

REGULAR CITY COUNCIL MEETING

March 17, 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, Deputy Clerk.

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

CITY MANAGER, CMC: Mary Lucy Baca

DEPUTY 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 Jerah Cordova asked for approval or disapproval of tonight's Agenda. Councilor Wayne Gallegos moved approval. Councilor Frank Ortega seconds the motion. Roll Call Vote:

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

PUBLIC COMMENTS

Gloria Sanchez: She announced that she has been a volunteer for 20 years, and is currently working on a 9/11 Brochure. Mayor Cordova asked that the presentation of the brochure be scheduled on the next Agenda.

PRESENTATIONS

NATIONAL SERVICE RECOGNITION DAY: Jerah Cordova, Mayor

Mayor Jerah Cordova read and presented a National Service Recognition Day Proclamation to Bertha Flores, RSVP Director for the City of Belen. A copy of the Proclamation is attached hereto and made an integral part of these minutes by reference.

BELEN JR. WRESTLING PROCLAMATION: Rudy Jaramillo, Former Mayor

Former Mayor Rudy Jaramillo read and presented a Belen Jr. Wrestling Proclamation proclaiming March 17, 2104 as Belen Jr. Wrestling Day. A copy of the proclamation is attached hereto and made an integral part of these minutes by reference.

LORETTA HOLBROOK PROCLAMATION: Rudy Jaramillo, Former Mayor

Former Mayor Rudy read and presented a Proclamation to Loretta Holbrook proclaiming March 17, 2014 as

Loretta Holbrook and Belen Academy of Arts Day. A copy of the proclamation is attached hereto and made an integral part of these minutes by reference.

PLAQUE DISTRIBUTION TO OUTGOING COUNCIL MEMBERS: Jerah Cordova, Mayor

Mayor Jerah Cordova presented a plaque to outgoing council members, former mayor Rudy Jaramillo and former councilor Audrey Torres-Vallejos for their years of service and dedication. Audrey indicated that she is not done with her journey, and she will continue to serve the City of Belen. Rudy thanked everyone, and mentioned that he will stay involved with the City of Belen.

DISCUSSION WITH POTENTIAL ACTION REQUIRED

APPROVAL OR DISAPPROVAL OF THE EMPLOYMENT OF ALL CITY EMPLOYEES: JERAH CORDOVA, MAYOR

Mayor Cordova informed the public that after every election the Council approves all employees, appointed employees and the Open Meeting Act. Mayor Cordova stated that he spent last week meeting with city employees; he proclaims that the City of Belen has and will continue to have qualified, capable, and hard working staff. Mayor Cordova asked if there were any discussion on the issue; there was no discussion.

Mayor Jerah Cordova asked for a motion to approve or disapprove the employment of all city employees. Councilor Carter made a motion to approve the appointment of all employees that are not designated as appointed. Mayor Cordova asked for a second. Councilor Frank Ortega seconds the motion. Roll Call Vote:

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

APPROVAL OR DISAPPROVAL OF THE CITY OF BELEN'S APPOINTED EMPLOYEES: JERAH CORDOVA, MAYOR

Mayor Cordova stated that a job posting has been posted for a City Manager. The applications are due March 28, 2014; the week after the applications will be assessed and interviews will be set up. Because the applications are not due until March 28, 2014, he would like to request a motion to table the appointed employees. Councilor Carter mentioned that he understands the applications are still being taken for City Manger, but asked what about the Police Chief and Fire Chief. Mayor Cordova replied that there are 5 appointed positions; the city manager, police & fire chief, treasure, and city clerk. Mayor Cordova stated that he does attend to extend the nomination for Fire & Police Chiefs. Mayor Cordova would prefer to combine the treasure position with an existing position in the finance department. The City Clerk position used to have combined position as well. Councilor Frank Ortega suggested tabling those positions until the council has had a workshop to check into the budget and city ordinances. Councilor Ortega also suggested appointing the other positions right away, being that the reorganization needs to take place as per law. Councilor Gallegos suggested fixing the City's ordinance to reflect the law of clerk and treasurer. Mayor Cordova replied that the treasurer and clerk position are a requirement of state law. He stated that the council needs to decide which direction to take. At this time, Mayor Cordova would like to hold appointments for the two positions in which he has made a decision. He is also open to an interim position that will expire no later than May 1st. Councilor Carter asked what the primary duties are of the city clerk, "will she be assigned procurement also". Mayor answered that right now the City Manager is the City Clerk and shares some of those responsibilities with the Deputy Clerk. Roseann is currently taking on all the responsibilities of a treasure as well as part of her regular duties.

Mayor Jerah Cordova nominated Dan Robb as the Police Chief for the City of Belen. Councilor David Carter made a motion to accept the nomination of Dan Robb as the Police Chief. 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	Aye	Motion Carried

Mayor Jerah Cordova nominated Manny Garcia as the City of Belen Fire Chief. Councilor Frank Ortega made a motion to accept the nomination of Manny Garcia as Belen’s Fire Chief. 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	Aye	Motion Carried

Mayor Jerah Cordova nominated Lucy Baca as the City of Belen’s Interim City Manager until the selection process for a new city manager is completed which should occur sometime in April. Councilor Carter asked if there would be an extension if the council is not satisfied with the applicants. Mayor Cordova answered absolutely. Councilor David Carter made a motion to accept the nomination of Lucy Baca as the City’s Interim City Manager. 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	Aye	Motion Carried

Mayor Jerah Cordova would like to table the position of clerk and treasure until the council can take a closer look at the city ordinance and the HR process. Councilor Ortega so moved the motion. 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	Aye	Motion Carried

APPROVAL OR DISAPPROVAL OF THE CHANGE ORDERS FOR CHRISTOPHER ROAD: STEVE TOMITA & JOHN BEST

Steve called Mario Juarez-Infante to join him to present. Steve informed the Council that the project is under the contract budget by \$24,000. Mario explained that often the term “change order” is often viewed in a derogatory manner, but a change order can be anything from an increase or decrease in price or a change in time. Mario advised the council that Wilson & Co will be meeting with the Council monthly for project updates.

Mayor Jerah Cordova asked for motion. Councilor Wayne Gallegos made a motion to approve. Mayor Cordova stated there is a motion to approve the change orders for Christopher Road and asked if there was 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	Aye	Motion Carried

APPROVAL OR DISAPPROVAL OF THE CHRISTOPHER ROAD TOPOGRAPHY DESIGN SURVEY & ENGINEERING DESIGN: MARIO JUAREZ-INFANTE, WILSON & CO.

Mario informed the Council that they have a task order in front of them to move forward with Phase II of Christopher Rd which is being funded with MAP funding through NMDOT. The Phase II project will be for the extension of the round about north. He pointed out that there is approximately \$300,000 in funding that is available. Wilson’s estimate for the second phase is ½ a million. He added that the capital outlay bill was signed, so the City has some addition funding for roadways as well that will be added in there. The second phase should be put out by the late part of this year, for construction. Councilor Carter asked for a breakdown of funding sources. Mario answer that the MAP funding is approximately 300,000 and the capital outlay is about over 200,000. Mario went on to inform the Council that the improvements are elevating sidewalks, raising medians and installing culverts. Councilor Carter asked if there is match; Mario answered that there is a 25% match on the MAP which is 75,000. Mario explained to Councilor Carter that the City can leverage their capital outlay towards the match. Councilor Ortega asked Mario if there was any way the State would help with the funding. Mario answered that they have approached the DOT in an indirect way. The City acquired the DOT right away at no costs in agreement that the City would take responsibility of the two frontage roads and the culverts. The next big priority will be looking at contacting the Reid May pond property owner to build another facility to choke the water back. The City was contacted by the Water Trust Board about a month ago in regards to Eagle Tank; some other communities fell short of their responsibilities, so the City was able to re-submit on last year’s funding cycle. Mario stated if that money comes through for the City in the summer, this fall Wilson will come before the governing body and will request water trust board money, which is a grant loan combination. Mario informed Councilor Ortega, that yes, the City is approaching different State entities funding agencies. Councilor Ortega asked if the City is required by the State to maintain their water, are the property owners that own the property above this location required to maintain that requirement. Mario replied the City adopted a Drainage Master Plain in 2009 which indicates the proposed development conditions that any run off is restricted to pre-developed flows. Mario stated that he is not aware of any recent development in the watershed. Mayor Cordova added the requirement is taken when new construction is taking place on the property. When property owners come in to planning and zoning, they will be advised. Councilor Cordova asked if there was COOP monies available for this phase. Mario answered the COOP funding is set up for City wide various streets; the governing body can direct where the money is spent. Councilor Cordova stressed that there is a dire need to pave roads in the City. Mayor Cordova stated that the next phase of Christopher rd is to repave something that was paved about 5 years ago, while we have roads like Aragon that haven’t been paved since the 1980s. He is hoping that in the future the Council considers paving new roads. Councilor Carter wanted to mention that the reason Christopher Rd is being repaved is because it wasn’t done right the first time; and if Aragon is going to get done, it will have to get done right. At this time the Council started sharing ideas for improvements.

Mayor Jerah Cordova asked for motion. Councilor Wayne Gallegos made a motion to approve the Christopher Rd Design Survey and Engineering. Mayor Cordova asked if there was 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	Aye	Motion Carried

APPROVAL OR DISAPPROVAL OF THE COMMUNICATIONS TOWER MOU BETWEEN THE CITY OF BELEN, VILLAGE OF BOSQUE FARMS, TOWN OF PERALTA, VALENCIA REGIONAL EMERGENCY COMMUNICATIONS CENTER AND COUNTY OF VALENCIA: MANNY GARCIA, FIRE CHIEF

Before Chief Manny Garcia presented his MOU, he wanted to comment as a citizen, that it is great to hear all of these ideas for improvements, and it comes down prioritizing these ideas. Chief Garcia explained that the MOU

was typed up by Valencia County and has been a four year project, which was worked on with the former Valencia County Fire Chief Charles Eaton to improve the communication for the whole County. A copy of the MOU is attached hereto and made an integral part of these minutes by reference. Rio Grande Estates Fire Dept and Rio Communities were able to obtain a grant through the NM State Fire Marshal's Office in the amount \$71,880.00 at that time. Two years have passed, and the quote came in from the vendor of 95,000; there is an offset of over 23,000 that has to be covered. The City's in-kind expenses are located on page 3, Duties (A) of the MOU. Chief Garcia informed the Council that the tower will be located on Belen property. The location is off of the Camino de Llano Rd where the City has the tank, which will help with the coverage up on the Mesa. Councilor Frank Ortega asked if there were any foreseen problems with this tower. Chief Garcia answered that the testing was done for one week and there were no flaws at all.

Mayor Jerah Cordova asked for motion. Councilor Wayne Gallegos made a motion to approve the communication tower needed. Councilor Frank Ortega seconds the motion. Roll Call Vote:

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

Mayor Cordova informed the new council members that the City has an ordinance that states all votes should be in the form of yes instead of aye.

APPROVAL OR DISAPPROVAL OF THE AFFORDABLE HOUSING PLAN ORDINANCE: STEVE TOMITA, P & Z DIRECTOR

Steve reminded the Council that the ordinance was discussed at the last meeting. Steve informed the Council that as part of the grant, the City received for the Affordable Housing Plan, the City must adopt the Affordable Housing Ordinance. He went on to say that the language in the ordinance is language set forth very explicitly in the state statutes. Councilor Ortega informed the Council that he received a copy of the ordinance at 4:00, and he hasn't had a chance to read it. He asked how important is this ordinance is to the City and how much money will the City need to pay back if the council does not adopt it. Steve answered that the City is under a lot of pressure from the New Mexico Finance Authority to adopt the ordinance. Councilor Carter mentioned that this issue was tabled last time it was presented. Councilor Carter reminded the Council that this is a "tool" that will not cost the City additional money. Councilor Ortega does not believe he can vote on something he hasn't been able to review. Mayor Cordova informed Councilor Ortega that he has the option to abstain. Councilor Darleen Aragon asked if Steve can provide a quick synopsis. At this time Steve gave a quick summary to the newly elected officials.

Mayor Jerah Cordova asked for motion. Councilor Wayne Gallegos made a motion to approve the Affordable Housing Plan Ordinance. Mayor Cordova asked for a second. Councilor David Carter seconds the motion. Roll Call Vote:

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

Councilor Frank Ortega explained that he voted yes, because he does respect Councilor Gallegos quite a bit on decisions for the City.

APPROVAL OR DISAPPROVAL OF THE FATHER'S DAY EVENT IN-KIND SERVICE REQUEST: STEVE TOMITA, P & Z

Steve informed the Council that this issue was discussed at the last meeting, and the Council asked for him to

provide a detailed list of the services to be provided. Steve handed out a list of the services needed and a cost associated with each service. Wayne Trujillo, coordinator of the event, handed out a flyer of the event and all the activities to be included. Councilor Gallegos briefed the newly elected officials on the event. Councilor Gallegos also informed the Council that the City of Belen has lost the Casper Baca Rodeo; they will no longer be hosting in Belen.

Mayor Jerah Cordova asked for motion. Councilor Wayne Gallegos made a motion to approve the City's In-Kind Services for the Father's Day Event. Mayor 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

INFORMATIONAL ITEMS

City Manager's Report: A copy of the City Manager's Report is attached hereto and made an integral part of these minutes by reference. She thanked the Council for her appointment of Interim-City Manager. She sadly reported that it has been a difficult time for all staff regarding Herman's passing. She has posted the street position internally, and the deadline for applications is Friday the 21st. She had her individual meeting with the Mayor Cordova. She is preparing business cards, letterhead, and issuing phones for the new council. She reported that the City received \$441,000 from HUD; a meeting will be held on Friday to discuss the City's option with that amount of money. The master meter transition has been postponed; staff will have to reschedule the training. There has been a 15% increase on the City's health plan plus the Obama care fees being opposed. The NMMFA and DFA are developing a 5 year plan for housing, community development and infrastructure. The City is submitting a FEMA application, with that there is a cost of 3,800; the application is to offset the costs. Chief Manny Garcia explained that the FEMA grant will have a 25% match; some in-kind services can be considered. IT is in the process of transitioning printers. The vehicle video system at the PD needs to have software purchased. Lawrence is meeting with a web-site developer. The first phase of the video installation project at Eagle Park is almost complete. The City will be requesting training and an audit from Caselle. Jason Palumbo, the Waste Management employee, has asked for an extension; he would like to remain on the property at least through the end of April. The meeting with NMDOT will be on the 25th of March. The Food Pantry is putting a lot of work into the City's building; however the roof is in bad shape. City crews have looked at the roof and reported that it would be too much work for them, and they do not have the ability to do it; the crew is now gathering bids. Lucy advised that Leona took the week off after the election, and that is why the packets were late going out. Lucy added that Leona has 43 days off to take before the end of the year not including comp time for these meetings she's accumulating. Lucy informed the Council that she is receiving a lot of calls for requests, complaints etc, she asked that the council bear with her because she will be off the rest of the week.

Steve informed the Council that the County had funding for cameras, and they have ordered the City a GPS camera. The camera is an expensive camera and will have a compass on it. The camera will record the location of the picture directly on to the picture including longitude and latitude.

Councilor Carter asked who was checking the loads coming into the dump. Lucy answered that Waste Management has a temporary employee out there. Councilor Carter asked about the premiums for health insurance. Lucy answered that it will probably be a 10% increase for the plan itself and 5% on the Obama fees. Lucy reminded the Council that the City pays for 90% of the employee's insurance. Lucy informed the Council that Leona is in charge while she is gone.

Councilor David Carter: On the 4th he took the day off work, and went around on Election Day; he reported that things went great. On the 5th he participated in the City's canvassing. On the 8th, Chief Manny Garcia

hosted training for the Schools to practice driving. On the 10th he had a meeting regarding fields 3 and 4; the paperwork is in for adoption of those fields. On the 11th, he attended the City's Special Meeting and the School Board Meeting. On the 12th he attended the Recreation Meeting; Opening Day will be April 5th and YAFL is now registering. The Balloon Fest held on the 15th was a nice experience. He attended the Wilson & Co. construction update on the 17th.

Councilor Frank Ortega: He apologized if he came off wrong earlier, based on Lucy's comment. He was not implying that anyone did bad job. He is willing to work with all employees. He stated that if he does something that you don't think is appropriate, let him know; in turn, he will do the same.

Mayor Jerah Cordova: He participated in Election Day and the Swearing in Ceremony. He thanked the staff for their work on the election. He participated in the Community Garden Work Day; he informed the Council that Castanza is interested in helping with the Garden. He had a Hispano Chamber Meeting; they are looking at early Mantanza planning. He had individual meetings with staff, newly elected candidates, and representatives. He also had an All Staff Meeting last Friday, and he had a lot of site visits as well. He attended Herman Madrid's Services and asked for everyone to keep Herman and his family in their prayers. He asked for the Council's patience when it comes to the Street Department, because of the transition. He conducted a walk-through at the Food Pantry to see the work that is being done there. He attended the Balloon Rally and had a constituent meeting after the Rally. He attended Gregorio Sanchez Recognition Ceremony as a World War II Veteran. He participated in the New Mexico Federation of Woman Event at Harla May's as well as the Howi Morales Event with Councilor Gallegos. There has been a citizen complaint regarding an easement on Barboa Court. The City is looking at upgrades to the City's Web-Site. He received a complaint about transits in the sheds north of Walgreens. A constituent called to thank them for assisting when she ran out of gas; she was pleased that the City is working with good people.

Councilor Wayne Gallegos: He announced that everyone survived the election; he thanked the staff for all their work on the election. On the 6th he attended the Library Board Meeting, they discussed budget and salaries. He informed the Council that the Harvey House will soon qualify for grants. On the 10th he attended the Special Meeting where the oaths took place. On the 11th he attended the School Board Meeting to receive an award for his Matanza Participation. On the 15th he attended the Annual Balloon Fest; he reported that the morning started off nice, but the weather turned out bad. On the 16th a candidate that is running for Governor came to meet with a few individuals, and had a fundraiser, his name is Howie Morales, and he is from Silver City area.

Councilor Darleen Aragon: She was out on Election Day; she is really proud that everyone got along really well. She attended and participated in the swearing in on the 5th. She reported that her father has had a terrible stroke.

EXECUTIVE SESSION

Mayor Jerah Cordova asked for a motion to go into Executive Session to discuss limited personnel matters, pending and threatened litigation, land acquisition and collective bargaining to discuss the hospital, appointed positions and collective bargaining.

Councilor Wayne Gallegos made a motion to go into Executive Session for those stated. Councilor David Carter seconds the motion. Roll Call Vote:

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

Mayor Jerah Cordova asked for a motion to leave the executive session and return to the open meeting. Councilor David Carter made a motion to return to the open meeting. 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

Mayor Jerah Cordova asked for a motion that discussion was limited to those mentioned and no action was taken. Councilor David Carter made a motion. 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

ADJOURNMENT

Mayor Jerah Cordova asked for a motion to adjourn tonight's meeting. Councilor David Carter motioned to adjourn the meeting. Councilor Darleen Aragon seconds the motion.

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

/s/ _____
Jerah R. Cordova, Mayor

ATTEST:

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