVEL FOR EMPLOYEES OF THE FIRE DEPARTMENT: Manny Garcia, Fire Chief

Chief Manny Garcia notified the Council that BNSF Railway has presented the Belen Fire Department with a training opportunity. The training is for hazardous materials and weapons of mass destruction in Pueblo Colorado through the Security Emergency Response Training Center. He advised the Council that employees will receive certifications from this international training. There are two classes that they have an interest in; the first is a 40 hour class; tank car specialist, and the other class is an 80 hour class which is a hazmat/WMD technician for surface transportation. BNSF Railway will pay for the training itself; the City will be responsible for travel, lodging and meals. The money for the travel, lodging and meals would come out of training under the fire protection fund. Chief Garcia advised the Council that he was approved for 6 employees, but with their schedules he can only send 4 at this time and in January he will send more. The Mayor and Council assured Chief Garcia that all 6 employees will be approved with this approval of the "out of state travel". Chief Garcia is asking for approval of out of state travel for 6 of his employees to attend the training in Pueblo Colorado.

Mayor Rudy Jaramillo asked for approval or disapproval for the out of state travel for employees of the Fire Department. Councilor Audrey Torres-Vallejos approved the out of state travel for the 6 employees from the Fire Department. Mayor Jaramillo asked for a second. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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| Councilor Wayne Gallegos | Yes | |
| Councilor Audrey Torres-Vallejos | Yes | |
| Councilor Jerah Cordova | Yes | |
| Councilor David Carter | Yes | Motion Carries |

APPROVAL OR DISAPPROVAL OF THE MAP AGREEMENT RESOLUTION FOR THE SUBMISSION OF AN APPLICATION TO NM STATE HIGHWAY AND TRANSPORTATION DEPARTMENT AND HEREBY REQUESTS A MATCH WAIVER: Mary Lucy Baca, City Manager

Mary Lucy Baca advised the Council that the MAP project is for various roads. She explained that the Resolution is for the approval to submit an application for a waiver of the match in the amount of \$72,939.00. If the match does not get approved the City will be responsible for that amount which is 25% of the project. Roseann Peralta, Finance Specialist, added that the infrastructure underneath these roads needs to be taken care of also. She suggested that the City apply for EPA funding for infrastructure at the same time the City applies for Map and COOP funding for roads. Mayor Jaramillo stressed that the City does not want to start any project without doing the infrastructure. Councilor Torres-Vallejos added that the sidewalks need to be addressed also. Roseann stated that her opinion is not to start any more projects until Christopher Road and the Ponding is complete. Mayor Jaramillo understands, but at the same time he emphasized that the City cannot let an opportunity for funding go by. Mary Lucy stated that the City can always turn the opportunities down. Councilor Torres-Vallejos asked if the City returns the money will it affect the City. Mary Lucy answered in the past, it has helped the City. Steve Tomita informed the Council that if the City cannot use the funding, it can see if another municipality can use it this year, and the City can switch with that municipality.

Mayor Rudy Jaramillo asked for approval or disapproval of the MAP Resolution for the submission of an application to NM State Highway and Transportation Department for a match waiver. Councilor Wayne Gallegos moved approval contingent upon the waiver. Mayor Jaramillo asked if there was a second. Councilor Audrey Torres-Vallejos seconds the motion. Councilor Jerah Cordova asked for an explanation of the contingency. Councilor Wayne Gallegos answered it's on the waiver of part of the grant. Councilor Cordova questioned, that if the City doesn't get the waiver, were not spending no money? Councilor Gallegos said no, sir, not if we don't have the waiver. Roll Call Vote:

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| Councilor Wayne Gallegos | Yes | |
| Councilor Audrey Torres-Vallejos | Yes | |
| Councilor Jerah Cordova | No | |
| Councilor David Carter | Yes | Motion Carries |

APPROVAL OR DISAPPROVAL OF THE CO-OP AGREEMENT RESOLUTION FOR THE SUBMISSION OF AN APPLICATION TO NM STATE HIGHWAY AND TRANSPORTATION DEPARTMENT AND HEREBY REQUESTS A MATCH WAIVER: Mary Lucy Baca, City Manager

Mary Lucy advised the Council that the CO-OP also has a match of 25% which is \$60,333. She is asking for approval to submit an application for a match waiver on this project.

Mayor Rudy Jaramillo asked for approval or disapproval of the Resolution for the submission of an application to NM State Highway and Transportation Department for a match waiver. Councilor Audrey Torres-Vallejos made a motion for approval of the COOP resolution for the submission of the application to the NM State Highway Department requesting a match waiver, contingent on the waiver itself. Mayor Jaramillo asked for a

second. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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| Councilor Wayne Gallegos | Yes | |
| Councilor Audrey Torres-Vallejos | Yes | |
| Councilor Jerah Cordova | No | |
| Councilor David Carter | Yes | Motion Carries |

APPROVAL OR DISAPPROVAL OF THE HSIP SAFETY PROJECTS MATCH RESOLUTION:

Mary Lucy Baca, City Manager

Steve Tomita explained that the Council already approved a Resolution for this match. This was for the correction of the curve on Mesa Road. The project did require a match at that time; but since the approval of the Resolution, the match requirement has been removed. Mary Lucy suggested having another resolution stating that there is no match at this time.

CONSENT OF THE WATER RIGHTS REVERSION TO CHRIS CHAVEZ: Rudy Jaramillo, Mayor

Chris Chavez informed the Council that in 1998-1999; he, along with his brothers, developed a subdivision, about 183 lots. One of the requirements was to transfer the water rights on that property to the City, which was done. At the start of the subdivision and after the plat was approved, the City Engineer at the time, added another requirement to the project which was that he build a main water line down Mesa Rd. from Camino Del Llano to Morning Star. The cost was approximately \$250,000, about what they were going to make in profit off the subdivision. He and his brothers asked the City to help with the installation of that line, since it was not only benefiting their subdivision but also everyone on that street. The City applied for grant money, but it never came through. The brothers lost a lot of money, and abandoned the subdivision (replated). The subdivision is now back to farmland. He is now asking that the City return of his water rights. Councilor Gallegos asked what the total amount of water rights were. Chris answered 35 acre feet of water rights. Mayor Jaramillo added that the water rights were never deeded to the City, but they were banked until the building of the subdivision.

Mayor Jaramillo asked for consent to revert the water rights back to Mr. Chris Chavez contingent of the State Engineer approval. Councilor Wayne Gallegos made approval of the consent to revert the water rights contingent of the State Engineer approval. Mayor Jaramillo asked for a second. Councilor David Carter seconds the motion. Roll Call Vote:

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| Councilor Wayne Gallegos | Yes | |
| Councilor Audrey Torres-Vallejos | Yes | |
| Councilor Jerah Cordova | Yes | |
| Councilor David Carter | Yes | Motion Carries |

DISCUSSION

UNREASONABLE NOISE AS PER CITY ORDINANCE: Lisa Miller and Steve Tomita

Steve Tomita has received various complaints from residents regarding unreasonable noise levels stemming from manufacturing and music in commercial areas. Steve advised that the City code has no standard when it comes to reasonable or unreasonable noise; that judgment has been left up to an officer to make that determination. The City has areas that are zoned commercial/residential; therefore, making the determination even more difficult because now the officer needs to judge the noise based on commercial zone and/or residential zone. Steve would like to amend the City's sound ordinance; he will look into other communities to view their sound ordinances. He is thinking of basing the noise ordinance on decibel levels; different decibel levels for different zonings. Councilor Gallegos and Councilor Cordova liked the idea of having decibel levels measured and used as a tool.

Claudine Montano, owner of Becker's Street Pub, informed the Council that the only time she has music is on

Thursdays which is over by 9:30 PM. Steve advised her that Becker Street from Main to the Police Department is commercial; the rest of Becker Street is commercial/residential; he explained that's why it is difficult to state what is reasonable and unreasonable in that area.

Arturo Saiz stated the word unreasonable...first; you have to establish a reasonable noise level. This reasonable level must be established for residential, commercial and residential/commercial. He mentioned that the Thompsons live on top of their business in on Main Street; they listen to unreasonable noise every day, but that is their prerogative. He expressed that if you're going to set decibel levels; you're going to have to do it for everybody, which includes the high school football games.

Jan Johnson suggested issuing permits or exceptions for music fests. There has to be a balance so that we don't disturb the people that are in that area. "However the trains and diesels are louder than the music".

Lisa Miller stated that special events permits are issued for events, activities and parties at no cost; copies of that permit are given to the Risk Manager, Police, and Fire Departments. She mentioned that Claudine has a special events permit.

BELEN MAINSTREET RESOLUTION: Jerah Cordova, Councilor

Councilor Jerah Cordova advised the Council that New Mexico Main Street requires approval of various documents annually. The Belen MainStreet Resolution states that the City supports the Belen MainStreet Project and the New Mexico MainStreet Program. As he mentioned the documents should be brought before the Council annually; however the last time NM MainStreet came to the Council was in 2009. Belen became a MainStreet Community in 2009, at which time the Council approved a Resolution in support of Belen MainStreet Partnership with a set monetary amount (*at that time is was 5,000*).

BELEN MAINSTREET MOU: Jerah Cordova, Councilor

Councilor Jerah Cordova advised that the MOU is more detailed than the contract. The MOU applies more to the relationship between the State of New Mexico Economic Development Department and Belen Main Street Partnership. The MOU establishes what the MainStreet Program is, what the State will do for Belen as a local MainStreet Community and all the services that they provide. The MOU requires MainStreet to bring a Resolution before the City Council.

BELEN MAINSTREET CONTRACT: Jerah Cordova, Councilor

Councilor Jerah Cordova explained that this Contract is a Public Service Agreement, which means Belen MainStreet will be providing services to the City of Belen. If the City gives money to an entity that is providing service for them then the anti donation clause does not apply. In the past several months to a year, Belen MainStreet has completed several brochures promoting the City of Belen, and they have been working primarily on local façades. Belen MainStreet has contributed to a number of local projects and groups, such as being the fiscal agent for the Belen Farmer's Market. They also contribute to the Community Garden in which they received a grant from PNM for \$10,000. Councilor Cordova explained that the original agreement that was signed in 2009 was for a \$5,000 contribution; that amount increases the longer you are a MainStreet Community, and based on the designation of the MainStreet Community. Belen recently changed from being an emerging community, which is the first phase to the start-up phase. The State requests more financial contribution for the start up phase. In the past the State has allowed in-kind contributions from the City. Councilor Cordova stated that the \$30,000 being requested in the Agreement is certainly flexible. Councilor Gallegos asked when this Agreement will take place. Mary Lucy stated it will take place this fiscal year. Councilor Gallegos stated that means the City would have to incur the \$30,000 without it being budgeted. Councilor Gallegos stressed that MainStreet, according to the Agreement, should be getting audited, which he doesn't believe has happened. Councilor Gallegos was also concerned with Councilor Cordova sitting on the Board; he wanted to make sure it was approved. Councilor Cordova answered that it is ok for him to be on the Board, but he must recuse himself when a MainStreet issue comes to the Council for action. Councilor Cordova

stated that the MainStreet Program at the state level has a number of resources available. A requirement of MainStreet is that the funding has to come from private entities, and public entities, which is an IRS requirement. On Thursday and Friday NM MainStreet will be in Belen. They will meet with City, County and State Representatives and several meetings will be held.

INFORMATIONAL ITEMS

City Manager's Report: A copy of the City Manager's Report and the Project's Report is attached hereto. Mary Lucy stated that the Festival didn't turn out so well, but the staff and volunteers worked really hard. The financial status with the Festival is not so great; we're going have to see how we can get that paid off. We are going to have to get more sponsorship to get that paid off. She also stated that it was nice to see the School, City and Conservancy work together towards the effort. She thanked Jan Johnson for giving of herself and money towards the painting of old city hall. She wanted to correct the quote in the News Paper, the movies brought in \$300,000 not \$90,000 into the City of Belen. She reported that the Mayor would like to restart the Recognition Program for the Public again.

Mayor Jaramillo asked if there were questions of the City Manager.

Councilor Carter asked that the Swimming Pool located on Picard between 5th and 6th gets fencing. He would like to know if the School has received reimbursement for filling the High School Pool. He asked the status of the Freeway Inn reimbursement for demolition; Steve advised that notices are going out tomorrow. He asked the status of Christopher Road; Steve answered he doesn't know and will have to look at the schedule.

Councilor Cordova would like an updated list of demolished properties, boarded up building notices and code complaints for the Council, so that they can answer to the public. Steve advised that a bunch of notices have gone out on the boarded buildings. He asked if the Rodeo Flyer Insert Complaints have been taken care of; Lucy answered that she has to answer another one. Mayor Jaramillo added that he spoke with Betty Sanchez in regards to the flyer complaint and apologized to her. Councilor Cordova also asked about the Linda Jenkins complaint; Steve answered that Lisa sent out a citation today. He asked about the street lights on the I25 bypass; Lucy answered that there was huge vandalism and someone stripped out the wiring. Councilor Cordova asked if the City could make the repairs pending the insurance claim. Lucy answered she wants to see who is responsible first the State or the City.

Councilor Torres-Vallejos asked on the status of the pot hole in front of 821 South First Street was; Lucy will check on the status. She stated that there are large rocks on Aragon Road that are on the City's right of way that need to be looked in to. She also would like the City to look in to the large block wall on Cavalier and Aragon. She asked for a status on the lights on South Main; Lucy answered that those lights belong to the County. Councilor Torres-Vallejos commended the Water Department for how quickly the water break on Aragon was fixed.

Councilor Wayne Gallegos thanked all the employees for their help on the Festival. He stated that the Festival was nicely organized, but it was just not the right time. He assured the Fiesta Committee that the Festival will not happen again on the same day, at least for the next two years that he is still in office. Councilor Gallegos added that the City is going to have to have some numbers, for the public, on the total of the Festival; Mary Lucy answered that they are putting that together. Ed and Ann Marie from Sunrise Bluffs have complained about the erosion off the mesa; that same erosion is going into the City's damn. Councilor Gallegos advised Ed and Ann to get with Lucy and get details.

Steve Tomita stated that the Film Company donated \$15,000 to the Festival.

COMMUNICATION FROM THE COUNCIL

Councilor Jerah Cordova: At the Hispano Chamber's Meeting the primary discussion was the Annual Matanza. Belen MainStreet is in the process of getting their annual documents approved; they received a grant for the Community Garden. The Belen Marsh Committee has been inactive, but they are now back together trying to kick start all over again.

Mayor Rudy Jaramillo: He participated in the National Night Out. He attended the Economic Development Meeting at UNM and held a Mayor Round Table Discussion with the Mayor from Los Lunas, Bosque Farms Rio Communities, Artesia and Belen where they discussed each of their communities. He attended the Anti-Bulling Rally at Anna Becker Park and the Fiestas as well as the Personnel Workshop and the Audit Meeting. He met with the DOT Commission along with Wilson Engineering in Moriarity; they unanimously voted for the transfer of property for the airspace off of I25. He stated that the Festival was well organized; he had a booth at the Festival and was able to feed the volunteers. He mentioned that Channel 4 was on site at the Festival and they came out and said that this was the First Americana Festival for New Mexico Vets; where they can see nothing but success coming out of this. Mayor Jaramillo distributed food at the food bank in Los Lunas and he announced that August 30th is the first Eagle Game vs. Deming at 7:00 PM.

Councilor Wayne Gallegos: He attended the National Night Out; he thanked U.S Foods for their contribution and mentioned it was a great turn out. On the 9th he attended the Personnel Handbook Workshop with representatives from each department; everything seems to have been negotiated. On the 14th, he attended an Advisory Council Meeting for Senior Support; they are looking at their funding for next year. He reported that the Fiestas had a big turn-out. He stated once again that the City will have to pick a different date for their Festival; the Community was upset because the Catholic Church serves over 3,000 families. Lucy informed Councilor Gallegos that he will be going to a meeting with Steve to talk to Father Shultz about the Christmas Pilgrimage.

Councilor David Carter: He attended National Night Out on the 6th and the Audit Entrance Meeting on the 8th; it seems to be there were a few things hanging on the books that are coming off. He too attended the Employee Handbook Workshop; he feels that most of the employee's concerns were answered. On the 10th, he fixed some steps at the park. On the 14th, he attended the Recreation Meeting; AYSO is playing at the Eagle Park, first game is September 7th. They discussed doing a haunted house at the old City Hall building; the High School kids will get involved, so they are working together on that project. Jan Johnson stressed that there are some major safety concerns in that building. Thursday, he went down to the park; it was great to see the City, Conservancy, and the Schools working together. He attended the Celebrate Belen Music Festival on Saturday; he mentioned the Festival was great, and he enjoyed it. He stressed that the City didn't have the attendance they wanted, but they will have it; he thanked all the volunteers.

Councilor Audrey Torres: She attended the Volunteer Monthly Meeting at the Harvey House; there were about 10 volunteers in attendance. They discussed guided tours, the outside picnic area and the walking tour. They also asked if there was any way the City could put up a sign up on the Interstate referencing the Harvey House. They are going to have a Murder Mystery tomorrow at the Library and they are going to have a film on the Harvey Girls Opportunity Bound to Belen on August 24th at 2:00PM. The Harvey House has a 2013 Exhibit Calendar with various events to include, on October 26th, a Harvey House Paranormal Investigations Tour. The Harvey House Meetings are held on the first Tuesdays of the month at 10:00 AM. She attended the Audit Entrance Meeting and the Personnel Handbook Workshop also. The High School Football Team was having a carwash last weekend, and it was great to see so many people participating. She delivered pastries to the Seniors. She mentioned the Festival was nice and was very well coordinated; she thanked all the employees who helped. She announced that the County Fair is this coming weekend, and Sunday is the fundraiser for

Debbie Graham at the Elks Lodge. She will be in Taos for the NMML Annual Conference at the end of the month.

Mayor Rudy Jaramillo asked for motion to go into Executive Session to discuss threatened litigation, personnel matters and land acquisition. Councilor Jerah Cordova made a motion to go into Executive Session. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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| Councilor Wayne Gallegos | Yes | |
| Councilor Audrey Torres-Vallejos | Yes | |
| Councilor Jerah Cordova | Yes | |
| Councilor David Carter | Yes | Motion Carries |

Mayor Rudy Jaramillo asked for a motion to leave the Executive Session and return to the open meeting. Councilor Jerah Cordova made a motion to leave the Executive Session and return to the open meeting. Councilor Audrey Torres-Vallejos seconds the motion. Roll Call Vote:

| | | |
|----------------------------------|-----|----------------|
| Councilor Wayne Gallegos | Yes | |
| Councilor Audrey Torres-Vallejos | Yes | |
| Councilor Jerah Cordova | Yes | |
| Councilor David Carter | Yes | Motion Carries |

Mayor Rudy Jaramillo asked for attestation that discussion was limited to limited personnel matters, pending and threatened litigation, land acquisition and that no action was taken. Councilor David Carter moved the motion. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

| | | |
|----------------------------------|-----|----------------|
| Councilor Wayne Gallegos | Yes | |
| Councilor Audrey Torres-Vallejos | Yes | |
| Councilor Jerah Cordova | Yes | |
| Councilor David Carter | Yes | Motion Carries |

Mayor Rudy Jaramillo asked for a motion to adjourn tonight's meeting. Councilor David Carter motioned to adjourn the meeting. Councilor Audrey Torres-Vallejos seconds the motion.

| | | |
|----------------------------------|-----|----------------|
| Councilor Wayne Gallegos | Yes | |
| Councilor Audrey Torres-Vallejos | Yes | |
| Councilor Jerah Cordova | Yes | |
| Councilor David Carter | Yes | Motion Carries |

/s/ _____
Rudy Jaramillo, Mayor

ATTEST:

/s/ _____
Mary Lucy Baca, City Manager, CMC