

REGULAR CITY COUNCIL MEETING

July 7, 2014

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

ACTING CITY MANAGER:
CITY CLERK, CMC: Leona Vigil

CITY STAFF: See Attached Sign-In Sheet

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 Cordova asked for an approval of the agenda. Councilor Wayne Gallegos moved approval of the agenda. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

APPROVAL OF MINUTES
APPROVAL OF THE MINUTES DATED JUNE 16, 2014
Mayor Cordova asked for a motion to approve the minutes dated June 16, 2014. Councilor David Carter motioned to approve the Minutes dated June 16th. Councilor Frank Ortega seconds the motion. Roll Call Vote:

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

APPROVAL OF THE MINUTES DATED JUNE 20, 2014
Mayor Cordova asked for a motion to approve the minutes dated June 20, 2014. Councilor Darleen Aragon motioned to approve the Minutes dated June 20th. Councilor David Carter seconds the motion. Roll Call Vote:

Councilor Darleen Aragon	Yes
Councilor David Carter	Yes
Councilor Frank Ortega	Yes

Councilor Wayne Gallegos

Abstained

Motion carried

APPROVAL OF THE MINUTES DATED JUNE 30, 2014

Mayor Cordova asked for a motion to approve the minutes dated June 30, 2014. Councilor David Carter motioned to approve the Minutes dated June 30th. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

Councilor Wayne Gallegos

Yes

Councilor Darleen Aragon

Yes

Councilor David Carter

Yes

Councilor Frank Ortega

Yes

Motion carried

PUBLIC COMMENTS

Gloria Sanchez: She is the President of the 9/11 Park, and was at the meeting to announce that she will no longer be readily available to attend meetings. She did state that she would be able to communicate via telephone. She asked that a council member go with her to convey the message to Chief Manny Garcia.

Dubra Kurnes-Padilla: She was concerned with the omission of the \$3.00 water increase that was passed at the last Council Meeting. She exclaimed that it would be great if the City had that flush and had that much money, but she stated that there are projects that the City should be looking for. She stressed that projects don't go down over the years they go up. She mentioned that it would be nice to have even more money for projects.

PRESENTATIONS

EMPLOYEE OF THE QUARTER: DAVID CARTER, MAYOR PRO-TEM

Mayor Pro-Tem David Carter read and presented the Employee of the Quarter Award to Danny Garcia. Danny Garcia was nominated by his Supervisor Chuck Woodward from the Street Department for his hard work and dedication.

HOSPITAL UPDATE: FRANK SHUPP

Frank Shupp informed the public that Ameris has provided a copy of their updated Business Plan to the City of Belen. In the Business Plan there is a letter from Mike Belew which indicates their desire to get this project funded. Mike's Firm averages 250 million dollars a year. Ameris is still looking for top specialist in Albuquerque. The hospital will have an ER, surgery, diagnostics with MRI and CT SCAN, X-Rays, Physical Therapy and a Respiratory Therapy. Councilor Frank Ortega asked what is being done for promotion. Frank replied that he would leave the poster boards of the hospital design to be used.

DISCUSSION WITH POSSIBLE ACTION

APPROVAL OR DISAPPROVAL OF THE ECONOMIC DEVELOPMENT PROJECT

APPLICATION SUBMITTED BY AMERIS ACQUISITIONS, LLC: STEVEN TOMITA, P & Z DIRECTOR

Steve informed the Council that the applicant, Ameris submitted all the required documentation for the Economic Development Project. Steve reported that Ameris noted 391,000 in their financial statements, so they have adequate monies to cover the cost of the land that they are proposing to buy for \$100,000. Steve mentioned that the sale of land up to 99,999 will go to the Board of Finance; if it's a 100,000 it will have to go through State Legislation for approval. Steve informed the Council the reason this has come forth is because Ameris needs to encumber the property as part of its financing for the hospital. The City is not allowed, as a public entity, to allow our lands to be encumbered as long as we owe them. *"In order to allow the property in*

this case, we will have to sell it". Ameris has requested the property to be sold at a discounted rate in order to maximize the financing as a profit. The Committee has found that Ameris is qualified for the economic development project. Steve stated that it is the recommendation from the Committee to the Council to approve the application. The purchase agreement requires Ameris to set forth a time line, criteria and everything that they have to meet. He is asking the Council to authorize the staff to move forward to put together the purchase agreement with that criteria and a Notice of Intent to sell the property to Ameris, which qualifies for the economic development plan under LEDA. He stated that the purchase agreement will come before the Council for review and approval. Councilor Wayne Gallegos stated that he would like to see the revenue made from the property goes towards the payment of the land. Roseann Peralta, Finance Specialist agreed the monies should go towards the revenue bond.

Councilor David Carter stated that this also fulfills acceptance of the application to move forward and develop a contract with Ameris for the sale of the property at the offer of \$99,999.00. Councilor Carter moved to accept the application packet as submitted by Ameris. Mayor Cordova asked for a second. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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

**APPROVAL OR DISAPPROVAL OF THE HIRING OF THE PROPOSED CITY MANAGER:
JERAH CORDOVA, MAYOR**

Mayor Cordova reported that there were approximately 25 applications come in throughout the entire process of hiring for a City Manager. He reported that he held at least 10 interviews with qualified applicants. Mayor Cordova informed the public that this applicant went through two levels of interviews. Mayor Jerah Cordova nominated Jay Ruybalid for the City Manager position for the City of Belen. Mr. Jay Ruybalid gave a brief background of himself. Jay Ruybalid is from Los Lunas and has been in public service for 25 years. He is positive, energetic and gets along with people. Councilor Gallegos asked Mr. Ruybalid what transparency meant to him. Jay replied there are some issues that have to be kept private, but there is other information that needs to be shared with the public. He stated that a good way for transparency is to have a good rapport with the News Bulletin.

Councilor David Carter made a motion to approve Jay Ruybalid as Belen’s City Manager. Councilor Frank Ortega seconds the motion. Roll Call Vote:

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

APPROVAL OR DISAPPROVAL OF THE COMCAST FRANCHISE AGREEMENT: JOHN CHRISTOPHER

Leona Vigil informed the Council that John Christopher was not attending tonight’s meeting. She stated that

Mr. Christopher has a 5 hour round trip, and she advised him that she would present for him. Leona happened to notice that the Agreement was originally adopted by ordinance; she mentioned that she would have to advertise the adoption and hold a public hearing before the agreement can be acted upon. She asked the Council to table the issue at this point.

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

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

APPROVAL OR DISAPPROVAL OF THE APPOINTMENT RECOMMENDATION FOR ALTERNATE JUDGE: KATHY SAVILLA, JUDGE

Judge Kathy Savilla informed the Council that she would like to reappoint Tommy Sanchez as Alternate Judge. She also informed them that she would also like to appoint Yvette Padilla as another Alternate Judge. Councilor Aragon asked the Judge how she planned on scheduling the Alternate Judges. Judge Savilla answered that she would schedule according to the case. Judge Savilla stated that there are some instances where Tommy is unavailable and Yvette would have to step in, and there are some cases where there may be a conflict of interest because Yvette works for the Courts and Tommy would have to step in and serve.

Mayor Jerah Cordova asked for a motion. Councilor Wayne Gallegos approved the recommendation. Mayor Jerah Cordova asked for a second. Councilor Frank Ortega seconds the motion. Roll call vote:

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

APPROVAL OR DISAPPROVAL OF THE AWARD RECOMMENDATION FOR RFP # 2014-01 ENTITLED DOWNTOWN MASTER PLAN: LEONA VIGIL, PROCUREMENT MANAGER

Leona Vigil, Procurement Manger read the recommendation from the Evaluation Committee to award the Contract for a Downtown Master Plan to Sites Southwest. A copy of the recommendation along with the score tally sheet is attached hereto and made an integral part of these minutes by reference. Councilor David Carter asked how much was the cost. Leona answered \$49,994.00 and the grant is for \$50,000.00. Steve Tomita

Mayor Jerah Cordova asked for a motion. Councilor Wayne Gallegos accept Sites Southwest for RFP #2014-01. Mayor Jerah Cordova asked for a second. Councilor Darleen Aragon seconds the motion. Roll call vote:

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

APPROVAL OR DISAPPROVAL OF THE PROPOSED CDBG GRANT PROJECTS: STEVE TOMITA

Steve reminded the Council that a list of proposed projects was given to them at the last Council Meeting. The Council asked for some time to review the projects. Steve brought the issue up tonight for final action. Steve informed the Council that the maximum allowed for CDBG Grants is \$500,000.00. Councilor Gallegos stated that he would like to see the planning for these projects to give the Council a better view of the roads. Mayor Cordova recommended East Ross and work on San Lorenzo and La Luz. Steve informed the Council that the City needs to provide a 10% match.

Councilor Frank Ortega approved. Mayor Jerah Cordova stated that there is a motion as discussed, and he asked for a second. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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

APPROVAL OR DISAPPROVAL OF THE SMALL BREWER LICENSE WITH ON PREMISE CONSUMPTION & PACKAGE SALES: STEVE TOMITA

Steve Tomita stated that a Public Hearing was held for the Small brewer License at the last City Council Meeting, and now the license is up for approval. Steve reported that the proposed license is in compliance with all the City's Ordinances and State Codes.

Mayor Jerah Cordova asked for a motion. Councilor Darleen Aragon made a motion. Mayor Jerah Cordova asked for a second. Councilor Wayne Gallegos seconds the motion. Roll call vote:

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

APPROVAL OR DISAPPROVAL OF THE PROPOSED SIGN ORDINANCE AMENDMENT: FRANK ORTEGA, COUNCILOR

Councilor Frank Ortega reminded everyone that the proposed Sign Ordinance Amendment was heard at the last Council Meeting. The amendment would reflect a change to political signs. The Ordinance will emphasize that Political Signs will be allow to be put up 30 days before the Actual day of Election.

Mayor Jerah Cordova asked for a motion. Councilor Frank Ortega made a motion to approve. Mayor Jerah Cordova asked for a second. Councilor Wayne Gallegos seconds the motion. Roll call vote:

Councilor Wayne Gallegos	Yes	
Councilor Darleen Aragon	Yes	

Councilor David Carter	Yes	
Councilor Frank Ortega	Yes	Motion carried

APPROVAL OR DISAPPROVAL OF THE IN-KIND SERVICE FOR THE VALENCIA COUNTY RODEO EVENT: LEONARD CARRILLO

Leonard Carrillo was at the previous City Council Meeting to ask for in-kind services for the 2014 Rodeo Event to be held on August 22-24. He was asked to put a list of services needed and assign a dollars amount to that service. A copy of his list is attached hereto and made an integral part of these minutes by reference. Councilor Carter mentioned that City employees have been having concerns lending out City equipment. Councilor Carter stressed that due to the liability it is best to lend the equipment along with an employee who can operate the equipment. Councilor Wayne Gallegos agrees with the recommendation. The total amount of the in-kind service will increase approximately \$400.00 for the added labor costs.

Mayor Jerah Cordova asked for a motion. Councilor Darleen Aragon stated that the Council will have to add 500 dollars to the total and made a motion to approve the in-kind services of \$3,024.41 for the Valencia County Rodeo Event. Mayor Jerah Cordova asked for a second. Councilor Wayne Gallegos seconds the motion. Roll call vote:

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

INFORMATIONAL ITEMS

City Manager's Report

Leona Vigil reported that she sent the GO Bond Fire Station Project to John Archuleta, and he is compiling an Election Calendar for the City. Once she receives the calendar, she will have the attorney put the GO Bond Question together. She has asked NMDOT for permission to place Welcome Signs as people are coming in to the City from Rio Communities and North Main Street. NMDOT needs a legal description of where the signs will be placed and a draft of the design. The FEMA application has been submitted; however it was on the wrong form. Thomas Barton is working with Chief Garcia in filling out the new form. Since the first application was turned in on time, the City has met the deadline. Clyde Archibeque has located the agreement for the City owned properties on Aragon Rd, and the City now has a copy. Councilor Frank Ortega took the opportunity to thank Mrs. Vigil for a wonderful job that she did for standing in for the City Manager. Leona thanked the Council for entrusting her to do the job. Councilor Frank Ortega added that Mr. Ruybalid couldn't have a better person helping him out. Councilor Darleen Aragon commended Leona as well. Leona said that it was a welcomed challenge.

City Council's Report

Councilor Ortega: He reported that the run down house on Camino del Llano was demoed last week. He exclaimed that the Fourth of July was a nice well attended event, and that Dollar Tree is looking good.

Councilor Aragon: She attended the ICIP meeting, met with Kort from Coastal Range, and the Celebrate Belen Meeting. She participated in the Greater Belen Chamber of Commerce Meeting where they discussed the Rio Abajo Days. She worked on a grant for the Harvey House through NM MainStreet. She is now the president of NM MainStreet. She participated in the interview with the City Manager nominee. She attended the Fourth of July event, and she will meet with District Attorney Office along with Chief Robb and Steve Tomita.

Councilor Carter: He has attended many Business Expo Meetings, participated in the City Manager interviews and participated in the City Council Special Meeting. He was on the Review Committee for the LEDA application, and he met with Rio Communities to discuss and create a Memo of Understanding.

Councilor Wayne Gallegos: He reported that there are two new Library Board Members and asked Leona to get a list from Debbie Graham because they have to be approved by City Council. He met with Rio Communities along side with Councilor Carter. He too said the Fourth of July was great. He stressed that Monsoons are here and everyone needs to be prepared. He asked where the Agreement was with the incubator project. Steve Tomita replied that he is waiting to get an electric bill that reflects the food pantry so we can compare when the other two entities move into the building.

Mayor Jerah Cordova: He announced that he is no longer on the MainStreet board; he was on there for four years. He met with Municipal League on a project they are working on which is small communities attracting small business. He participated in the ICIP and GO Bond Meetings. He had many citizen meetings, and he participated in the Albuquerque Economic Development Quarterly Meeting; they called them up to the podium to pitch Belen to the audience. He has a meeting with PNM regarding on-going projects including the Power Plant. He participated in City Manager interviews, Anna Becker Clean Up and had a meeting with Rancho Cielo. He attended the Special Council Meeting, and he met with former Councilor Audrey Torres. Ms Torres will be helping with the Sheriff's Posse. He too announced the Fourth of July was hugely successful. He stated that the Departments are doing an awesome job with the flood control and clean up.

EXECUTIVE SESSION

AN EXECUTIVE SESSION TO DISCUSS PENDING OR THREATENING LITIGATION REFERRING TO THE PROPOSED HOSPITAL.

Mayor Jerah Cordova asked for a motion to enter into an executive session to discuss pending or threatened litigation referring to City Personnel. Councilor Wayne Gallegos moved the motion. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

Mayor Cordova asked for a motion to leave a closed meeting and enter into the open meeting. Councilor Darleen Aragon moved the motion. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

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

Mayor Cordova asked for motion to confirm that executive session discussion was limited to pending and threatened litigation regarding City Personnel and no action was taken. Councilor Wayne Gallegos moved the motion. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

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

ADJOURNMENT

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

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

/s/ _____
Jerah R. Cordova, Mayor

ATTEST:

/s/ _____
Leona Vigil, City Clerk, CMC