

**REGULAR CITY COUNCIL MEETING**

**March 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

**APPROVAL OF THE MINUTES DATED FEBRUARY 18, 2013**

Mayor Rudy Jaramillo asked for a motion to approve the minutes dated February 18, 2013. Councilor Mary Aragon moved to approve the minutes. Mayor Jaramillo asked if there was a second. Councilor Wayne Gallegos 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**

*Steve Tomita:* Steve advised the Council that the Planning and Zoning Department will be publishing a public notice in the News Bulletin to notify the public of address changes that will take place within the City.

**PROCLAMATION**

Mayor Rudy Jaramillo read and presented a presentation to Lilly Baca-Tabet to honor her 100<sup>th</sup> birthday; a copy

is attached hereto.

**PRESENTATIONS**

**POLICE DEPARTMENT STATS: DAN ROBB, POLICE CHIEF**

Chief Robb went over his annual stats report; a copy of which is attached hereto and made an integral part of these minutes by reference.

**DISCUSSIONS WITH ACTION REQUIRED**

**APPOINTMENT OF MAYOR PRO-TEM, AND SEATING ARRANGEMENTS: RUDY JARAMILLO, MAYOR**

Mayor Rudy Jaramillo stated that he likes to change Mayor Pro-Tem annually so that everyone gets a chance to have the experience. Mary Aragon is currently the Mayor Pro-Tem and the Mayor thanked her for all of her work. The new seating arrangements will take place at the next meeting to avoid distractions at this point. Mayor Jaramillo asked for a recommendation to appoint the new Mayor Pro-Tem. Councilor Mary Aragon recommended Councilor Jerah Cordova. Councilor David Carter seconds the motion. Roll call Vote:

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

**APPROVAL OR DISAPPROVAL OF THE CONTRACT AWARD FOR THE CHRISTOPHER ROAD PROJECT: BRIGITTE FULLER, WILSON & CO.**

Bridgette reported that the bid opening for the Christopher Road Improvements Project was held on February 21, 2013 at 10:00 AM; five bids were received. The apparent responsive low bidder is Star Paving with a base bid of \$462,564,45 excluding gross receipt tax. She advised the Council that Star Paving is licensed to perform the work and is in good standing. The Contractor has also met the DBE goal of 3% and submitted all the required forms. Councilor David Carter asked if the contractor was aware of the start time. Brigitte answered yes, she listed the time from through an addendum. Councilor Carter asked for a time frame. Brigitte answered 90 days which will include time for the landscaping. Councilor Jerah Cordova asked what the City's budget was for this project. Brigitte advised Councilor Cordova that the City has a 25% match which is roughly 450,000. The DOT share is 356,028 and the City share is 118,676. Councilor Wayne Gallegos ask if the match is 25% of or 25% in addition. Roseann explained that the total amount is 474,000. Three hundred and some thousand was from DOT, 100,000 was from State, and the City has a 53,000 dollar match. Mayor Jaramillo asked if Wilson would oversee that construction was be properly conducted. Brigitte answered that Wilson is not under contract for Construction Management. She spoke with Mr. Best (City Engineer), and he would be checking the work daily on behalf of the City. Councilor Jaramillo then asked if Star Paving has worked with Wilson in the past on other projects. Brigitte answered yes and added that Star Paving is well known throughout the state.

Mayor Rudy Jaramillo asked for a motion to approve or disapprove the contract award for the Christopher Road Project. Councilor Mary Aragon moved to approve the contract award to Star Paving. Councilor Jerah Cordova 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 RESOLUTION FOR THE FINANCING OF THE STREET**

**SWEEPER: ROSEANN PERALTA, FINANCE CLERK**

Leona Vigil, Deputy Clerk reminded the council that at the last meeting the Council approved the purchase of a new street sweeper using the Statewide Price Agreement off of the State Purchasing Web-Site. She advised the council that a Resolution now has to be passed to submit it along with the financing application. Roseann informed the Council that the financing is through Tax-Exempt Leasing Corp. The Street Sweeper will hold a five year lease with an estimated payment of \$48,997 a year. The first payment would be due March 1, 2014. The City will put a down payment of approximately 37,000.

Mayor Rudy Jaramillo asked for a motion to approve or disapprove the Resolution to finance the street sweeper. Councilor Wayne Gallegos motioned to approve the financing of the Street Sweeper. 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 |

**DISCUSSION**

**PROPOSED AMENDMENTS TO ORDINANCE NO. 2008-05 REFERENCED ECONOMIC DEVELOPMENT PLAN: STEVE TOMITA, P & Z DIRECTOR**

Steve advised the Council, that as the ordinance reads now, everything has to go through a process under the Greater Belen Economic Development Corporation, and they are the only ones that can make recommendations. He stated that there have been discussions that the GBEDC is going to possibly expand to include all of Valencia County. He proposed amending Ordinance No. 2008-05 to read from Greater Belen Economic Development Corporation to read any Economic Development Corporation, Committee, or Board recognized by the City, or the City’s Economic Development Director and other appointed members. With the proposed amendment, the City would have more involvement. Steve stated that nothing in the Ordinance or State Statute prevents this from taking place. The Economic Development Plan states it needs to have some kind of review committee, but does not define who it has to be. Councilor Cordova asked if the process for determining the group of individuals for a committee would be listed in the Ordinance. Steve answered that is something that can be discussed; the key is being responsive. Councilor David Carter asked how this group expects to be funded. Steve answered that we could apply for grants, and outside companies could contribute.

**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. She advised the Council that the Boy Scouts are looking for projects to complete. She suggested several projects to the Boys Scouts; the railrunner and walkway, the pond on Reinken and Jaramillo, and the Harvey House. The Pillars on Becker Street are finally complete with all letters being painted, and will now work on replacing the lights. Councilor Jerah Cordova asked Lucy if the City has received the audit. Roseann answered yes, and explained that she sent out an email in December. Councilor Cordova advised Roseann that the final Audit Report needs to come before the Council. Councilor Mary Aragon suggested having the Boy Scouts help out at the RSVP Park also. Councilor David Carter mentioned that the resident on Orchard Road was delighted that the pot holes were filled in that area.

**Councilor Wayne Gallegos:** exclaimed how nice it was to proclaim Lilly Tabet Day in honor of her 100<sup>th</sup> birthday. He attended the Municipal Day which went really well. RSVP is preparing for its Volunteer Luncheon. He was able to attend, one of the two, Driver’s Training Courses that was offered to the City’s

employees. He participated in the Mud Boggs Event this past weekend which drew in a big crowd. Two wrestlers out of Belen High School are 3X Wrestling Champs; they are holding several fundraisers to send them to Nationals and he encouraged everyone to help them.

**Mayor Rudy Jaramillo:** He met with Commissioner Romero to discuss the City's Plans, working together, and current projects. He too also attended the Municipal Day. He commended Councilor Cordova for a tremendous job at the County Meeting last week. Steve Tomita stated that one thing that hasn't been mentioned is that on Friday it was announced at MRCOG that the Governor has signed the Urban Boundary, and Belen is now part of MRCOG. Belen now has a vote on the Transportation Board.

**Councilor Mary Aragon:** She attended the Legislative Reception and mentioned that it was packed. She was at the County Commission Meeting and feels that it went well. The Boundaries Committee is focusing on River Rd heading west. The Boundaries Committee has set a focus on dwellings outside the city limits that have city services. She announced that the RSVP Luncheon will be on April 19, 2013 at the Elk's Lodge.

**Councilor Jerah Cordova:** At the last MainStreet Meeting, they discussed contracting for services with the Chamber of Commerce. The contract would start a Partnership between MainStreet and the Chamber of Commerce. He mentioned that the Hospital Presentation went very well, and that he received positive feedback. Once the City hears from the D.F.A. the RFQ process will continue. He reminded Leona that the Open Meetings Act needs to get passed every year.

**Councilor David Carter:** He also feels that the County Commission Meeting went well. The fence for the School's Transportation Department was approved at the last P & Z meeting. He believes that the height restrictions for fencing needs to be looked at. He stated that Commercial property needs higher fences for security purposes and shouldn't have to get a variance to do so. At the Urbanized Meeting it was mentioned that Aragon Rd may be eligible for funding; Steve Tomita stated that he will follow up on that. He continues to communicate with the Softball Team on possible tournaments.

**EXECUTIVE SESSION**

**AN EXECUTIVE SESSION TO DISCUSS LIMITED PERSONNEL MATTERS, LAND ACQUISITION, AND PENDING OR THREATENED LITIGATION.**

Mayor Rudy Jaramillo asked for a motion to be excused from an Open Meeting and attend an Executive Session to discuss limited personnel, land acquisition, limited litigation. Councilor Jerah Cordova made a motion to leave an Open Meeting and enter into an Executive Session for land acquisition, limited personnel matters and pending or threatened litigation. 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 Carries |

Mayor Rudy Jaramillo asked for a motion to return to an Open Meeting. Councilor Jerah motioned to leave the executive session and enter into the open meeting. Councilor Carter seconds the motion. Roll Call Vote:

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

Mayor Rudy Jaramillo asked for a motion that no action was taken and that discussions were limited. Councilor Cordova motioned that no action was taken and that the executive session was limited to personnel matters, pending and threatening litigation and land acquisition. 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 Carries |

**ADJOURNMENT:**

Mayor Rudy Jaramillo asked for a motion to adjourn tonight's meeting. Councilor Wayne Gallegos motioned to adjourn the meeting. Councilor David Carter 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