

**BELEN CITY COUNCIL REGULAR MEETING**

**June 18, 2018**

**6:00 p.m.**

Mayor Pro-Tem David Carter called the Regular Meeting of the Belen City Council to order at 6:00 p.m. Roll Call taken by Brian McBain, City Clerk.

**PRESENT:** Councilor Frank F. Ortega  
Mayor Pro-Tem David Carter  
Councilor Ronnie Torres  
Councilor Wayne Gallegos

**NOT PRESENT:** Mayor Jerah R. Cordova

**CITY MANAGER:** Not Present

**CITY CLERK:** Brian McBain

**REPORTER:** Clara Garcia, VC News Bulletin

**OTHERS:** See attached Sign-in Sheet

**PLEDGE OF ALLEGIANCE**

Mr. Max Cordova from the Belen School Board, led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Mayor Pro-Tem David Carter asked for a motion to approve the agenda. Councilor Ortega made a motion. Mayor Pro-Tem Carter asked for a second. Councilor Torres seconded the motion.

Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Ronnie Torres	Yes	
Councilor Wayne Gallegos	Yes	
Councilor David Carter	Yes	Motion Carried

**APPROVAL OF MINUTES**

Mayor Pro-Tem David Carter asked for a motion to approve the minutes dated June 4, 2018 as presented. Councilor Ortega made a motion. Mayor Pro-Tem Carter asked for a second. Councilor Gallegos seconded the motion.

Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Ronnie Torres	Yes	
Councilor Wayne Gallegos	Yes	
Councilor David Carter	Yes	Motion Carried

**PUBIC COMMENTS**

Mayor Pro-Tem David Carter asked if there was anyone with a public comment.

There were no public comments and this portion of the meeting was closed.

**DISCUSSION**

**A) AD-VALOREM TAX FOR PUBLIC SAFETY**

Councilor Gallegos advised that this is an invitation for all the public to come in, we have had some crime issues, we have tried many ways, elements and tactics to continue to combat crime, we know we need more officers. Currently the City has approved 1.25 officers in the new budget, the other .75 will come from a public safety

grant, which will give us two new officer for the new budget. In discussions we have had with the public, the thought is more police will give us a better chance at fighting crime, we have already structured the budget to keep services coming, now we are asking that the citizens advise the Council if they will support an ad valorem increase to support public safety, this would allow for two more officers, supplies and trainings, but we want to ensure we ask the public, because based on new election laws we cannot put this on a ballot. Mr. Brian McBain, City Clerk, advised that new election laws were implemented in the last legislative session, given that, the Council can act on this separately, the law will not allow for this matter of opinion to go on the ballot because this vote would not automatically guarantee acceptance, this is up to the Council to make the ultimate decision. Councilor Gallegos said that we are asking for input and we want this input to see what the public has to say about this proposed solution, this is a mile levy, for \$90,000 of valuation it would cost the taxpayer \$30 a year for one mil, for two mils it would be \$60, and these are preliminary numbers. Councilor Ortega advised that on June 28, we are going to have a workshop about this tax, we wanted the people to vote for this tax but we were not allowed to do this, we want to hear from the people and will move in a direction they want. Councilor Torres advised that this tax is an investment in our community, if we want a safe community, it will cost some money, it is worth an extra police officer to help the community, the problem is everywhere not just in Belen, we want to be proactive in our efforts. Mayor Pro-Tem Carter advised that we will be adding two officers, we balanced the budget by balancing the money for the different departments and services, this ad valorem tax will give us two more, putting 5 hours per shift, putting another officer out there on shift 24/7, I am not for more taxes, but this is our option and we will not do this without the permission of the citizens, he would now like the public to give their input on this topic and invited them one at a time to give their three minute comments.

Randy Jennings: I live on Esperanza St, I am all for the tax but I do not want to see my money wasted, I have seen a lot of waste over the years, I want to see the action and not just the money, I want to see some kind of plan explaining where this money is going, I have heard this all before, I am for the tax but don't waste my money. Councilor Torres advised this money is strictly for public safety.

Luis Tellez: I am a resident and live on N. Sixth St, the last minute notice is not good, water bill is too high, not a problem with more police but have a problem with the police response to our problems, the Chief of police told my son that it was no foul, I personally typed a letter of the name of the person who broke in, I work with you all before. I want to see production for the police department, I do not just want to give them my money, they need to be responsive, and the police just laugh at us, we are not dumb and stupid, we can have 100 more police but we need the community also, we need response from the police not just where all the pretty girls are at, see who we are, talk to us, if you reach out to them, they will reach out to you. Police need to show us that they will work for their money.

Amanda Tucker: I live on Garcia behind Circle K, I have had similar issues with police not responding, I am for paying this tax as long as it goes for what we need it to do and the function that we are talking about, however, you have stressed public safety, it public safety a stop sign, street light or solely for a police officer. Working in finance I know that we can put it here and there so how can we be assured that this will totally go into the police department to finance more police officers. With all due respect it has gotten better, you guys have cleaned up Garcia St, response time is better but I also have the same kind of concerns, it takes three or four time for me to call and I see the crime in front of my face, I am the eye witness and we do not do anything, how is more officers going to fix that if you can reassure me of that, I will be your cheerleader and tell everyone we need this for our town. This is not the town it used to be, we are not safe come dark, I will pay if this is sued correctly. Why can't we vote for this, do I have to say I want this or how are we going to move this forward. Mayor Pro-Tem advised that at these workshops we are getting an idea via public comment to get a feel on how the public feels about this tax in accepting or rejecting it. Ms. Tucker asked if we would get more info on the 28<sup>th</sup>, Mayor Pro-Tem Carter advised that we have our financial advisor coming to that meeting to present details. Ms. Tucker said then if the money is not used for police you can then move this to the fire department correct? The Council advised that yes that was true. Ms. Tucker than thanked them for being honest. Councilor Gallegos advised that the language on this tax needs to be very specific when drafted.

Gabriel Gabaldon: I live on Gabaldon road, I support the tax and there seems to be issues with response times, I feel that what you are proposing today is a plan to fix the response times, from my personal experience they have

been good. Could Chief Conner detail more of the process and the grant itself, my concern is future stability of the police department, worried about losing the funding, would like the Chief to address this later. Mayor Pro-Tem Carter advised that with the new business coming into Belen, we would hope to support the officers once the grant ended. Chief Scott Conner advised some information about the grant, it is funded by the Department of Justice, it is an assistance grant, city responsible for 25% of salary and benefits for officer and the grant would pick up the officer's salary and benefits up to 75%, the city would then need to retain this officer after the grant ended, Chief Conner would like to hear from the public about response times and other issue, also would appreciate a call directly.

Alfonso Santistevan: I have lived in Belen for over 56 years, I have seen growth and how it has come down, why do just property owners have to pay for this, if everyone is protected by the police then why just us, it is like the hospital thing, we pay on it and we do not know if this is going to happen. I am concerned about this, your hospital has not gone through, we need answers, and I am concerned about Belen too. Why can't we vote for this? I am really concerned that only property owners need to pay for this. Councilor Ortega advised that the Police Chief will need to come up with a comprehensive plan so that we can see how this money will be used.

Lorenzo Carrillo: I have concerns, you made a comment that struck a chord with me, the judicial system is part of this problem, I do not like the idea of a petition, this is a tax on the community, it should go to full vote, and I am sure you can't so you will find a way around it. I hope that statistics are being kept as to who we are arresting, the day of reckoning is coming and the judicial system will be taxed in this question, we need to harass these people, we need to know who is responsible for allowing these repeat offenders causing the crime out, and we cannot stop them, someone will get hurt on this, we are a small community with a high problem, it not if it will happen it is when, please Chief protect yourself in finding out who is responsible through data, not too sure if we need another officer, we always have trouble hiring them anyway, is there a pool of candidate. Lastly, I have never had a chance to tell my displeasure of this Council, we took a lot of time to make changes to the water on the rates, we spent months and weeks on this issues and the Councilors came in and took away things, that is where your revenue is at, we must pay our way along, City gets nothing from Montanzas, every time we host functions, we get zero, those things need to stop, you must pay to play.

Chris Aguilar: I am a Belen property owner, I support law enforcement, they are doing a terrific job, I do oppose raising property taxes to accomplish our goals, and we should think outside of the box just like the parked car that is placed around town, and this was done without additional costs. This kind of thinking will revolutionize law enforcement without just throwing money at them, let's look at seeing how the two new officers do this year before we add even more and throw out more taxes. It sounds like this is a done deal, maybe we could put a writer on this and sunset it to three years, not making a long term commitment, and this will help some property owners.

## **PRESENTATIONS**

### **A) RSVP DEPARTMENT UPDATE**

Ms. Bertha Flores was not present for this meeting and therefore could not give the Council her update.

### **B) INFORMATION TECHNOLOGY DEPARTMENT UPDATE**

Mr. Lawrence Kaneshiro was not present for this meeting and therefore could not give the Council his update.

## **DISCUSSION WITH POSSIBLE ACTION**

### **APPROVAL/DISAPPROVAL OF THE VIVIAN FIELDS PROJECT CHANGE ORDER REQUESTS (RECONSIDERATION)**

John Pate from Molzen-Corbin presented the two change order requests in question, advising that changes were made to the original change order because some of the items requested where the City's property in which they fixed themselves. The Council decided to reconsider their past decision to cut item one in half and instead would like to pay for the work in full totaling \$1,731.43. Mr. Chris Chavez advised that the change order process for the city is too difficult for the

administration and contractor, the city should allow for approval administratively up to a certain amount. Mayor Pro-Tem advised that we would look at the procurement policy and the change order process in the future.

Mayor Pro-Tem David Carter asked for a motion. Councilor Ortega made a motion to approve. Mayor Pro-Tem Carter asked for a second. Councilor Torres seconded the motion.

Councilor Frank Ortega	Yes	
Councilor Ronnie Torres	Yes	
Councilor Wayne Gallegos	Yes	
Councilor David Carter	Yes	Motion Carried

**APPROVAL/DISAPPROVAL OF AN MOU WITH BELEN SCHOOLS FOR THE PURPOSE OF RESOURCE EXCHANGE**

Mr. Brian McBain presented this MOU in detail which is an exchange dollar for dollar of resources between the school and the City of Belen exchanging services through in-kind service. Mr. Max Perez thanked the Council for working with the schools, I am glad that this is clarified as an exchange of services, operationally the swimming pool costs around \$300,000 per year, warranties are expiring so we are working on this wonderful building, we are doing our part and we appreciate the city working with us for our students and the community. Mr. Perez advised that he would like this to have an indefinite term with the option of terminating with 30 day notification, and he also wants to ensure that the school functions have priority in their events before the city in case there is any scheduling conflict. Councilor Ortega advised that this would be fine and we can add these two items to the contract for approval tonight, Mayor Pro-Tem Carter detailed this change before the motion was presented.

Mayor Pro-Tem David Carter asked for a motion. Councilor Ortega made a motion to approve with the specified amendments. Mayor Pro-Tem Carter asked for a second. Councilor Torres seconded the motion.

Councilor Frank Ortega	Yes	
Councilor Ronnie Torres	Yes	
Councilor Wayne Gallegos	Yes	
Councilor David Carter	Abstain	Motion Carried

**APPROVAL/DISAPPROVAL OF THE ICT COMMITTEE PRIORITY LIST AND EXPENDITURE OF TIF FUNDS**

Chief Scott Conner advised that he is now the Chair for the ICT Committee, and after a very productive meeting, is now presenting a priority list of projects and approval of expenditure. First the Committee is looking at spending TIF funds on a Public Information Board that will be placed outside of City Hall, this would allow us to send messages to the public of events and meetings, even allowing for emergency information to be present at all times, this would give us control over what is being presented and id something that he committee is currently working on as a top priority to bring before the Council for approval. Second, Chief Conner advised that they are looking at revitalizing the current website with Real Time Solutions, this would allow for easier access to post on the website, giving all department heads the ability to keep their website up to date similar to how you do this for Facebook, another aspect of this is to make it easier for the public to navigate on the website itself, this revamp would clean it up and allow for user ease, the cost for this service will be \$12,900 to Real Time Solutions and will come out of the TIF fund, per ordinance this must be approved by the Council. Councilor Gallegos was happy with the direction this committee is going, looking at projects that will benefit the public especially with information and communication.

Mayor Pro-Tem David Carter asked for a motion. Councilor Torres made a motion to approve. Mayor Pro-Tem Carter asked for a second. Councilor Gallegos seconded the motion.

Councilor Frank Ortega	Yes	
Councilor Ronnie Torres	Yes	
Councilor Wayne Gallegos	Yes	
Councilor David Carter	Yes	Motion Carried

**APPROVAL/DISAPPROVAL OF THE NOMINATION FOR THE NEW MEMBER OF THE CITY OF BELEN'S LOCAL LABOR MANAGEMENT BOARD**

Mayor Pro-Tem Carter asked Mr. Brian McBain to detail the information about this nomination. Mr. McBain stated that due to the departure of Mr. Jaramillo who is now serving for the Los Lunas Town Council, there as a need for a new member who is nominated by the administration, some names where presented but in looking for this person, Mr. David Medina was interested in serving and has been nominated to serve in this Local Labor Management Board. Mr. David Median thanked the Council for their nomination and advised that he would do their best. Mayor Pro-Tem Carter advised that the nomination before the Council is David Medina, and is now before the Council for approval.

Mayor Pro-Tem David Carter asked for a motion. Councilor Gallegos made a motion to approve. Mayor Pro-Tem Carter asked for a second. Councilor Torres seconded the motion.

Councilor Frank Ortega        Yes  
Councilor Ronnie Torres        Yes  
Councilor Wayne Gallegos       Yes  
Councilor David Carter        Yes     Motion Carried

**CITY MANAGER'S REPORT**

Brian McBain stated: Working on Ad Valorem information, there will be an ad I the paper on Thursday, we will also notify the public of any meetings. We rented a loader until we get our new loader, especially given the rains and other needs. Sweeper is in the shop for repairs to the transmission. We did get the flags for the VA Memorial and they will be flying for our 4<sup>th</sup> of July celebration on June 30<sup>th</sup> at Eagle Park starting at 4pm. Facebook live will start July 2<sup>nd</sup> for our meetings via our Facebook site. PNM now has a dedicated team replacing lights on the poles, will advise the total left soon, will be mobilizing throughout the city now. We had 42 shut offs for water today, but we let them know via phone calls prior to this. Leona is out until July 2<sup>nd</sup>, is in a conference now and will take vacation time after, I will be out Thursday in a training so Roseann will be in charge, and I will be on vacation so LaShae will be in charge then, I will be back Monday. There was some flooding, but Tommy is out with the crews addressing the issues.

**COMMUNICATIONS FROM THE CITY COUNCIL**

Councilor Torres stated: Let everyone know that we have flyers from our Washington DC trip, Councilor Carter, myself and Kevin from Molzen attended this meeting, we gave them a list of our top five priorities, we are happy to fund the projects ourselves because of great money management, but we would like to bring more back to fund projects, David did an excellent job, we spoke to Martin Heinrich, Tom Udall and a representative for Steve Perce, we made some good contacts and gave them information, we promoted Belen, they were very responsive. We are hoping to get some calls for them within the next few months and see what funding we can get, great job by everyone, we were proud to represent Belen, I am confident that we did some good.

Councilor Ortega stated: He would like to pass on his time to speak tonight since it is already getting late.

Councilor Gallegos stated: On the 12<sup>th</sup> met with NMDFA, we were given information on the new court house that Magistrate is trying to build, they told us how it would affect us in our bonding capacity and things like that. The fiestas are around the corner so we are communicating with the committee at the church. On the 14<sup>th</sup> the ICT meeting, also an RSVP Board meeting we attended. On the 15<sup>th</sup> the Belen Seniors had a Father's Day lunch that we also attended.

Councilor Carter stated: We had some very good meetings with Senator Udall and Heinrich, also with representative for Peirce, some of these projects are going to be joint efforts, and we ran into a lot of people from New Mexico. We developed great relationships and our representatives from Molzen-Corbin did a great job of advising the technical details of our projects.

**ADJOURNMENT:**

Mayor Pro-Tem David Carter asked for a motion to adjourn tonight's Regular Council Meeting. Councilor Ortega made a motion to adjourn. Councilor Torres seconded the motion. Roll Call Vote:

Councilor Frank Ortega        Yes  
Councilor Ronnie Torres        Yes  
Councilor Wayne Gallegos       Yes

Councilor David Carter

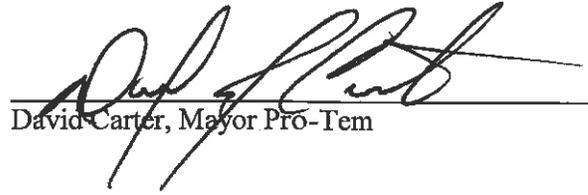
Yes

Motion Carried (8:03 pm)



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Brian McBain, City Clerk/Treasurer



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David Carter, Mayor Pro-Tem