

**REGULAR CITY COUNCIL MEETING**

**December 21, 2015**

**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 Leona Vigil, City Clerk.

**PRESENT:** Councilor Darleen Aragon  
Mayor Pro-Tem Wayne Gallegos  
Mayor Jerah Cordova  
Councilor Frank Ortega  
Councilor David Carter

**CITY MANAGER:** Jay Ruybalid

**CITY CLERK:** Leona Vigil

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

**OTHERS:** See attached sign-in sheet

**PLEDGE OF ALLEGIANCE**

Mayor Jerah Cordova led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Mayor Jerah Cordova asked for a motion to approve the agenda. There was a motion to approve the agenda and a second. The agenda was unanimously approved. Roll Call Vote:

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

**APPROVAL OF MINUTES**

Mayor Jerah Cordova asked for an approval of the minutes dated December 7, 2015. There was a motion to approve the minutes and a second. The agenda was approved with a majority. Roll Call Vote:

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

Mayor Jerah Cordova asked for an approval of the minutes dated December 11, 2015. Councilor Wayne Gallegos motioned to approve the minutes. Mayor Cordova asked for a second. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

**PUBLIC COMMENTS**

Mayor Cordova asked if there was anyone with a public comment. There were no public comments at this time and Mayor Cordova closed this portion of the meeting.

**DISCUSSION WITH POSSIBLE ACTION**

**APPROVAL OR DISAPPROVAL OF THE METROPOLITAN REDEVELOPMENT AREA (RESOLUTION): Steve Tomita, P & Z**

Steve apprised the Council that this resolution will establish the boundaries for the metropolitan redevelopment area. A copy of the resolution and a map of the designated area is attached hereto and made an integral part of these minutes by reference. Phyllis Taylor from Sites Southwest, the company awarded to develop the plan, explained that a Metropolitan Redevelopment Area Designation recognizes that there are some situations within the boundaries that have vacant properties, deteriorated properties, and has had a decline in retail. "It means that this is an area that is stressed". By designating the area, the City will have the opportunity to assist in turning that around, using resources towards private businesses. Steve advised the Council that the boundary is from Main Street to the Railroad Track, east from Baca to the north side of Reinken and the properties around the railrunner station.

Mayor Jerah Cordova asked for a motion. Councilor David Carter motioned to approve the resolution with the correction made from "Belen News Bulletin" to "Valencia County News Bulletin". Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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

**APPROVAL OR DISAPPROVAL OF THE DOWNTOWN METROPOLITAN REDEVELOPMENT PLAN: Steve Tomita, P & Z DIRECTOR**

Steve explained that this resolution will approve and adopt the Downtown Metropolitan Redevelopment Plan that Sites Southwest put together, and it will allow the City to participate in public private partnerships. A copy of the plan is attached to Resolution 2015-21.

Mayor Jerah Cordova asked for a motion. Councilor Wayne Gallegos motion to approve, with the change from Belen Headlight to Valencia County News Bulletin. Mayor Jerah Cordova asked for a second. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

**APPROVAL OR DISAPPROVAL OF USE OR DISPOSAL OF THE CITY OWNED PROPERTIES LOCATED SOUTH OF BELEN, NEAR THE NATIONAL GUARD ARMORY: Steve Tomita, P & Z**

Steve handed out a map of the properties for possible disposal; a copy of the map is attached hereto and made an integral part of these minutes by reference. Steve informed the Council that Parcel 1, 5 & 6 are available to do as the City wishes. Parcels 2, 3 & 4, if trying to be used other than for city purposes, it goes back to the Conservancy District. Steve met with Casa de Vida Nueva and showed them the City owned properties. Casa de Nueva is interested in creating a farm that their clients can live on. Their clients will learn a trade and farm as they transition back into their regular lives. The Council felt that it was too early to be offering the City owned properties at this time. The Council wants to decide what they are going to do with the properties first.

With that being said, Councilor David Carter motioned to sell Parcels 5 & 6. Councilor Wayne Gallegos seconds that motion. Mayor Jerah Cordova suggested looking into establishing access before the sale, to help out with the value. Roll Call Vote:

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

Councilor Gallegos stated that nothing can be done with Parcel 7 at this point because it was the old landfill. Mayor Cordova conveyed that Parcel 7 will remain sitting still where it is.

The Council decided to hold on to the property numbered as Parcel 8, northwest of #7, until a little more research can be done on environmental standards.

Parcel #1, Councilor Carter stated that this is the most valuable piece, although we are in no hurry to sell it. He suggested that this parcel of land could go into the LEDA bank. Mayor Cordova conveyed we would set aside the property for an opportunity, and the opportunity can come to the Council in the future. Councilor Carter mentioned that the property is a little over 27 acres; he added that it can be subdivided, depending on the needs.

Councilor Wayne Gallegos suggested reinvesting any revenues from sales be invested back into that area for the transfer station, roads or maintenance on the well. Steve Tomita had a secondary suggestion, if there is excess money it can go towards economic development, since the properties were bought for economic development purposes. Councilor Carter suggested putting the monies into a LEDA fund.

Councilor David Carter motioned to retain Parcel #1 with the prospect of using for economic development, possibly the LEDA fund. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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

## **APPROVAL OR DISAPPROVAL OF THE 2015 CITY WIDE SALARY STUDY PAY**

### **ADJUSTMENTS: Lorenzo Carrillo & Roseann Peralta**

Lorenzo informed the Council that in their packets they had a dollar amount to implement the salary study. A copy of that document is attached hereto and made an integral part of these minutes by reference. Councilor Gallegos stated that the numbers look good and there are just a handful of people on the first round that weren't going to fit into the adjustment of the scale. Councilor Gallegos understood that the next fiscal year, which is 2016, would start the 1% across the board for everybody. Lorenzo replied, for clarification, during the workshop we never got to the 1% increase per year because the consensus was that we were not prepared to come to that decision because we couldn't substantiate whether or not the 1% increase was something the City could maintain. Lorenzo further stated that the 1% was off the board until 2017, when they planned to bring it back to the Council for consideration. Councilor Gallegos clarified that tonight we are looking at the adjustments, but we are still going to look at this year's budget coming. Roseann replied that when we prepare for the fiscal year 2016/2017 budget, that will be the opportunity to see where were sitting at and how things are going, and maybe put the 1% into the budget for July 2016. Councilor Gallegos asked if there was anything they could do to make sure this pay scale doesn't get changed in the future. Lorenzo answered that he is already working toward making sure the position descriptions are adequate and placed in proper grade levels, so that there is transparency. Lorenzo stated that the spirit and intent of the whole effort is to ensure that any

employee can walk in and take a look at where they are at, and they will know exactly how to get to the next grade level. Jay notified the Council that supervisors will be receiving training on evaluations to make sure they are properly done. Councilor Carter asked Roseann, "Can we sustain the \$182,485.00 hit each year to our general budget?" Roseann answered, "Yes". Councilor Gallegos stated that the Council is going to approve this with a disclaimer on there, as long as funding is available.

Mayor Jerah Cordova asked for a motion on the 2015 City Wide Salary Study Pay Adjustments. Councilor Wayne Gallegos motioned to approve the 2015 City Wide Salary Study Pay Adjustments. Councilor Jerah Cordova asked for a second. Councilor David Carter seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor David Carter	Yes	
Councilor Wayne Gallegos	Yes	
Councilor Darleen Aragon	Yes	Motion Carries

**APPROVAL OR DISAPPROVAL OF THE SALE OF THE CITY'S 2003 MEDICAL UNIT TO THE LOS CHAVEZ FIRE DEPARTMENT: Chief Garcia and Leona Vigil**

Leona advised the Council that there is an interest from the Los Chavez Fire Department to purchase the 2003 F350 Medical Unit. After negotiations made by both Fire Chiefs, the selling price of the unit will be for \$5,000. Leona informed the Council that according to the procurement code, anytime an entity is going to dispose of tangible property, you can do so to another entity through negotiations. Leona is seeking Council approval of the sale. Councilor Gallegos asked if there are any restrictions because this unit was bought with federal monies. Leona indicated there was not. Councilor Gallegos asked that the revenue go back into the Fire Department. Councilor Carter asked if Leona if she had to contact Surplus Government Department because it was a vehicle. Leona couldn't find anything in the procurement code referencing contacting Surplus Government.

Councilor Wayne Gallegos motioned to approve. Councilor Frank Ortega seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor David Carter	Yes	
Councilor Wayne Gallegos	Yes	
Councilor Darleen Aragon	Yes	Motion Carries

**APPROVAL OR DISAPPROVAL OF THE 2016 HOLIDAY SCHEDULE: Leona Vigil, City Clerk**

Leona informed the Council that they have the proposed 2016 Paid Holiday Schedule in their packets. She stated that the City of Belen mirrors the State of New Mexico approved holiday schedule. However, the City observes Good Friday, aka Spring Break which will be Friday, March 25<sup>th</sup> of 2016. With that she asked for approval of the 2016 paid holiday schedule. For clarification, Councilor Carter stated that Presidents Day is celebrated on November 25<sup>th</sup>. Leona replied, "Correct".

Mayor Jerah Cordova asked for a motion. Councilor Wayne Gallegos motioned to approve. Mayor Jerah Cordova asked for a second. Councilor Frank Ortega seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor David Carter	Yes	
Councilor Wayne Gallegos	Yes	
Councilor Darleen Aragon	Yes	Motion Carries

**APPROVAL OR DISAPPROVAL OF THE CASTILLO ONE-WAY PROPOSAL: Steve Tomita, P & Z**

Steve gave a schematic of the proposed parking on Castillo to the Council. Steve reminded everyone that this proposal was initiated as a way to increase parking on Castillo to serve the businesses. The proposal also looks at Castillo being a one-way to curb the safety problem with traffic, making a left turn from Castillo onto Main

Street. Steve apprised the Council that he researched the national standards on parking spaces before drawing up the parking schematic. Councilor Gallegos asked how many parking spaces were gained. Steve answered, 9. Mayor Cordova asked how many of those parking spaces would be for handicap use. Steve replied that he is proposing the parallel parking become handicap parking; that would be 4 handicap parking spaces. Councilor Gallegos asked whose responsibility is it for handicap parking. Steve answered that the City owns the street, so we would have to provide the handicap parking. Mayor Cordova interjected; the City has the discretion of how many handicap spaces are provided. Councilor David Carter asked Police Chief Dan Robb if he has had any problems with vehicles backing out of diagonal parking spaces. Chief Robb answered no. Councilor Carter asked if a study had been performed on the volume of traffic in that area. Steve answered no. Steve informed the Council that Department of Transportation does not have an issue; they just informed Steve that he needs to fill out an application since it ties into Main Street.

Mayor Jerah Cordova asked for a motion. Councilor Gallegos stated for clarification, that all they are moving on is for the process. Steve replied, yes. Mayor Cordova conveyed that this is to approve the one-way, contingent upon NMDOT's approval. Councilor Darleen Aragon made a motion to make Castillo one-way contingent upon DOT, as proposed. Councilor David Carter added from Main to 9<sup>th</sup> going east to west. Mayor Jerah Cordova asked for a second. Councilor David Carter seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor David Carter	Yes	
Councilor Wayne Gallegos	Yes	
Councilor Darleen Aragon	Yes	Motion Carries

**DISCUSSION**  
**ALLEYWAY BETWEEN 3<sup>RD</sup> AND 4<sup>TH</sup> STREET: Wayne Gallegos, Councilor**

Councilor Gallegos stated that this alleyway is south of Reinken between 3<sup>rd</sup> and 4<sup>th</sup>. He informed everyone that there are some businesses in that area and the alley belongs to the City. He explained that prior to the beautification of Reinken, people used to be able to park on the shoulder on Reinken. He believes that since the parking was affected in the beautification, the alley was paved and maintained for access. Councilor Gallegos reported that the issue has come up and has been an on-going issue with the maintenance in that alleyway. Councilor Gallegos mentioned that there have been questions as to who owns it. "We need to verify and affirm that the city is responsible from this road to this road". Councilor Gallegos claims that the business owners are frustrated and that there is a petition signed by a group of people. Councilor Gallegos stated that it is being treated as if it was just an alley, and it is just an alley, but it is access to these businesses and is well traveled. He is asking that with good intent, talking to these business owners. Councilor Gallegos mentioned that he has talked to Jay and they have been dealing with this a while. He added that Public Works does have it planned for February or March. Councilor Gallegos stressed, what were missing is we're not communicating with these people. He stated that he brought this forward tonight so that we can all be aware of it. Jay advised the Council that he and Dale, Public Works Director, have heard from only one individual that is associated with those businesses and he has been irate and very unprofessional and rude. Jay advised the Council that he and Dale have taken two or three trips out there to look at those potholes, but they pale in comparison throughout the City. Jay apprised the Council that it is on the waiting list, but it is not high priority. The attorney has advised Jay that the City is only liable for issues with potholes if (1) it is a dangerous situation and (2) if the City has done anything about it. Neither he nor Dale sees it as a dangerous situation and it is on the waiting list. Jay reiterated what Councilor Gallegos stated earlier, that this alleyway is different than any of our other alleyways, because it is paved. Jay thought maybe people could use the road on the west side to drop off and pick up and two tear it up and replaced it with gravel. Other ideas Jay mentioned is to fence it off or block it off so it doesn't get as much use. The final idea is to deed the alley over to those property owners. Councilor Carter notified Jay that the buses go through that alleyway to drop off. "We need to do something with that alley". Councilor Gallegos informed the Council that when the Reinken Project took place and the businesses lost their parking; in order to appease those businesses the City paved it. Hermann Madrid, Solid Waste Supervisor, reported that he has been by that alley several times and there hasn't been a major issue besides the

pothole in the middle. Councilor Gallegos stated as far as this week, they still didn't know what is going on. Jay communicated with the one gentleman, and he told him several times that it is on the waiting list. Jay asked Councilor Gallegos if he would like him to move it up on the priority list. Councilor Gallegos replied, "My recommendation is to put it on you, Jay". "You are the manager, you need to go over them and talk to them". Jay notified Councilor Gallegos that he has went over there twice, and he agrees with the Public Works Director. Jay stated that he is going to defer to the professional who has said that this is not an issue and there are other higher priorities. Councilor Wayne Gallegos stressed that all he is asking Jay, is for communication. Jay replied that he has already done that. Councilor Carter advised Jay that he needs to go to Amor, Credit Union and Building Blocks and let them know what the plan is and when it is going to be done. Councilor Ortega stated that this has been going on for so long now that they feel that they are being ignored. Hermann Madrid informed the Council that the project is schedule for 6 months from now. Mayor Cordova stated that he will get together with Jay and Dale and he will talk about a plan to expedite that, if we can. Councilor Gallegos reiterated at least to communicate. Mayor Cordova stated that there is no reason why we can't get out there and throw some hot mix in there.

## **INFORMATIONAL ITEMS**

### **CITY MANAGER'S REPORT**

Jay reported that he attended the Valencia Association of Local Officials Meeting; the primary focus was getting members to discuss priorities that affect everybody. He participated in several meetings referencing the salary adjustment plan. He commended the winners for the best of Valencia County. He reported that the Aragon Bridge is to be completed the week after Christmas. The 405,000 in capital outlay funds to Vivian Field was approved and he is waiting on the design. The Air Force responded to the Runway Joint Use Lease Agreement and they are asking for more justification on a few items.

### **COMMUNICATION FROM CITY COUNCIL**

**Councilor David Carter:** He thanked Councilor Gallegos and Councilor Ortega for attended the MOA meeting with the schools. He attended the audit exit meeting. He attended some basketball games.

**Councilor Frank Ortega:** He reported that the MOA between the City, Schools and County has already been signed. Senator Sanchez wants to know how much the design and engineering is going to costs. The City is going to be the fiscal agent on the project. He asked Jay to check with Molzen & Corbin on a price. He wished everyone Merry Christmas and a Happy New Year.

**Councilor Wayne Gallegos:** He attended the Older American Advisory Board Meeting, Audit Exit Meeting, Town Hall Meeting, Employee Luncheon, Workshop, RSVP, Legislative Appropriation Meeting at the Schools and VALO. He reported that the paving has started at the Senior Center and the exercise equipment is now set up. He announced that tomorrow is the Christmas Lunch at the Senior Center between 10 and 12. He mentioned, the Elks Lodge is looking to recruit new members.

**Councilor Darleen Aragon:** She attended the employee luncheon, workshop and participated at the Bugg Light Display. She attended the MainStreet Christmas Party and the VALO. She dropped off some toys at the Police Station during Toys for Tots.

**Mayor Jerah Cordova:** He attended the hearing for the Noblin law suit; no decision was made that day. He attended the employee banquet, the workshop on animal control and salaries, VALO meeting and Best of Valencia County Reception. He met with the Boy Scouts; they are trying to have a greater presence in the Belen area.

### **ADJOURNMENT:**

Mayor Jerah Cordova asked for a motion to adjourn tonight's Regular City Council Meeting. Councilor Frank Ortega motioned to adjourn. Councilor David Carter seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor David Carter	Yes	
Councilor Wayne Gallegos	Yes	
Councilor Darleen Aragon	Yes	Motion Carries

/s/ \_\_\_\_\_  
Jerah Cordova, Mayor

/s/ \_\_\_\_\_  
Leona Vigil, City Clerk, CMC