CITY COUNCIL MEETING
APRIL 14TH, 2015, 6PM
CITY HALL COUNCIL CHAMBERS
405 N. PASEO DE OÑATE ESPAÑOLA, NM

A. CALL TO ORDER
The meeting was called to order at 6:03 pm by Mayor Alice A. Lucero

B. PLEDGE OF ALLEGIANCE/MOMENT OF MEDITATION/INVOCATION
Councilor Dennis Tim Salazar conducted the moment of meditation/invocation

C. ROLL CALL/DETERMINATION OF QUORUM
The following in attendance;

Mayor	Alice A. Lucero
Mayor Pro-Tem	Pedro Valdez
Councilors:	Cory Lewis
	Michelle R. Martinez
	Adrianna Ortiz
	Peggy Sue Martinez
	John Hernandez
	Dennis Tim Salazar
	Tania Sanchez

City Manager Kelly Duran- *residing*
City Attorney Frank Coppler-*residing*
City Clerk Anna Squires – *residing*
Deputy City Clerk Jeanne Bustos - *residing*

D. APPROVAL OF AGENDA
Agenda as presented:
---Begin---

A. CALL TO ORDER
B. PLEDGE OF ALLEGIANCE/ MOMENT OF MEDITATION/ INVOCATION
C. ROLL CALL/ DETERMINATION OF QUORUM
D. APPROVAL OF AGENDA
E. PUBLIC COMMENTS
PLEASE SIGN IN: *Print First Name and Last, including Affiliation and/or Address if Applicable. Please Keep Comments to a three (3) Minute Time Frame. Public Comment Log Sheet Located upon South East Entry near the City Clerk. Thank You.*
F. COUNCILOR COMMENTS/ ANNOUNCEMENTS
G. MATTERS FROM THE MAYOR (ACTION ITEMS)
1. City of Española Proclamation "Promoting a Healthy Community Week" in collaboration with NNMIT, Española Public Schools, RAC, HIDTA, Santa Clara Development Corporation, Oasis of Peace Youth Group and Explora Science Museum.
2. Certificates of Recognition Honoring James H. Rodriguez Elementary Future Cities Team.
3. Certificates of Recognition of Community Supporters; Blake's Lota-Burger, Lovin' Oven, Lowes, and Walmart Superstore in Española.

H. ITEMS PROPOSED FOR COUNCIL CONSIDERATION/DISCUSSION ITEMS (ACTION ITEMS)
4. Approval of Española Valley High School Tournament Fundraiser for Athletic Uniforms
Miguel Medina – EVHS Football Coach
5. Approval of Joint Powers Agreement between the City of Española and the County of Rio Arriba to Provide for Acquisition and Use by Rio Arriba County of Certain Funds Earmarked for the City of Española Municipal Court. – *Honorable Judge Stephen Salazar*
6. Approval of Public Celebration Permit Application for local Black Mesa Winery supporting Annual Opera Presentation and Performance – *Gretchen Yost – President & Jerry Burd - Black Mesa Winery*
7. Approval of IFB 2015-002 City of Española Street Improvements for Hunter Street, Calle Cielito Lindo and Shadow Wood Lane. Criteria required by the Statutes Annotated NMSA 1978.
General Services Director Juanito Maes

I. EXECUTIVE SESSION

Pursuant to New Mexico Open Meetings Act Section 10-15-1 (H) Subsection (2) limited personnel matters; (5) discussion of bargaining strategy preliminary to collective bargaining negotiations; (7) attorney-client privilege pertaining to threatening or pending litigation in which the public is or may become a participant; (8) discussion of the purchase, acquisition or disposal of real property or water rights by the public body.

J. ADJOURNMENT

The Governing Body may revise the order of the agenda items considered at this Open Meeting. If you are an individual with a disability who is in need of an amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 747-6019 at least three days prior to the meeting.

--End--

Mayor Lucero deliberated with Council regarding the approval of the 4-14-15 City Council Agenda. She stated that item No. four (4) would be removed from the agenda as there was an untimely death in the family of E.V.H.S. Athletic Director Eric Vigil. Head Football Coach Miguel Medina asked that Item #4, Approval of Española Valley High School Tournament Fundraiser for Athletic Uniforms, come before the City Council at a later date. Mayor Lucero suggested that Item #4 be readdressed during a future Community Services Committee Meeting.

Mayor Pro-Tem Pedro Valdez made a motion to approve the agenda as amended omitting Item No.4 from the 4-14-15 City Council Agenda, Councilor Peggy Sue Martinez 2nd the motion.

Motion Carried 8-0

E. PUBLIC COMMENTS

-None-

F. COUNCILOR COMMENTS/ ANNOUNCEMENTS

Mayor Pro-Tem Pedro Valdez thanked the Española Valley High School R.O.T.C. for cleaning the Dessert Storm Park. He further stated that the Downtown Action Team Española (D.A.T.E.) replaced the flower pots, planted flowers and are in the process of obtaining new trees for Mainstreet -Paseo de Oñate. Mayor Pro-Tem Valdez further announced that the Annual Spring Clean-Up would commence Saturday April 25th, 2015. He encouraged Civic Pride and community participation.

Mayor Lucero stated that the first day of Little League Season would commence on the same day Saturday April 25th, 2015 at the Valdez Ball Park.

Councilor Adriana Ortiz announced that a Frito Pie-Fundraiser benefiting the Military Order of the Purple Hearts would be held Wednesday May 6th, 2015 from 5pm until 8pm at the Knights of Columbus Hall located in Arroyo Seco. She further announced that the 2015 Fiesta Announcement Ball would be held at the Ohkay Owingeh Hotel Casino Conference Center Friday April 17th, 2015 from 8pm to 12:00 midnight.

Councilor Peggy Sue Martinez stated that the week of April 12th through 18th was National Library Week. She further stated that a Family Science Event entitled ¡Explora! would be taking place at the Española Public Library Wednesday April 15th, 2015from 2pm - 5 pm. Councilor Peggy Sue Martinez explained that events included exciting science activities and tabletop exhibits.

Mayor Alice A. Lucero announced that Española Public Schools dedicated Sports Fields Named "Del Valdez Field" in honor of Del Valdez who had served the Northern New Mexico community as an educator for fifty three (53) years and was an active coach for sixty-two (62) years. She further stated that a Proclamation dedicating the current day as "Delfinio 'DEL' Valdez Day" in the City of Española was recited during the dedication on the current day Aril 14th, 2015.

Mayor Alice A. Lucero announced that the Northern New Mexico Implementation Team (NNMIT) would be sponsoring a Youth Wellness Summit, Friday April 17th 2015 Santa Claran Hotel Casino conference room beginning at 9am until 2pm.

Councilor Michelle R. Martinez stated that a collaborative amongst City of Española and Rio Arriba County Departments took place to welcome The New Mexico Tourism Department, Rebecca Latham Cabinet Secretary, Susan Kavanaugh Executive Assistant and Jordan Guenther Director of Brand Advertising and Marketing. Councilor Michelle R. Martinez stated that officials of the department were welcomed to present on the New Mexico TRUE initiative which promoted the highpoints of the respective community.

Congressman Ben Ray Luján and Congresswoman Michelle Lujan Grisham, with special guest Congressman Luis Gutiérrez would be addressing President Obama's announcement regarding deferred action.

Councilor Michelle R. Martinez further stated that a DACA & DAPA information fair would be held Saturday, April 18, 2015 from 1:00pm to 4pm at the CNM Workforce Training Center located at; 5600 Eagle Rock Avenue NE Albuquerque, NM 87113. She explained that the forum would address concerns regarding initial and renewal Deferred Action for Childhood Arrivals (DACA) applications which related to certain persons that entered the U.S. before their 16th birthday and have remained in the country since January 1, 2010, may qualify for deferred action and work authorization for three (3) years.

Councilor Michelle R. Martinez explained that Deferred Action for Parents of Americans and Lawful Permanent (DAPA) was for parents of U.S. citizens or legal permanent residents that have remained in the country since January 1, 2010, may qualify for deferred action and work authorization for three (3) years. Councilor Michelle R. Martine z stated that questions about the Congressional DACA & DAPA Information Fair could be addressed by a representative of Congressmen Ben R. Luján's Office (New Mexico – District 03) at: 505-984-8950.

Councilor Tania Sanchez announced that the San Gabriel Historical Society would be hosting the "Annual Ladies' Tea Party" at the Bond House in Española Saturday, April 18th, 2015 from 2pm to 5pm. Councilor Sanchez stated that all proceeds from this event went to the San Gabriel Historical Society, a nonprofit organization that administers the Bond House Museum.

G. MATTERS FROM THE MAYOR (ACTION ITEMS)

1. City of Española Proclamation "Promoting a Healthy Community Week" in collaboration with NNMIT, Española Public Schools, RAC, HIDTA, Santa Clara Development Corporation, Oasis of Peace Youth Group and Explora Science Museum.

Mayor Alice A. Lucero promoted a *Healthy Community Weekend* in the City of Española. She then recited a proclamation which attributed success to sponsorship, namely; NNMIT, Española Public Schools, RAC, HIDTA, Santa Clara Development Corporation, Oasis of Peace Youth Group and Explora Science Museum. She acknowledged March 16th through April 19th 2015 as *"Healthy Community Weekend"* In the City of Española, New Mexico. Mayor Lucero presented the proclamation to Peace Youth Group and Explora Science Museum Representative Felice Gurule and R.A.C.E. Project Coordinator Marcella Maestas.

2. Certificates of Recognition Honoring James H. Rodriguez Elementary Future Cities Team.
Mayor Alice A Lucero stated that three (3) students from James H. Rodriguez Elementary School in Española attended a White House Science Fair March 23rd, 2015. Mayor Lucero further stated that Jose Valdez III, Casandra D. Dauz and Jaleena Rolon from J.H.R. Elementary School competed in the 2014-2015 Future City New Mexico Regional Competition and portrayed a very impressive rural desert community with cultural diversity. Mayor Lucero explained that team members came from a variety of backgrounds and the students recognized the importance of communicating the detail of their Future City design to the diverse, shared culture of New Mexico and incorporated four languages into their presentation: Spanish, English, American

Sign Language and Tewa. Mayor Alice A Lucero honored the three (3) students mentioned from James H. Rodriguez Elementary School and presented them with a Certificate of Recognition. She also acknowledged the students instructor/mentor Jimmy Lara from J.H.R. Elementary.

3. **Certificates of Recognition of Community Supporters; Blake's Lota-Burger, Lovin' Oven, Lowes, and Walmart Superstore in Española**

Mayor Lucero stated that Public Safety Committee Chair Councilor Cory Lewis wanted to honor the Men and Woman of the City of Española Public Safety Department(s) as well as surrounding Public Safety Departments who fought to control a 20-acre wildfire in the Bosque area behind Walmart in Española, N.M., Sunday March 15th 2015. Mayor Lucero further stated that a celebration acknowledging the "Welcome Back Fire" was held March 24th 2015 prior to the City Council Meeting.

Mayor Lucero explained that Santa Clara, Ohkay Owingeh, Española, State Fire and Police crews were at the scene. She further stated that all departments who worked collaboratively to fight the blaze were invited to attend the celebration entitled Public Safety Appreciation Hour.

Mayor Lucero thanked Councilor Cory Lewis for his initiate to seek sponsorship to accommodate for the *Public Safety Appreciation Hour.* She then acknowledged Blake's Lota-Burger, Lovin' Oven, Lowes, and Walmart Superstore in Española for their generous contributions to make the event possible. Staff officials from Blake's Lota-Burger, Lovin' Oven, and Lowes were not in attendance. Mayor Lucero presented a Certificate of Recognition entitled *"Friend of the City Award"* to staff officials from Walmart Superstore in Española.

H. ITEMS PROPOSED FOR COUNCIL CONSIDERATION/DISCUSSION ITEMS (ACTION ITEMS)

~~*4. Approval of Española Valley High School Tournament Fundraiser for Athletic Uniforms*~~
~~*Miguel Medina – EVHS Football Coach*~~
(Item No. four (4) removed from 04-14-15 City Council Agenda)

5. **Approval of Joint Powers Agreement between the City of Española and the County of Rio Arriba to Provide for Acquisition and Use by Rio Arriba County of Certain Funds Earmarked for the City of Española Municipal Court.**

Honorable Judge Stephen Salazar stated that the City of Española Municipal Court was seeking the support of Rio Arriba County for the named services grant. He further stated that the City Municipal Court Teen Substance Abuse Program (Juvenile Fund Grant Program); and the Parties who entered into Joint Powers Agreement ("JPA") both understand the conditions and responsibilities for the Juvenile Fund Grant Program.

Judge Stephen Salazar stated that provided support for funding of the Program by the State would allow Municipal Court to enter into the agreement and request consideration and approval of the New Mexico Department of Finance and Administration (DFA) Judge Stephen Salazar stated that the general terms and conditions under which the County will support the City's efforts to seek State appropriations or other funding from the DFA Local Government Division 2014 Award would result in the amount of $14,500 dollars. Judge Stephen Salazar explained that the all contracts for services, goods, materials and supplies procured by the City will be entered into by the County as the contracting government entity.

Motion made by Mayor Pro-Tem Pedro Valdez to approve the Joint Powers Agreement between the City of Española and the County of Rio Arriba to Provide for Acquisition and Use by Rio Arriba County of Certain Funds Earmarked for the City of Española Municipal Court. The Motion was 2nd by Councilor Michelle R. Martinez.

Motion Carried 8-0

6. **Approval of Public Celebration Permit Application for local Black Mesa Winery supporting Annual Opera Presentation and Performance** – *Gretchen Yost- Española Valley Opera Guild Vice-President*

Española Valley Opera Guild Vice-President Gretchen Yost stated her name and affiliation for the record. Ms. Gretchen Yost stated that the 3rd Annual Opera Wine & Cheese Presentation and Performance held at the Española Plaza Mision y Convento was tentatively scheduled for Saturday June 6th 2015, beginning at 5pm until 7:30pm.

Ms. Gretchen Yost stated that the event would be a public and family event. She further explained that two (2) apprentices from the Santa Fe Opera would be performing. She also stated that local Black Mesa Winery would be sponsoring the event and serving local wines cultivated from local vineyards. Ms. Yost stated that her organization was seeking approval of the Public Celebration Permit Application Winegrower, Small Brewer & Craft Distiller License issued by the State of N.M. Alcohol & Gamming Division. MS. Yost stated that the license holders were Black Mesa Winery owners and operators Holder Jerry & Lynda Burd.

Mayor Pro-Tem Valdez stated that he was in support of the event but he was opposed to alcohol.

Motion made by Councilor Peggy Sue Martinez to approve the Public Celebration Permit Application for local Black Mesa Winery supporting Annual Opera Presentation and Performance. The Motion was 2nd by Councilor Adriana Ortiz.

Motion Carried 7-1
** Mayor Pro-Tem Valdez voted in the negative.*

7. **Approval of IFB 2015-002 City of Española Street Improvements for Hunter Street, Calle Cielito Lindo and Shadow Wood Lane. Criteria required by the Statutes Annotated NMSA 1978.**

General Services Director Juanito Maes stated that IFB 2015-002 City of Espanola Street Improvements in accordance with the Evaluation Committee met to review the two (2) bids submitted using criteria required by the New Mexico Statutes Annotated (NMSA 1978) and the Invitation for Bid.

GSD Juanito Maes further stated that the scope of work for this project is to resurface Shadowwood Lane East Street. Resurfacing methods may include but not limited to pulverization, grind & overlay, and rubberized slurry seal (Type II). SP-IV asphalt and would be the conventional asphalt. He further stated that all necessary striping will be replaced. GSD Juanito Maes explained that the scope of work also included removal and replacement of curb & gutter, and drive approaches as necessary (when indicated).GSD Maes state that the approximate cost to remedy Shadowwood Lane would be $38,011.12 dollars.

GSD Juanito Maes further explained that Temporary Traffic Control (TTC) will be provided by the City of Española when necessary and requested by the contractor within reasonable time for scheduling (at least 24 hours in advance). He further stated that the particular project included: Approximately 800 square feet of existing asphalt removal, proper disposal, and replacing with 3 inches of asphalt per design, approximately 300 linear feet of existing asphalt saw cut and overlay approximately 3,000 square feet of 2 inch asphalt on existing pavement after proper repairs.

General Services Director Juanito Maes stated that the street of Calle Cielito Lindo resurfacing methods may include but not limited to pulverization, grind & overlay, and rubberized slurry seal (Type II). SP-IV asphalt will be the conventional asphalt. He indicated that all necessary striping will be replaced. He further stated that approximately 5,000 square feet of existing asphalt repair and overlay with 2 inches of asphalt per design and explained that Calle Lindo would cost approximately $31,572.25 dollars for said improvements. GSD Maes stated that Hunter Street would run approximately $117,414.85 for improvements.

General Services Director Juanito Maes stated that Leroy's Excavating Inc. was recommended for the IFB as Flavio's Paving was none responsive nor did they meet all the criteria deemed acceptable for the IFB.

Councilor John Hernandez made a motion in favor of approving the IFB 2015-002 City of Española Street Improvements for Hunter Street, Calle Cielito Lindo and Shadow Wood Lane in favor of Leroy's Excavating Inc., 2nd by Mayor Pro-Tem Pedro Valdez.

Motion Carried 8-0

I. EXECUTIVE SESSION

Pursuant to New Mexico Open Meetings Act Section 10-15-1 (H) Subsection (2) limited personnel matters; (5) discussion of bargaining strategy preliminary to collective bargaining negotiations; (7) attorney-client privilege pertaining to threatening or pending litigation in which the public is or may become a participant; (8) discussion of the purchase, acquisition or disposal of real property or water rights by the public body.

Mayor Lucero stated that there was a need to go into executive session pertaining to personnel matters, and pending litigation Mayor Lucero then called for the motion to go into Executive Session. Councilor Tania Sanchez made a motion to go into Executive Session. 2nd by Mayor Councilor Cory Lewis.

Roll Call Vote:

Councilors:	***Tania Sanchez***	***in Favor***
	Cory Lewis	***in Favor***
	Michelle R. Martinez	***in Favor***
	Dennis Tim Salazar	***in Favor***
Mayor Pro-Tem:	***Pedro Valdez***	***in Favor***
	Adrianna Ortiz	***in Favor***
	Peggy Sue Martinez	***in Favor***
	John Hernandez	***in Favor***

Motion Carried 8-0

The Governing Body entered into Executive Session at 7:02 pm
Mayor Pro-Tem Pedro Valdez was no longer present, out at 7:30pm

Councilor Cory Lewis made a motion to come out of Executive Session, Motion 2nd by Mayor Pro –Tem Pedro Valdez.

Roll Call Vote:

Councilors:	***Tania Sanchez***	***in Favor***
	Cory Lewis	***in Favor***
	Michelle R. Martinez	***in Favor***
	Dennis Tim Salazar	***in Favor***
	Adrianna Ortiz	***in Favor***
	Peggy Sue Martinez	***in Favor***
	John Hernandez	***in Favor***

Motion Carried 7-0

The Governing Body came out of Executive Session at 7:57 pm

Mayor Alice A. Lucero stated that there was action taken in executive session. She further stated that Plaintiffs T.J. and C.J. on behalf of their minor child B.J. agreed to settlement agreement terms made and

entered between Plaintiffs and Defendants; City of Espanola. Mayor Alice A. Lucero further stated that Plaintiff Eppie Montoya agreed to settlement agreement terms made and entered between Plaintiff and Defendants; City of Espanola.

Mayor Alice A. Lucero concluded the consensus of the Governing Body stating that The Professional Services Agreement (PSA) was agreed to and entered into by and between the City of Española, a municipal corporation, 405 N. Paseo de Oñate, Española, NM 87532 ("City") and Barry David Cooney, LLC, 7 Avenida Vista Grande, Ste. B7-456, Santa Fe NM 87508, hereinafter referred to as the ("Contractor") and is effective as of the date set forth.

Motion in the affirmative by Councilor Peggy Sue Martinez; Motion 2nd by Councilor Cory Lewis.

Roll Call Vote:

Councilors:	***Tania Sanchez***	***in Favor***
	Cory Lewis	***in Favor***
	Michelle R. Martinez	***in Favor***
	Dennis Tim Salazar	***in Favor***
	Adrianna Ortiz	***in Favor***
	Peggy Sue Martinez	***in Favor***
	John Hernandez	***in Favor***

Motion Carried 7-0
**Mayor Pro-Tem Pedro Valdez was no longer present, (out at 7:30) subsequently did not vote.*

J. ADJOURNMENT

Motion to adjourn made by Councilor Michelle R. Martinez; Motion 2nd by Councilor Cory Lewis.

Motion Carried 7-0

Meeting Adjourned at 8:00pm

ADOPTED AND APPROVED by the Governing Body of the City of Española this 23rd day of June 2015.

The Honorable Alice Alarid Lucero
Mayor, City of Española

ATTEST:

Anna Squires, City Clerk
[SEAL]

CITY OF ESPAÑOLA SEAL NEW MEXICO