

REGULAR CITY COUNCIL MEETING

September 15, 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
Councilor David Carter
Mayor Jerah Cordova
Councilor Darleen Aragon
Councilor Wayne Gallegos

CITY MANAGER: Jay Ruybalid

CITY CLERK: 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 if there were any questions or comments. Councilor David Carter asked that an executive session concerning the hospital be added to the Agenda, and to move E ahead of C so that the discussion of the salary study would take place prior to the salary adjustments. Mayor Cordova asked for a motion to accept the Agenda with the change. Councilor Frank Ortega so moved. 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 OF MINUTES

APPROVAL OF THE MINUTES DATED SEPTEMBER 2, 2014

Mayor Cordova asked for a motion to approve the minutes dated September 2, 2014. Councilor Frank Ortega moved to approve the Minutes of September 2, 2014. 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

PUBLIC COMMENTS

Teles Sanchez: He suggested placing murals representing the culture of Belen underneath the Bridge next to Rancheros Builders. He also stated that he was in support of the City raising the water rates, but he expected that sewer lines would be repaired. Mayor Cordova replied that the City does have a priority list for water and sewer projects. The Mayor added that there may be some extra money, so they may be able to prioritize more.

DISCUSSION WITH POSSIBLE ACTION

APPROVAL OR DISAPPROVAL OF THE HISTORICAL AGREEMENT FOR THE OLD CITY HALL BUILDING: JAY RUYBALID, CITY MANAGER

Jay Ruybalid explained that the Agreement was for a study to be complete on the Old City Hall Building with the possibility of the building being put as a nomination for the historic registry. Jay stated that the action tonight would be what direction the Council wants him to take regarding the Agreement. The Agreement was for a study, and the study has already been complete. He would like to know if the Council would like him to proceed with signing the Agreement. Jay explained, if he signs off on the Agreement, the payment can be made to the vendor. He added that if the Agreement is signed it would be good to put the nomination in place for the building to be part of the historic registry. He stressed that the placing the building on the registry is not required or necessary. He went on to explain that if he does not sign the Agreement, the vendor that did the study would have to get paid from the Historic Registry. Councilor Gallegos is not sure of the advantage of placing the building on the registry, but he does know every time the City tries to do something with the Harvey House Building the City has to obtain the ok and guidance. Councilor Darleen Aragon stated that Mr. Pappas has indicated that the City can procure more money if the building is registered. Councilor Ortega asked if the building was put on the Register, would the City have to remove the roof that was just recently replaced. Mayor Cordova stated that was a good point, and there is no way that roof would have been approved. Mayor Cordova mentioned that in his view and experience is having the building on the Register is in fact a burden and will cost the City more in the process. The Mayor recommended, approving the Agreement with the caveat that the City will not be placing the building on the Registry. Councilor Gallegos asked for further detail; Mayor Cordova replied the Council would have to approve the Agreement striking out any language related to placing it on the Registry. Councilor Carter stated that back in February the Council approved moving forward to use the grant to begin the preservation plan and fix the roof of the Old City Hall, and the Agreement was signed. Councilor Carter mentioned if the City returns the monies to the State, the State will have the money to pay the invoices. Jay echoed Councilor Aragon in thanking Rhona Espinoza and MainStreet for the efforts they have put forward. Rhona Espinoza came to the podium and gave a brief summary on the situation. She advised the Council that New Mexico MainStreet approached Belen MainStreet in July 2013 to see if they would be interested in applying for a grant for a plan. Councilor Jerah Cordova, former President of MainStreet, former Mayor Rudy Jaramillo, and Mary Lucy Baca, former City Manager signed off on them writing the grant. Rhona wrote the grant, and Belen MainStreet did receive the \$17,000 grant. Rhona informed the Council that if the monies are sent back to NM Historic Preservation, they will find another fiscal agent they can run this through to pay the vendors.

Mayor Jerah Cordova asked for a motion. Councilor David Carter moved not to approve the Agreement and return the distribution that was already received to allow the State to pay off the contractor. 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

APPROVAL OR DISAPPROVAL OF THE IN-KIND SERVICE REQUEST SUBMITTED BY RIO ABAJO: RHONA ESPINOZA

Rhona Espinoza is seeking approval for in-kind services for the Chamber of Commerce Rio Abajo Event. A list

of services requested is attached hereto and made an integral part of these minutes by reference. Roseann Peralta, Finance Director, advised the Council that the amount of services requested is between \$2500 to \$3500.

Mayor Jerah Cordova asked for a motion. Councilor David Carter motioned to approve the In-Kind Service Request. 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 PROPOSED SALARY STUDY: MARY LUCY BACA, HUMAN RESOURCES DIRECTOR

Mary Lucy advised the Council that they have 3 different proposals for a salary study in their packets. Pay Scale is the most expensive, then Personnel Servicer, and the lowest cost is the Mercer Group. A copy of the proposals are attached hereto and made an integral part of these minutes by reference. Roseann Peralta, Finance Director stressed that it will cost a lot to get everybody where they should be. Councilor Aragon asked Mary Lucy what her recommendation was. Lucy answered that she would select the Mercer Group. Councilor Carter stated that if the City was to accept the results of the study, we wouldn't have to implement it all at one shot. Mary Lucy and Councilor Gallegos stressed that it would be nice to have the study to have a tool to use. Councilor Gallegos asked if the money was budgeted for the study. Roseann replied that an exact amount was not set aside. Councilor Frank Ortega suggested having a workshop; Councilor Carter recommended having a workshop with two Councilors and allowing the companies to give presentations.

Mayor Jerah Cordova asked for a motion. Councilor Wayne Gallegos motioned to table with a workshop. 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 PROPOSED SALARY BUDGET ADJUSTMENT: ROSEANN PERALTA, FINANCE DIRECTOR

Roseann advised the Council that the City has gone through some changes since March, and based on the implementation of the new Organizational Chart there were some positions that received a promotion. There were some positions that were decreased from what was budgeted. Roseann stated that what is being raised and what was being decreased was kind of washing itself out; those affected the administration department and the Human Resources Department within general fund. There were some positions budgeted for, but not in the salary GL line item; she had to move it from where it's currently at into salaries to cover the Collective Bargaining Agreement that was approved. There were some increases that were based off of recommendations from the City Manager. Councilor Carter asked about the positions in green; Roseann answered that the Street Assistant was filled in by an Operator. The Water Position increase was because the individual is now an assistant supervisor with full crew control duties. Councilor Gallegos emphasized these salaries are tied to a proposed salary budget adjustment. Councilor Gallegos would like to know the bottom line from the budget that was approved. Councilor Frank Ortega stressed that the City Manager should be standing at the podium to answer for the recommendation for his employees. Jay Ruybalid informed the Council that there are two individuals that he was looking to give raises to. He specifically asked for raised for the Fire Chief and the Finance Director; he based that off research. He looked at other cities that were comparable in size to the City of Belen and comparable to the City's GRT revenues. He looked at Raton, Aztec and Ruidoso; he tossed out

Ruidoso because their GRTs are not comparable. The recommendations he made for the Finance Director and Fire Chief are in line with those salaries. Jay stressed that the City can't afford to implement across the board salary increases. He looked at first and foremost the Department Heads who had their duties changed by the adjustment of the Organizational Chart, and then taken on more duties. It seemed natural and the right thing for Jay to advocate for those department heads to get salary increases. Jay mentioned that the Council will notice that not all the department heads are in the list; he only advocated for two. Jay reported that the City Clerk received an increase earlier, but doesn't preclude the Council from wanting to increase the salary for that person. He also stated that he didn't include the Police Chief, because in his research, his salary is in line where it should be. The same thing with the Public Works Director, his salary is where it should be. He did do research, and looked at numbers that were comparable, and it is in support of department heads that deserve it, because their duties and responsibilities have changed. Councilor Ortega asked if the City was going to retroactive the employee's pay that has been doing the job for a few weeks. Roseann answered no, but Lucy answered that the Street Assistant should be retro. Councilor Gallegos asked again, what is the bottom line, what is the total change in the budget. Roseann answered from the budget that was approved as of current the difference is \$14,000. Councilor Gallegos asked Roseann what her plan was to make up that difference. She replied that they are looking at changing some positions again; possibly changing some positions to part-time. Within general fund, the City did budget rather high for some things that she doesn't think the City will use, and she is hoping the GRTs come in a little higher. Jay reported that in the first quarter of the fiscal year, the city has 30-40 thousand dollars worth in savings. Jay assured the Council that the City will be on track by the midyear. Councilor Gallegos asked Jay if he anticipated any other promotions or demotions; Jay replied that he does not foresee any promotions or demotions in the next six months. Councilor Ortega asked for a recommendation from the City Manager. Jay stated that a salary study would be helpful, but he honestly does not like the idea of spending \$8500 on a study that cannot be implemented. Jay recommended and asked that the positions listed be approved. He also recommended going forth with a workshop and after let the Council decide if they was to move forward with the Study.

Mayor Jerah Cordova asked for a motion. Councilor Frank Ortega motioned to accept the City Manager's recommendation. Mayor Cordova announced that he has a motion to approve and asked if there was second. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

Councilor Wayne Gallegos	Yes
Councilor Darleen Aragon	Yes
Councilor David Carter	No

Councilor Carter stated, "with lack of a salary schedule, we are continuing the tradition of thirty years of just handing out increases based on however we feel; therefore he votes no".

Councilor Ortega stated, "I feel that the employees shouldn't be held responsible for us not doing our part; therefore, he votes yes.

Councilor Frank Ortega	Yes	Motion Carried
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APPROVAL OR DISAPPROVAL OF THE PROPOSED PROPERTY LEASES FOR THE FORMER DOMESTIC VIOLENCE BUILDING: STEVE TOMITA, P & Z DIRECTOR

Leona Vigil presented for Steve Tomita. Leona informed the Council that Steve has submitted an amendment to the Belen Food Pantry Lease Agreement. The amendment showed that the tenant would be responsible for 75% for the electric and gas bills; however, Leona made a correction the percentage shall be 70%. She informed the Council that the Food Pantry will be responsible for 70% of the utilities, Affordable Housing will be responsible for 15% and the City of Belen will be responsible for 15%. Leona advised the Council that in their packets they had a complete Lease Agreement for the Housing Authority. Mayor Cordova mentioned that the Agreement is in complete form; however, the name of the tenant was left blank and needs to be added to the Agreement.

Mayor Jerah Cordova asked for a motion for one of the Leases. Councilor Wayne Gallegos motioned to accept the amendment to the Lease Agreement with the change of 75% to 70%. Mayor Cordova asked for 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

Mayor Cordova asked for a motion on the other item. Councilor Wayne Gallegos made a motion to approve the lease with the recommendation to Leona to add who the Agreement is tied to where it was left blank; which is the Housing Authority. Mayor 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	No	
Councilor Frank Ortega	Yes	Motion Carried

EXECUTIVE SESSION

AN EXECUTIVE SESSION TO BE HELD FOR THE DISCUSSION OF PENDING OR THREATENED LITIGATION IN REFERENCE TO THE PROPOSED HOSPITAL

Mayor Cordova asked for a motion to go into an executive session to discuss pending or threatened litigation in reference to the proposed hospital. Councilor Darleen Aragon motioned to move into executive session. 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

Mayor Cordova asked for a motion to leave a closed meeting and return to an open meeting. Councilor Frank Ortega moved the motion. 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

Mayor Cordova asked for a motion that discussion was limited to pending or threatened litigation in reference to the proposed hospital. Councilor Wayne Gallegos moved the motion. 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

INFORMATIONAL ITEMS

City Manager's Report: Jay Ruybalid reported that he attended the Grand Opening for the Dollar Tree, the Grand Opening for the Valencia County Child Advocacy Center and the 9/11 Ceremony. The Legislative

Oversight Committee for the NM Finance Authority held their meeting at the Belen Public Library on September 10, 2014; the City provided lunch for them. There was also a reception at the Harvey House for the NM Finance Authority Oversight Committee that same evening. A project coordination meeting with the two engineering firms will take place on September 17, 2014. He will send an invite for the County Commission Meeting on Wednesday. Councilor David Carter asked Jay to look into political sign violations. Mayor Cordova added that Lisa has sent notices to the Democratic and Republican Parties in reference to the City's Sign Ordinance. Jay informed the Council that he contacted Dave Pennella from NMDOT, and he would be happy to give a presentation on the interchange.

City Council's Report

Councilor Ortega: He attended his first RSVP meeting. He reported that RSVP has been moved to the Community Center. He attended the County Commission Meeting; he stated that the Mayor represented the City well. He attended the signing of the Child Advocacy Act; he was able to meet the Governor. He attended the Grand Opening for Dollar Tree. He attended a luncheon at the Belen Senior Citizen Building in Belen; Jose Campos was able to get raises for all the workers over there from the State. He attended the 9/11 Ceremony, the Martin Luther King Meeting and the Special Meeting at City Hall.

Councilor Carter: He and Councilor Gallegos met with the Police Chief and the City Manager to discuss assisting Rio Communities with Animal Control. He attended the County Commission Meeting and the City's Special Meeting. He announced that the Business Expo and Follow the Star are still on track. The Schools provided transportation for senior citizens to attend the State Fair. The Belen Varsity Football Team will be taking on Goddard this Friday. The Eagle Lady Soccer Team has won 5 in a row. He announced Rio Abajo Day is on September 27, 2014.

Councilor Aragon: She attended the County Commission Meeting on September 3rd and the Advocacy Child Group; she also spoke with the Governor. She reported that someone with a California license plate was snapping pictures and peeking in the windows of Old City Hall. She attended the Grand Opening for the Dollar Tree; then she went to the Mansion Players Play. She attended the Chamber Meeting where they discussed the upcoming Rio Abajo Event. She and Rhona wrote up a grant for Old City Hall. She went to the State Fair. She attended the Economic Development Meeting; they are trying to create a web-site. She attended the 9/11 Ceremony and the City's Special Meeting. She is working to get the fencing at the Garden Park. She attended the Finance Authority Event at the Harvey House. She has been harvesting and watering the garden. She and Steve Tomita will be interviewed for a segment that will be presented on the City.

Councilor Wayne Gallegos: He reported that the meeting with Rio Communities went really well, and he reiterated some of the events the other Councilors mentioned in their reports.

Mayor Jerah Cordova: He did a presentation regarding the hospital at the County Commission. He was at the Child Advocacy Opening; he too spoke with the Governor. He had a meeting with Waste Management for an introduction of the new representative. He met with a translation service where they pitched their service. He attended the Farmers Market, the Grand Opening for Dollar Tree and the controversial democratic unit event. He participated in the Legislative Council Meeting that was held at the Library and he was able to introduce Belen including its history and culture; he also made a pitch for economic development. He attended the Meet and Greet the same evening at the Harvey House. He was at the Economic Development Meeting; they are going to move forward to continuing to establish the separate non-profit. He attended the 9/11 Memorial Event and the Special Meeting for the IRB and hospital. He had a meeting in reference to code enforcement and their responsibilities; the new officer will begin October 6, 2-14. He also had a meeting regarding the GO Bond this morning.

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. Roll Call Vote:

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

/s/ _____
Jerah R. Cordova, Mayor

ATTEST:

/s/ _____
Leona Vigil, City Clerk, CMC