

**SPECIAL
CITY COUNCIL MEETING
October 25, 2016
6:00 P.M.**

Mayor Jerah Cordova called the Special Meeting of the Belen City Council to order at 6:00 P.M. Roll call taken by Charlotte Jaramillo, Deputy City Clerk.

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

DEPUTY CITY CLERK: Charlotte Jaramillo

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 of the Agenda. Councilor Gallegos moved to approve the agenda. Mayor Jerah Cordova asked for a second. Councilor Ortega seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Wayne Gallegos	Yes	
Councilor Darleen Aragon	Yes	Motioned Carried

EXECUTIVE SESSION

Mayor Jerah Cordova asked for a motion to enter into Executive Session to discuss pending or threatened litigation pertaining to the proposed hospital, per the Open Meetings Act; Section 10-15-1 (H-7). Councilor Gallegos moved to enter into Executive Session. Mayor Jerah Cordova asked for a second. Councilor Aragon seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Wayne Gallegos	Yes	
Councilor Darleen Aragon	Yes	Motioned Carried

Mayor Jerah Cordova asked for a motion to re-enter into an open meeting from a closed Meeting. Councilor Gallegos so moved. Councilor Ortega seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Darleen Aragon	Yes	
Councilor Wayne Gallegos	Yes	Motioned Carried

Mayor Jerah Cordova asked for attestation that discussion was limited to discussion of the ongoing hospital litigation as allowed per the Open Meetings Act Section 10-15-1 (H-7) and no action was taken. Councilor Ortega so moved. Councilor Aragon seconds the motion. Roll Call Vote:

Councilor Frank Ortega Yes
Councilor Darleen Aragon Yes
Councilor Wayne Gallegos Yes Motioned Carried

DISCUSSION WITH POSSIBLE ACTION

Approval or Disapproval of the proposed hospital agreement

Mayor Cordova action for a motion to approve. Councilor Gallegos motioned to approve the agreement with the following changes, Seconded the motion Councilor Aragon read:

“Agreement between the County of Valencia and the City of Belen for construction and operation of healthcare facilities in the County and for distribution of mill levy funds pursuant to the New Mexico Hospital funding Act for operation and Maintenance of the healthcare facilities, with the following revisions: Page 2, 4th recital, page 2 change \$24 million to \$25 million, 5th recital Los Lunas, Bosque Farms, Peralta, Isleta and the unincorporated areas of the Northern portion of the County, page 3 paragraph 5 City will enter into and revise as necessary an agreement, within 90 days. Paragraph 6 on page 3 add within 90 days after first reference to Ameris change Village of Peralta to Town of Peralta, page 4, paragraph 6D County and Ameris shall establish a schedule for distribution of the mill levy funds to Ameris for operation and maintenance of the healthcare facilities within such time period as is contemplated by the mill levy election, no mill levy funds shall be distributed until the necessary certificate of operation or other required license has been obtained. Paragraph 8- Default and Cure, upon failure of either party to perform its obligations hereunder the other party may provide 45 days’ notice to the defaulting party and upon failure to cure or commence cure of the default within said 45 days the non-defaulting party may pursue enforcement in a court of competent jurisdiction.”

Roll Call Vote:

Councilor Frank Ortega Yes
Councilor Wayne Gallegos Yes
Councilor Darleen Aragon Yes Motioned Carried

Attorney Charles Rennick comments: “ For the benefit of the Clerk and the media, and County Commission, since Councilor Aragon was reading the changes to a draft agreement, heavily hand written at the moment and not ready for distribution but it is ready for the council to approve pursuant to the motion, it is an agreement, a proposed agreement between the City and the County to enter into an agreement with the Ameris to build two healthcare facilities, the City will provide land here in Belen and the County will provide mill levy funding, that is the nature of it.”

Mayor Cordova thanked Mr. Rennick for the clarification. Motion in approved of the agreement, will forward to the County for their consideration.

ADJOURNMENT:

Mayor Jerah Cordova asked for a motion to adjourn tonight’s Special City Council Meeting. Councilor Ortega motioned to adjourn. Councilor Aragon seconds the motion. Roll Call Vote:

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

Jerah Cordova, Mayor

Leona Vigil, City Clerk, CMC