

**REGULAR CITY COUNCIL MEETING**

**February 4, 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 Wayne Gallegos  
Mayor Pro-Tem Mary Aragon  
Mayor Rudy Jaramillo  
Councilor David Carter  
Councilor Jerah Cordova

CITY STAFF: Mary Lucy Baca, City Manager  
Leona Vigil, Deputy Clerk  
Steve Tomita, P & Z Director  
Chief Dan Robb, Police Dept.  
Roseann Peralta, Finance

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 for a motion to approve tonight's Agenda. Councilor Wayne Gallegos made a motion to approve the Agenda. Mayor Jaramillo asked if there was a second. Councilor David Carter seconds the motion. Roll Call Vote:

Councilor Jerah Cordova Yes  
Councilor David Carter Yes  
Councilor Mary Aragon Yes  
Councilor Wayne Gallegos Yes Motion carried

**EXECUTIVE SESSION**

Mayor Jaramillo asked for a motion to leave an open meeting and enter into executive session. Councilor Jerah Cordova moved to enter into executive session for pending and threatened litigation. Mayor Jaramillo asked if there was a second. Councilor Wayne Gallegos seconds the motion.

Councilor Jerah Cordova Yes  
Councilor David Carter Yes  
Councilor Mary Aragon Yes  
Councilor Wayne Gallegos Yes Motion carried

Mayor Jaramillo asked for a motion to leave the executive session and return to the open meeting. Councilor Jerah Cordova moved to enter the open meeting. Mayor Jaramillo asked for a second. Councilor Wayne Gallegos seconds the motion.

Councilor Jerah Cordova Yes  
Councilor David Carter Yes

Councilor Mary Aragon Yes  
Councilor Wayne Gallegos Yes Motion carried

Mayor Jaramillo asked for attestation that discussion was limited to pending and threatened litigation and that no action was taken. Councilor Jerah Cordova moved the motion that discussion was limited to pending and threatened litigation and no action was taken. Mayor Jaramillo asked for a second. Councilor David Carter seconds the motion.

Councilor Jerah Cordova Yes  
Councilor David Carter Yes  
Councilor Mary Aragon Yes  
Councilor Wayne Gallegos Yes Motion carried

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

Mayor Rudy Jaramillo asked for a motion to approve the minutes dated January 22, 2013. Councilor Wayne Gallegos moved to approve the minutes. Mayor Jaramillo asked if there was a second. Councilor Mary Aragon seconds the motion. Roll Call Vote:

Councilor Jerah Cordova Yes  
Councilor David Carter Yes  
Councilor Mary Aragon Yes  
Councilor Wayne Gallegos Yes Motion carried

**PUBLIC COMMENTS**

**Leon Prevot:** He suggested that the Council contact the National Forestry Department to give input in reference to the Cibola National Forest decommission.

**Jonathan Trujillo:** He wanted to discuss the City Sewer Rates. Mayor Jaramillo advised Jonathan that the issue was coming up later on in the meeting, and assured him that the public will have time to give input.

**DISCUSSION**

**QUARTERLY FINANCE REPORT: ROSEANN PERALTA, FINANCE CLERK**

Roseann went over her second quarterly report with the Council; a copy of which is attached hereto and made an integral part of these minutes by reference. Mary Lucy Baca asked what the emergency situation the City had with the collapsed sewer line was going to do to the budget. Roseann stated when she talked to Dale about the collapsed sewer line it wasn't declared as an emergency. Roseann expressed that the owner of the property should help pay for the sewer line. Roseann went on to proclaim that the City is doing really well. The City's Revenue GRT is at 80 percent and we are at 50 percent of the fiscal year. Since it is time to start looking at the new budget, she wanted to push the fact that a couple of years ago the City decided that when things started getting better it would go back and try to do what we could for the employees. She would like to give employees the equipment they deserve, the money they deserve, and return of their insurance. She went on to say that the City's top priority is to provide services to the citizens of Belen, and to make sure they have police protection, fire protection, water, streets, and sewer service. Councilor Mary Aragon asked Roseann where the City stood with Lodger's Tax. Roseann answered that there are two Lodgers that are paying. She added that an audit was done, and a report of Lodger's not paying was sent to the Attorney. Councilor Aragon stressed that we need to follow up with the Attorney. Councilor Wayne Gallegos asked Roseann to explain the Special Revenues. Roseann answered that those include all the smaller funds; RSVP, Community Center, and the

Airport. Those accounts are in the red because she is still waiting on reimbursement for payments that have already been made. Councilor Carter questioned why the Fire Protection Fund had a high variance. Roseann explained that is due to the reimbursement for the new fire truck.

**DISCUSSIONS WITH ACTION REQUIRED**

**STREET SWEEPER CONTRACT AWARD: LEONA VIGIL, DEPUTY CLERK, ROSEANN PERALTA, FINANCE CLERK**

Leona reminded the Council that this issue was before them at the last meeting, and today she had Roseann to answer the questions referring to the financing. Roseann informed the Council that she had budgeted 18 thousand to cover a lease payment for a street sweeper this fiscal year. However, we hadn't purchased a sweeper so that money is still available. She informed the Council that that money can go towards the down payment. In next year's budget we can add in the yearly payment; which would be covered out of general fund. There are several financing options; she recommends the down payment of 20 thousand with 5 year payments of 48 thousand. Councilor Wayne Gallegos asked if this was a vacuum sweeper. Leona answered no; Dale recommends the sweeper type. The Council asked to bring this issue back at the next meeting and have Dale present to answer questions. Dubra Kurnes-Padilla suggested researching details on the proposed sweeper to include how many times these sweepers break down.

Mayor Rudy Jaramillo asked for a motion. Councilor Wayne Gallegos motioned to table the contract award. Councilor David Carter seconds the motion. Roll Call Vote: Roll Call Vote:

Councilor Jerah Cordova	Yes	
Councilor David Carter	Yes	
Councilor Mary Aragon	Yes	
Councilor Wayne Gallegos	Yes	Motion Carries

**APPROVAL OR DISAPPROVAL OF THE AWARD RECOMMENDATION FOR THE INSTALLATION OF THE BLOWER AT THE WASTE WATER PLANT, LEONA VIGIL, DEPUTY CLERK**

There were 5 proposals submitted for this RFP. Out of the 5 proposals, 1 was unqualified and rejected. The top two offerors received the same amount of points; P.C. Modica and Bradbury Stamm. P.C. Modica bid the project at 63 thousand 420 dollars, and Bradbury Stamm bid the project at 63 thousand 200 dollars. After discussion amongst the Committee, they made a decision to go with P.C. Modica due to their familiarity with the Belen Waste Water Treatment Plant. It is recommended by the Evaluation Committee that the City award the contract to P.C. Modica with the best interest for the City. Councilor Jerah Cordova asked Leona what she meant by P.C. Modica being familiar with the Plant. Mary Lucy Baca answered that they are the ones that built that whole system there and they know it well.

Mayor Rudy Jaramillo asked for a motion. Councilor Wayne Gallegos motioned to approve the contract award to P.C. Modica. Mayor Jaramillo asked if there was a second. Councilor Mary Aragon seconds the motion. Roll Call Vote: Roll Call Vote:

Councilor Jerah Cordova	Yes	
Councilor David Carter	Yes	
Councilor Mary Aragon	Yes	
Councilor Wayne Gallegos	Yes	Motion Carries

**APPROVAL OR DISAPPROVAL OF THE AMENDMENT TO ORDINANCE 2012-02, APPENDIX A; RATE AND FEE SCHEDULE TO LOWER THE CITY'S SEWER COMMODITY RATE: MARCIA**

**AMARO, COLLECTIONS SUPERVISOR**

Leona advised that Marcia was not able to attend tonight’s meeting. Leona informed the Council that this issue has been brought to the Council for discussion, a Public Hearing, and it is now before the Council for final approval or disapproval. If approved, the sewer commodity rate will be lowered from \$3.60 to \$3.16 per 1,000 gallons. Jonathan Trujillo came up to speak in reference to his concerns under public comment. Mr. Trujillo feels that he is being billed twice because he receives two bills. Leona explained to Mr. Trujillo that he receives to bills, because he has two meters. Mr. Trujillo then asked why the sewer rate is the same on both bills. Leona explained because he has several units and has a high base rate allowed for usage. He is allowed 3,000 gallons for each unit, and if he does not go over that base amount he is then charged the minimum per unit. Fortunately, he has some good tenants that do not abuse the water and is charged only the minimum rate per unit. Dubra Kurnes-Padilla expressed her opinion, if the City lowers the rate, what is the incentive to conserve, and where the money will come from to try and fix the roads and sewage system. Councilor Gallegos answered because the more usage you use the higher the rate. He also explained that when this rate was originally adopted, the Council adopted the higher rate from a paid study; now we are amending it to the middle rate.

Mayor Rudy Jaramillo asked for a motion. Councilor Mary Aragon motioned to approve the amendment of Ordinance 2012-02 to lower the sewer commodity rate. Councilor Wayne Gallegos seconds the motion. Roll Call Vote: Roll Call Vote:

Councilor Jerah Cordova	Yes	
Councilor David Carter	Yes	
Councilor Mary Aragon	Yes	
Councilor Wayne Gallegos	Yes	Motion Carries

**APPROVAL OR DISAPPROVAL OF THE APPLICATION SUBMITTAL FOR THE NORTH MESA ROAD PROJECT THROUGH THE NM HIGHWAY SAFETY IMPROVEMENT PLAN: JOHN BEST, ENGINEER**

Steve reported that this application has the highest opportunity to be approved because it has to do with safety. Mesa Road records show that there has been 19 accident and 3 deaths. The project will include paving and extending the curb and gutter to the intersection. Councilor David Carter asked what was the projected match. Steve answered that if the County is willing to work with us, they would help pay for half of the match. Right now, the match is approximately \$17,100.00.

Mayor Rudy Jaramillo asked for a motion. Councilor Wayne Gallegos moved to approve the application submittal with a correction. Councilor David Carter seconds the motion. Roll Call Vote: Roll Call Vote:

Councilor Jerah Cordova	Yes	
Councilor David Carter	Yes	
Councilor Mary Aragon	Yes	
Councilor Wayne Gallegos	Yes	Motion Carries

**INFORMATIONAL ITEMS**

**City Manager’s Report:** Mary Lucy Baca went over the City Manager’s, Public Works and Projects Reports. A copy of these reports are attached hereto and made an integral part of these minutes by reference. In addition to the reports, she added that the half doors at City Hall have been put in. She mentioned that it has deterred people from coming to the back of City Hall. Mayor Jaramillo asked if there were any questions for the City Manager. Councilor Jerah Cordova asked for an update on the F& E and Furr’s Building. Lucy reported that

Herman Tabet has purchased the F & E Building; however she is not sure on his plans for the building. Steve reported the Council that they are removing asbestos from the old Furr's Building and they are planning to demolish it.

**Councilor Wayne Gallegos:** He met with BNSF on the 23<sup>rd</sup>, where he turned in a budget for the wish list submitted by the Community Center/Recreation. He attended the Senior Day at the Legislation on the 24<sup>th</sup>. On the 25<sup>th</sup> he attended a Hazard Mitigation Meeting to discuss Funding. He was part of a team at the Annual Matanza on the 26<sup>th</sup> with Belen Schools. He had a meeting with the schools on the 31<sup>st</sup> along with Councilor Carter. At the meeting with the Schools, the Agreement on Ponding improvements on Christopher Rd, the sewer line extension to Dennis Chavez Elementary in Los Chavez, the work performed at Infinity High School, and the School building to be used by the City Fire Station was all discussed. The Schools stressed their concern with the water usage at the High School, and would like to have Dale Tafoya, Utilities Director attend a future meeting. On the 1st he went to Santa Fe in support of our Senior Citizens here in town. On the same day, there was a bill for the Airport; he had to leave back to town, but Robert Uecker stayed.

**Mayor Rudy Jaramillo:** He catered and attended the Calvary Chapel Youth Event. He met with a Business Company out of California where the discussion was finance. He attended a meeting with BNSF where he asked if they could start putting up lighting at the little league fields. He was able to attend the Anti-harassment training that the City held for its employees. He was pleased with the employee participation at the training. Valencia County Day is in Santa Fe tomorrow and is opened to all who want to go. He reminded everyone of the School Board Election is tomorrow.

**Councilor Mary Aragon:** Reported that the Boundaries Committee will meet on Wednesday. She had a request from a citizen in reference to help with the property on 704 North Fifth Street.

**Councilor Jerah Cordova:** Reported that some of the outside walls at the Harvey House have blackened, and he would like to see the City do something about that. He would also like for the City to work with the Conservancy to clean up the weeds in that area. The Hispano Matanza was not as financially successful as previous years, because of the weather. He attended the hospital meeting in Los Lunas with the Los Lunas Village Council. At that meeting it was announced that the Village, through their Attorney, announced that they had provided a legal challenge to the City's JPA. He had a MainStreet Meeting last week. At the meeting they closed the finances on the Farmer's Market for the year. He advised everyone that the Farmer's Market has changed hands once again. A tentative Clean-Up for a portion of Becker Ave., particularly where they are hoping to establish the Art District, is scheduled for Saturday April 20, 2013.

**Councilor David Carter:** He attended the Matanza on the 26<sup>th</sup> where he delivered carcasses and hauled bus riders. He also serviced as a judge for the carne adovada. He attended the joint meeting with the Board Members from the School. It was proposed, the Schools would like to trade in kind of services, possibly water rights for the usage of the Fire Station. Last Sunday he attended the Jr. Wrestling Tournaments at the High School which brought in close to 200 wrestlers. He would like to see about keep district in Belen. A possible ASA tournament may be held here in Belen the weekend of August 2-4; approximately 200 teams. The class of 1973 is starting to plan its reunion.

#### **ADJOURNMENT:**

Mayor Rudy Jaramillo asked for a motion to adjourn tonight's meeting. Councilor David Carter motioned to adjourn the meeting. Councilor Mary Aragon seconds the motion.

Councilor Jerah Cordova	Yes	
Councilor David Carter	Yes	
Councilor Mary Aragon	Yes	
Councilor Wayne Gallegos	Yes	Motion Carries

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

**ATTEST:**

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