

**REGULAR CITY COUNCIL MEETING**

**August 5, 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.  
Chris Martinez, Fire Dept.  
Manny Garcia, Fire Chief

**REPORTER:** Abigail Ortiz, 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 C under Section 7 and letter D under Section 9 be deleted from tonight's Agenda. Councilor Wayne Gallegos moved approval of the Agenda with the said change. 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 JULY 15, 2013**

Mayor Rudy Jaramillo asked for a motion to approve the minutes dated July 15, 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	Abstained	Motion carried

**APPROVAL OF THE MINUTES DATED JULY 22, 2013**

Mayor Rudy Jaramillo asked for a motion to approve the minutes dated July 22, 2013. Councilor Wayne Gallegos moved approval of the minutes. 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 JULY 25, 2013**

Mayor Rudy Jaramillo asked for a motion to approve the minutes dated July 25, 2013. Councilor David Carter 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**

**Steve Tomita.** He advised the Council that he will be bringing forth the noise ordinance to discuss reasonable and unreasonable noise levels at the next council meeting.

**PRESENTATIONS**

**SWEARING IN THE P & Z SENIOR CODE ENFORCEMENT OFFICER: Steve Tomita, P & Z Director**

Steve Tomita advised the Council that Lisa Miller has taken several classes, seminars, and sessions to become a Certified Code Enforcement Officer. Lisa was sworn in by Alternate Judge Tommy Sanchez, and an official Code Enforcement Badge was pinned on Lisa by Steve Tomita. A copy of her oath is attached hereto and made an integral part of these minutes by reference.

**BELEN HIGH SCHOOL LIFEGUARD TEAM AWARD: Manny Garcia, Fire Chief**

Chief Manny Garcia recognized BHS School Superintendent Mr. Marquez, and announced the four lifeguards that helped with the lifesaving measures at the Belen High School Pool. Chief Manny Garcia, Superintendent Ron Marquez and members of the Council commended Barbara Rodriguez for her training and leadership efforts. A copy of the Valor Awards are attached hereto and made an integral part of these minutes by reference.

**DISCUSSIONS WITH ACTION REQUIRED**

**APPROVAL OR DISAPPROVAL OF THE RESOLUTION TO ADOPT BELEN'S AFFORDABLE HOUSING PLAN: Steve Tomita, P & Z Director**

Steve informed the Council that the proposed resolution is to adopt the Affordable Housing Plan that was generated for the City of Belen. There were several questions and concerns that Steve was unable to address. It was suggested that Nicole from NMFA come to the next City Council Meeting to address those questions and concerns. Arturo Saiz, citizen of Belen, suggested we be careful with "Affordable Housing" because they go off low income. He continued to explain that HUD is trying to pull the ghettos and put them in a rural area, and he wouldn't want to see NM become a nesting place. Jan Johnson citizen of Rio Communities stated that in today's economy there are a lot of people suffering and they need a decent place to live also.

Mayor Jaramillo asked for a motion. Councilor David Carter motioned to table the issue until more information is gathered. 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

**DISCUSSION**

**CHANGES TO THE INFORMATION SECURITY POLICIES AND STANDARDS (ISPS) POLICY:**

**Lawrence Kaneshiro**

Lawrence informed the Council that the City approved a Resolution adopting the Information Security Technology Policy in 2010. The Policy set out rules for users of City technology. The IT Committee, which is made up of department representatives, is to review, update, and make changes to the Policy as necessary. The City now has an IT Department; therefore some of the language will have to be changed in the Policy. Three new policies were added to the ISPS: *governing surveillance, Bring Your Own Device (BYOD) and Social Media*. Councilor Carter would like to see the language: “employees shall not use cell phones while driving ‘city vehicles’” in the Policy; he would also like the Policy to refer to “position titles” instead of names; this way the Policy is set to be general. Lawrence advised that the BYOD Policy governs any use of personal devices for City business. Councilor Carter reminded everyone that if you use your personal devices for City business it may be subject to subpoena. Lawrence stated that employees will be required to put a password on their devices, will have to follow the same guidelines set forth in the ISPS Policy, and will be made aware that their devices are subject to public scrutiny. Councilor Cordova asked if there is a set limitation on retention of video in the Video Surveillance Policy. Lawrence answered that there is no statute of limitation at the State level; he put a video retention of 6 months and indefinite for the Police Department. Councilor Cordova suggested that the retention for *all* surveillance be stated in the policy; police, council meeting, parking areas, parks, etc. Councilor Cordova asked what the current policy is on bringing your personal devices to work. Lawrence answered that employees must keep phones on silent, and personal business should be kept to a minimum. Councilor Cordova stated that he would like to see a stricter policy on cell phones due to the fact that they are a huge distraction. Councilor Cordova asked who is responsible for issuing City cell phones. Lawrence answered right now, Department Heads make a request to the IT Department and he consults with Finance and the City Manager. Councilor Cordova asked if the PIO is involved with the mass communication. Lawrence answered yes; however most of the announcements come from each department. Councilor Cordova asked if there was a definition of appropriate contents, or a review process for social media release. Councilor Cordova suggested that an approval process/procedures be set up for social media. Chief Manny Garcia stated that it would be difficult if there was a restriction of personal cell phones because he has to have a means to contact his staff.

**P & Z COMMISSION REFORM: Steve Tomita, P & Z Director**

Steve stated that the standing appointments on the P & Z Commission have not been looked at. In September of 2012 an ordinance was adopted for the P & Z Commission redefining their duties and terms. It is now approaching one year since the adoption of the ordinance, and it may be time to look at the members of the Board and consider reappointment, or replacement. Mayor Jaramillo has requested that the Council bring forward two recommendations to sit on the Board. Councilor Gallegos would like to look into and focus on replacing the *one* commissioner that has resigned only. Steve informed the Council that he has received comments on how long some of the members have been on the Board, and there have been some requests for reconsideration of those members.

**SIGN ORDINANCE: Jerah Cordova, Councilor**

Councilor Cordova reminded the Council that this discussion was introduced almost three years ago, and the ordinance is still a work in progress. He is hoping to come to an agreement with the Council as to what type of

signs and designs are allowable. He would like to address advertising off the interstate, off-site advertising, portable signs and comprehensive sign plans. Councilor Wayne Gallegos stated that he would like to gather input from the business side as well. Mayor Jaramillo wanted to point out that there are trees that cover up business signs in some areas which hinder advertising their business. Arturo Saiz, citizen of Belen, stressed the importance of marketing a business. Jan Johnson stated that there needs to be standards and guidelines as to the way Belen wants to represent itself. This issue will be discussed and worked on for the next few months.

### **INFORMATIONAL ITEMS**

**City Manager's Report:** A copy of the City Manager's Report and the Project's Report is attached hereto. Lucy emphasized that the rain has put Dale and staff really behind on their schedules. She commended the staff on the way they handled the flooding. She would like some input on the Chamber Service Contract. Extra storage for IT has been obtained. She attended a Projects Workshop. She stressed that she needs help with the upcoming Festival. There was a break-in at the old recreation center. She has received and has worked on several citizen complaints. The Domestic Violence Building has flooded once again. The Auditors are at City Hall this week. She will be asking approval of waiver resolutions for MAP at CO-OP at the next meeting. She attended the Air Force Hearing on July 23<sup>rd</sup>. She thanked MainStreet for painting the old City Hall and Domestic Violence Buildings. Ronnie Torres is the new part-time employee at the Harvey House. She attended the NMDOT bi-monthly meeting where they claimed the City owes \$17,000 for overpayment on Becker Phase II. Reverting water rights to Chris Chavez will be up for action at the next meeting. There are 2 collapsed sewer lines; one at Joe Gallegos Park and one at the Waste Water Plant. There was an emergency water break in front of Speedy Medical Supply. She reported upcoming dates to remember: August 6-National Night Out; August 8-Audit Entrance Meeting; August 9-Personnel Workshop; August 16-NMDOT Meeting; August 17-Country Americana Festival; August 25-Debbie Graham Dinner Dance Benefit; August 26-ICIP Workshop.

Councilor Carter asked when the crosswalk by the mid-school will be completed; she will check with Dale on this. He also asked about the reimbursement on the demolitions that previous took place; Steve answered he will take care of it. Councilor Torres-Vallejos asked about the pot holes on 1<sup>st</sup> and 2<sup>nd</sup> Streets; Lucy will advise Dale. Councilor Gallegos emphasized that the pot hole is really big and is a liability to the City right now. Lucy added that she was asked by Adelante if the City would support them in their venture for seeking grants.

**Councilor Jerah Cordova:** Announced that NM MainStreet Resource Team will be in Belen assessing needs of our community on the 22<sup>nd</sup> and 23<sup>rd</sup>; he asked that the Council avail themselves to meet with them at some point. Belen MainStreet has completed Phase II of painting "Old City Hall" is complete; there are still a few phases to go. The Committee discussed working on a Belen Movie Trail Brochure at their last meeting. They will be bringing documents for approval to the next Council Meeting, which will allow the City to stay a MainStreet Community. He proclaimed that the Hospital RFP is out.

*(Councilor Cordova left the Council Meeting after his report)*

**Mayor Rudy Jaramillo:** He attended a meeting with USDA and members from the State Economic Development. He attended the DOT Meeting with Lucy. Christopher RD is coming along well. He announced National Night Out is tomorrow. He explained that Chris Chavez, along with others, planned on a development in Belen back in 1988-89; they brought in water rights for the project; however the development never occurred and has since been demolished. Chris Chavez has now requested that the water rights be reverted back to him.

**Councilor Wayne Gallegos:** The filming of the movie has come to an end, and he wants to make sure the clean-up is done before the Movie Team leaves. He attended the ICT Meeting and the Air Force Hearing. He is still working on the MOU with the Schools. He attended the Capital Outlay Review, and they are looking for projects throughout the state. He mentioned that the paving at the Senior Center will have to be tied into the City's ICIP. He attended the Library Board Meeting; the hours at the Library will be extending. He proclaimed that the Harvey House Group does fall under the branch of the Library and the Board. The Harvey House has to

prove them self for a year before they can get funding through the Library Grant. He has had a request to have the clock in front of City Hall fixed.

**Councilor David Carter:** He attended the Executive Session that was held by the Belen School Board. He gave kudos to the three Commissioners whom voted for the Hospital to be placed on the Belen site. He mentioned the movie set is almost cleared up. He announced; August 19<sup>th</sup> is the first day of school.

**Councilor Audrey Torres:** She attended the Airport Hearing at the Library and the New Educator’s Luncheon which was well attended. She assisted in painting the “Old City Hall Building”. She attended the IT Meeting which was informative. She reported that there are no lights at the south entrance into Belen. She commended the City Staff on the recent flooding. She delivered pastries to the Senior Centers.

**ADJOURNMENT**

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 David Carter	Yes	Motion Carries

/s/ \_\_\_\_\_  
Rudy Jaramillo, Mayor

ATTEST:

/s/ \_\_\_\_\_  
Mary Lucy Baca, City Manager, CMC