CITY COUNCIL MEETING
APRIL 22, 2014, 6PM
CITY HALL COUNCIL CHAMBERS
405 N. PASEO DE OÑATE ESPAÑOLA, NM

A. CALL TO ORDER

The meeting was called to order at 6:01pm by Mayor Alice A. Lucero.

B. PLEDGE OF ALLEGIANCE

Mayor Lucero led the Pledge of Allegiance.

C. MOMENT OF MEDITATION/INVOCATION

Mayor Pro-Tem Pedro Valdez led the Moment of Meditation/Invocation.

D. ROLL CALL/DETERMINATION OF QUORUM

The following Governing Body members were in attendance:

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

E. APPROVAL OF AGENDA

Agenda as presented:
---Begin---

A. **CALL TO ORDER**
B. **PLEDGE OF ALLEGIANCE**
C. **MOMENT OF MEDITATION/ INVOCATION**
D. **ROLL CALL/ DETERMINATION OF QUORUM**
E. **APPROVAL OF AGENDA**
F. **PUBLIC COMMENTS**
G. **COUNCILOR COMMENTS/ ANNOUNCEMENTS**
H. **MATTERS FROM THE MAYOR (ACTION ITEMS)**
   1. Certificate of Recognition- Cross Connection Inc. & MAR-Tech Services, LLC. – Ross & Marlene Sanchez
   2. Appointment of Regional Development Corporation Members
   3. Appointment of New Mexico Citizen's Advisory Board Members
I. **BUSINESS WITH VISITORS**
   4. Annual Northern New Mexico Regional Arts Center Presentation, Gabriela Silva, NNMRAC President, Louis Trujillo, NNMRAC Vice President and John Werenko, NNMRAC Executive Director
J. **PUBLIC HEARINGS**
   5. **CONSIDERATION OF LIQUOR LICENSE APPLICATION FOR SMALL BREWERS OFF-SITE** from Blue Heron Brewing Company, LLC. The location of the license will be: 100 Los Alamos Highway, Espanola, NM

6. **CONSIDERATION OF LIQUOR LICENSE APPLICATION FOR WINE GROWERS OFF-SITE** from Blue Heron Brewing Company, LLC. The location of the license will be: 100 Los Alamos Highway, Espanola, NM
7. **CONSIDERATION OF LIQUOR LICENSE APPLICATION FOR OWNERSHIP OF LIQUOR LICENSE** from Murphy Oil USA, Inc. The location of the license will be: 1628 North Riverside Drive, Espanola, NM

K. CONSENT AGENDA

8. 4.8.14 City Council Meeting Minutes

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

9. Approval of Public Celebration Permit Application for Winegrower and Small Brewer License Holders- Black Mesa Winery
10. Award of Bid- Installation Of Chain Link Fencing For Two (2) For Softball Fields - Russell Naranjo
11. Local Economic Development Act (LEDA) Application Approval: Performance Maintenance Incorporated (PMI)
12. Plastic Bag Ordinance (Discussion Only)- Requested by Councilor Radosevich
13. Approval of Joint Powers Agreement (JPA) with Rio Arriba County regarding State Projects
14. Request for Co-Sponsorship Espanola Valley Corvettes Show 'n Shine Show-Larry Martinez
15. Request for Co-Sponsorship Colcha Embroidery Exhibit-Loretta Atencio
16. Request for Co-Sponsorship 29th Annual Espanola Valley Arts Festival-Andrew Herrera
17. Request for Co-Sponsorship the Second Farm Show-Sabra Moore

M. 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.

N. ADJOURNMENT

--End--

Motion by Mayor Pro-Tem Valdez to approve the agenda as presented; seconded by Councilor Peggy Sue Martinez.

Motion Carried 8-0.

F. PUBLIC COMMENTS

Mr. Sam LeDoux of the Santa Fe County Republican Party stated that he was present to speak against the City adopting a Plastic Bag Ordinance. Mr. LeDoux expressed that there had been a recent study on the washing of fabric grocery bags that concluded it would take one- hundred (100) washes before a single plastic bag began to decompose. Mr. LeDoux urged the listening audience and all attending the Council Meeting to recycle and repurpose the current bags which were distributed at all local Española stores.

G. COUNCILOR COMMENTS/ ANNOUNCEMENTS

Councilor Salazar announced that a Little League Youth Softball Tournament would be taking place April 26, 2014 through April 27, 2014 beginning at 10:00am at Valdez Park. Councilor Salazar thanked Recreation Coordinator Andrew Herrera and Library Director Sherry Aragon for their efforts and recent coordination of the Easter Egg Hunt held at Valdez Park on April 12, 2014. Councilor Salazar further stated that the event was well received and attended and expressed gratitude towards Parks and Streets employees for preparation prior to the event as well as AFSCME Local 1188 for sponsorship funding.

Mayor Pro-Tem Valdez announced that the Spring Clean-Up, co-sponsored by the Greater Española Chamber of Commerce, would be taking place on Saturday, April 26, 2014 beginning at the Plaza de Española at 8:00am and ending at noon. Mayor Pro-Tem Valdez stated that food and drink would be

provided and encouraged the listening audience to participate and help Española stay beautiful.

Councilor Peggy Sue Martinez encouraged citizens to support the 2014 Española Fiestas and the upcoming 29th Annual Española Valley Arts Festival. She stated that the competition for Fiesta Royalty "Juan de Oñate & La Reina" would be taking place at Northern New Mexico College on Friday, April 25, 2014 at 7:00pm in the Nick Salazar Center for the Arts building. Councilor Peggy Sue Martinez further expressed that the 29th Annual Española Valley Arts Festival Poster Contest would be taking place in conjunction with the Fiesta Royalty Competition.

Mayor Lucero announced that the 3rd Annual Santo Niño Festival of the Arts would be taking place in the Misión on the Plaza de Española from Friday, April 25- Saturday, April 26, 2014. Mayor Lucero stated that during the event, NNMRAC President Gabriela Silva would be discussing Child Abuse Prevention Month. Mayor Lucero further stated that entertainment included: Pueblo Dancers, Children and Youth Performers from the Española Valley High School Chorus and the Española Valley Children's Choir. Mayor Lucero encouraged all to attend and support local artists, craftsmen and food vendors.

Councilor Michelle R. Martinez expressed gratitude for the participation and feedback rendered from the District 2 Community Forum held April 16, 2014. She stated that the next anticipated forum would be similar to a Town Hall meeting. Councilor Michelle R. Martinez stated that her constituents appreciated the public forum and expressed concerns regarding drug issues affecting the neighborhood as well as vandalism.

H. Matters From The Mayor (Action Items)

1. Certificate(s) of Recognition- Cross Connection Inc. and MAR-Tech Services, LLC. – Ross & Marlene Sanchez

Mayor Lucero stated that on March 22, 2014, the Family YMCA of Los Alamos held a Red & Black Ball in an effort to raise funds towards the restoration and growth of the Española YMCA Teen Center. Mayor Lucero stated that the event took place at the Buffalo Thunder Resort and was well attended. She expressed sincere gratitude to a couple whom contributed.

Mayor Lucero announced that Mr. Ross Sanchez of Cross Connection Incorporated had contributed $15,000 and Ms. Marlene Sanchez of MAR-Tech Services, LLC had contributed $35,000 towards sponsorship of the Española YMCA Teen Center. Mayor Lucero stated that the couple owned both successful companies outside of Española, yet chose to donate locally where they both originated from. Mayor Lucero stated that the amount was substantial and would prove to be beneficial for the Española YMCA Teen Center. She then presented the couple with two separate Certificates of Appreciation honoring each company.

Mr. Ross Sanchez stated that he and his wife, Marlene Sanchez, were both honored to be recognized by the City of Española. He explained that he originally approached Executive Director Linda Daly of the Family YMCA in Los Alamos and she informed him of the YMCA facilities in Española and the need for upgrades and restoration. Mr. Sanchez stated that he then met with Española YMCA Teen Center Director Ben Sandoval and witnessed the state of the center in comparison to the Family YMCA in Los Alamos. Mr. Sanchez expressed that he felt compelled to give and help in whatever way he could. He continued that he and his wife felt that other companies and businesses who shared similar successes should follow suit. Mr. & Mrs. Sanchez thanked Mayor Lucero and City Council for the recognition.

2. Appointment of Regional Development Corporation Member

Mayor Lucero stated that she had one (1) appointment for the Regional Development Corporation (RDC) Board. Mayor Lucero commented that former City Councilor Rosario "Chayo" Garcia would be an excellent advocate for the RDC because she owned a business within the community. Mayor Lucero explained that the RDC did not allow current elected officials to represent on the board.

Motion by Councilor Lewis to approve the appointment of Rosario "Chayo" Garcia to the Regional Development Corporation (RDC) Board; seconded by Councilor Radosevich.

Motion Carried 8-0.

3. Appointment of New Mexico Citizen's Advisory Board Member

Mayor Lucero explained that the advisory board advocated for the Department of Energy (DOE) and stated that Española had not been adequately represented by a member.

Mayor Lucero stated that her appointment for the New Mexico Citizen's Advisory Board would be City Clerk Tessa Jo Mascareñas and further expressed that her decision was based on the high level of professionalism and educational background that City Clerk Mascareñas possessed. Mayor Lucero explained that if the appointment was ratified by Council, she would still be subject to an extensive review process from the Department of Energy (DOE).

Motion by Councilor Lewis to approve the appointment of Tessa Jo Mascareñas to the Northern New Mexico Citizen's Advisory Board; seconded by Mayor Pro-Tem Valdez.

Motion carried 8-0.

I. BUSINESS WITH VISITORS

4. Annual Northern New Mexico Regional Arts Center Presentation, Gabriela Silva, NNMRAC President, Louis Trujillo, NNMRAC Vice President and John Werenko, NNMRAC Executive Director

Northern New Mexico Regional Arts Center (NNMRAC) Executive Director John Werenko stated that the current presentation was the fourth since the birth of the organization. He explained that the Board of Directors would be called a Board of Trustees because elected registered members held the trust of the community to provide Arts, Education & Outreach. Mr. Werenko further explained that the Chairperson was changed to President. He introduced NNMRAC Board of Trustees President Gabrielle Silva and NNMRAC Board of Trustees Vice President Louis Trujillo.

Ms. Silva stated that she had served on the NNMRAC Board of Trustees as President for two (2) years and it had been a wonderful experience. She reported that Board of Trustees met once a month and emphasized research, funding, and the long-term sustainability of the Northern New Mexico Regional Arts Center. Ms. Silva introduced other board members who were present: Mr. John Ramon Vigil, Ms. Linda Firestone, Ms. Nanette Valerio, Mr. Justin Espinosa, and Mr. Brian Wingard.

Española Valley Children's Choir Director Brian Wingard stated that all the children were a joy to

work with. He explained that, through his teaching, he emphasized the importance of learning how to speak publicly as well as singing with pride. He further stated that he wanted to instill a sense of confidence within the children as well as harness their musical ability. Mr. Wingard expressed sincere gratitude and appreciation for the City of Española and the community at large and concluded that he was grateful to work within such a beautiful and culturally rich area. He reported that he worked with youth from four (4) years of age in the Española Valley Children's Choir up to eighteen (18) years of age as Director of the EVHS Choir.

Mr. Werenko summarized the 2014 NNMRAC Annual Report. He stated that at the beginning of 2010, the Board of Directors developed a strategic plan. He stated that the Board of Trustees was in the second half of the four (4) year cycle. Mr. Werenko reported that at the beginning of 2010, NNMRAC had approximately $130,000 in startup funds from the original organization in Los Alamos, NM. He added that, in conjunction with leasing the facilities from the City of Española, the funds enabled the organization to sustain itself for the following year.

Mr. Werenko discussed funding developments which included: gallery sales, fundraisers, grant donations, tuition, tourist activity sales and facility fees. He explained how Plaza facilities could better generate profits by utilizing facility contract agreements and fees. Mr. Werenko stated that more often than not, the public sought co-sponsorship of the facilities via City Council approval rather than honoring the payment and services agreement process. He explained that a clause was written within the services agreement which allowed for the option. Mr. Werenko stated that he discussed the matter further with Mayor Pro-Tem Valdez who also sat on the Board of Trustees. Mr. Werenko stated that he urged Mayor Pro-Tem Valdez to bring the matter to the Finance Board due to the loss in potential revenue. Mr. Werenko stated that if the service agreements were utilized properly, revenue would increase dramatically and would aid in the grant proposal process.

Mr. Werenko stated that the Board of Trustees had developed a way to cut back on non-essentials and balance the budget on a monthly basis. He reported that the organization started with $130,000 dollars in 2010 and had $20,000 remaining. Mr. Werenko commented that the funds needed to be replenished and further added that the NNMRAC Board was in the process of applying for state and federal grant funding which could possibly equate to one (1) million dollars over a four (4) year period. Mr. Werenko explained that a key component to the proposal process would be revenue sharing with the City of Española. He added that organizations such as the Veterans Memorial Wall or Fiesta Council that utilized the Plaza and contributed to city economic development would be direct benefactors of grant funding.

NNMRAC Board of Trustees Vice President Louis Trujillo stated that he was a new NNMRAC Board of Trustees member and acquired the position of NNMRAC Board of Trustees Vice President because he expressed an interest in the development of the grant proposal process. Mr. Trujillo further stated that he worked for the Department of Associate Directors of Information & Technology at Los Alamos National Laboratory (LANL) as an Information & Infrastructure Engineer. He explained that he understood the mechanics involved in record and content management which allowed him to help in the grant proposal process. Mr. Trujillo requested a letter of endorsement from the Governing Body supporting NNMRAC and its collaborative efforts to financially sustain itself.

Northern New Mexico Regional Arts Center (NNMRAC) Executive Director John Werenko stated that he would be addressing the Governing Body in the upcoming City Council Meeting on May 13, 2014, to discuss the contractual agreement between NNMRAC and the City of Española. Mr. Werenko further stated that the Plaza de Española Foundation fully supported the collaboration

between NNMRAC and the City of Española.

J. PUBLIC HEARINGS

5. CONSIDERATION OF LIQUOR LICENSE APPLICATION FOR SMALL BREWERS OFF-SITE from Blue Heron Brewing Company, LLC. The location of the license will be: 100 Los Alamos Highway, Espanola, N.M.

City Clerk Mascareñas stated that the New Mexico Licensing and Regulation Department issued a letter to the City of Española that cited the Liquor Control Act which required that a Public Hearing take place within forty-five days (45) after receipt, allowing the Governing Body to approve or disapprove the issuance or transfer of the liquor license applicant.

Mayor Lucero opened the public hearing at 6:48pm.

Co-Owner of Blue Heron Brewing Company Kristin Hennelly stated that she was bias and in favor of her brewing company as well as the desired location.

Española Valley Chamber of Commerce Executive Director Kelly Duran stated that he was in favor of the Blue Heron Brewing Company, as well as the location. He expressed the belief that people would socialize in a more responsible manner as well as frequent the historic location and bring added tourist dollars to the Plaza de Española.

Mayor Lucero closed the public hearing at 6:50pm.

Councilor Radosevich stated that he was a longtime customer of the Blue Heron Brewing Company and would be voting in the affirmative.

Motion by Councilor Radosevich to approve the liquor license application for small brewers off-site from Blue Heron Brewing Company, LLC, located at 100 Los Alamos Highway, Espanola, N.M.; seconded by Councilor Lewis.

Councilor Peggy Sue Martinez questioned the proximity of the closest church to the brewing company. Councilor Martinez stated that she believed there was a church located on the opposite side of the street from the old Española Post Office. Interim City Manager Joe Duran stated that the church was determined to be over three hundred (300) feet away from the location of the brewery.

Mayor Pro-Tem Valdez stated that he was in support of new business and economic development surrounding the Plaza de Española but was not in favor of alcohol. Mayor Pro-Tem Valdez further stated that he would not be voting in favor of the application for liquor license.

Roll Call Vote:

Mayor Pro-Tem:	***Pedro Valdez***	***Not In Favor***
Councilors:	***Eric Radosevich***	***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 7-1, with Mayor Pro-Tem Valdez voting in the negative.

6. CONSIDERATION OF LIQUOR LICENSE APPLICATION FOR WINE GROWERS OFF-SITE from Blue Heron Brewing Company, LLC. The location of the license will be: 100 Los Alamos Highway, Espanola, N.M.

City Clerk Mascareñas stated that NM Licensing and Regulation Department had issued a preliminary approval of the application for wine growers off-site from Blue Heron Brewing Company, LLC. City Clerk Mascareñas asked if there were any questions or concerns the Governing Body had.

Mayor Lucero opened the public hearing at 6:53pm.

Co-Owner of Blue Heron Brewing Company Scott Hennelly expressed excitement about being a part of the "Downtown Effort" and further expressed his involvement and support of the Española Valley Children's Choir as well as NNMRAC.

Regional Development Corporation member Val Alonzo expressed his endorsement and sincere support of the micro-brewery as well as future activity in the downtown area.

Mayor Lucero closed the public hearing at 6:54pm.

Motion by Councilor Radosevich to approve the liquor license application for wine growers off-site from Blue Heron Brewing Company, LLC, located at 100 Los Alamos Highway, Espanola, N.M.; seconded by Councilor Lewis.

Mayor Pro-Tem Valdez stated that he was not in favor of alcohol. Mayor Pro-Tem Valdez further stated that he would not be voting in favor of the application for liquor license for wine growers off-site.

Roll Call Vote:

Mayor Pro-Tem:	***Pedro Valdez***	***Not In Favor***
Councilors:	***Eric Radosevich***	***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 7-1, with Mayor Pro-Tem Valdez voting in the negative.

7. CONSIDERATION OF LIQUOR LICENSE APPLICATION FOR OWNERSHIP OF LIQUOR LICENSE from Murphy Oil USA, Inc. The location of the license will be: 1628 North Riverside Drive, Española, N.M.

City Clerk Mascareñas stated that council had previously approved the liquor license for Murphy Oil USA, Inc. She stated that the company had undergone restructuring and head officers had changed. City Clerk Mascareñas further stated that Murphy Oil USA, Inc. was required by the N.M. Licensing

and Regulation Department to be re-approved. City Clerk Mascareñas added that Mr. John Hamm, a representative from Murphy Oil USA, could be reached via teleconference if there were any further questions.

Mayor Lucero opened the public hearing at 6:56pm.

Mayor Lucero closed the public hearing at 6:57pm

Motion by Councilor Radosevich to approve the liquor license application for ownership from Murphy Oil USA, Inc., located at 1628 North Riverside Drive, Española, N.M.; seconded by Councilor Ortiz.

Mayor Pro-Tem Valdez stated that there were approximately as many liquor stores in the City as there were churches.

Roll Call Vote:

Mayor Pro-Tem:	***Pedro Valdez***	***Not In Favor***
Councilors:	***Eric Radosevich***	***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 7-1, with Mayor Pro-Tem Valdez voting in the negative.

K. CONSENT AGENDA

8. 4.8.14 City Council Meeting Minutes

Motion by Mayor Pro-Tem Valdez to approve the Consent Agenda; seconded by Councilor Radosevich.

Motion carried 8-0.

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

9. Approval of Public Celebration Permit Application for Winegrower and Small Brewer License Holders- Black Mesa Winery.

Española Valley Opera Guild member Gretchen Yost stated that she and Ms. Linda Fitzgerald were requesting consent and approval of a Public Celebration Permit which was required by the New Mexico Regulation and Licensing Department. Ms. Yost announced that the Guild would hold an Opera, Wine & Cheese Presentation at the Plaza de Española Mision y Convento on May 31, 2014 from 3:00pm until 8:00pm in support and appreciation of the Santa Fe Opera. She reported that the Española Valley Opera Guild had partnered with Black Mesa Winery in order to host the event for a second consecutive year. Ms. Yost further explained that the event promoted opera education, appreciation and outreach. She encouraged the community to attend to gain further knowledge and appreciation of the Santa Fe Opera.

Motion by Councilor Radosevich to approve the Public Celebration Permit Application for Wine and Small Brewers License holders – Black Mesa Winery; seconded by Councilor Lewis.

Motion carried 7-1, with Mayor Pro-Tem Valdez voting in the negative.

10. Award of Bid- Installation Of Chain Link Fencing For Two (2) Softball Fields

Planning & Zoning Director Russell Naranjo stated that an advertisement/legal publication was published in the Albuquerque Journal on March 26, 2014 seeking the most responsible bidder to provide labor, materials and equipment to install chain link fencing for two softball fields located at the City of Española Sports & Recreation Complex. He further stated that the RFP process was followed accordingly and the City reserved the right to reject any or all bids if the criteria were not met.

Planning & Zoning Director Naranjo stated that appropriated funding had allowed the project to move forward and the artificial turf would be fully installed by mid-May 2014. He stated that City employees in the Fleet, Street, Parks and General Services departments had been instrumental in the process.

Planning & Zoning Director Naranjo explained that the last development in phase one (1) was the installation of chain link fencing around the two (2) softball fields. He stated that the RFP was awarded to American Fence Company because they met all of the criteria listed. Planning & Zoning Director Naranjo stated that the City received seven (7) total bids and American Fence Company's bid amounted to $71,000 dollars including NM gross receipts tax and priced the work in linear square ft.

Councilor Eric Radosevich commended and thanked City employees for their diligence and hard work.

Motion by Councilor Radosevich to approve the award of bid-installation of chain link fencing for two (2) softball fields to American Fence Company in the amount of $71,000 plus Gross Receipts Tax; seconded by Mayor Pro-Tem Valdez.

Councilor Hernandez stated that he had reviewed the RFP provided by the Finance Department and found that it could be misleading. He added that the strengths and weaknesses scoring ratio did not appear defined to him. Councilor Hernandez stated that he would like to simplify the process to pre-qualified bidders whom were predetermined by State regulation and standard. Councilor Peggy Sue Martinez echoed the sentiments of Councilor Hernandez.

Planning & Zoning Director Naranjo affirmed that all criteria must be met prior to awarding the RFP. He encouraged both Councilor Hernandez and Councilor Peggy Sue Martinez to become better informed on RFP policy and further discuss concerns and/or suggestions with the Finance Department as well as the Planning Department outside an open forum. Planning & Zoning Director Naranjo expressed that he was following all protocol and procedures dictated within the process.

Councilor Lewis asked if American Fence Company was present to speak further regarding the RFP. Planning & Zoning Director Naranjo replied in the negative and stated that the company was not required to be present. He stated that progress was positive and encouraged the entire Governing Body to visit the softball fields.

Councilor Adrianna Ortiz asked what the timeline was to appeal the RFP if another bidder felt the need to do so. Attorney John Appel from the Coppler Law Firm stated that the appeal must be filed within fifteen (15) days of notification.

Motion carried 8-0.

11. Local Economic Development Act (LEDA) Application Approval: Performance Maintenance Incorporated (PMI)

P & Z Director Naranjo stated that the City approved a Local Economic Development Act Ordinance allowing for public support of economic development projects. He explained that in order to steer away from violating the anti-donation clause, the LEDA Ordinance allowed the City of Española the capacity to foster, promote and enhance the efforts put forth by an entity or company promoting local economic development within the region. Planning & Zoning Director Naranjo further explained that funding approved based off the LEDA Ordinance 2010-12 may also allow for infrastructure upgrades and aid so that the entity or company may support local gross receipts tax, hence adding to the economic base.

Planning & Zoning Director Naranjo added that it had been difficult in the past to attract companies which enhanced the community as well as economic development. He stated that he had been in communication with Mr. Eric Quintana of Performance Maintenance Incorporated (PMI). Planning & Zoning Director Naranjo stated that PMI was in the process of developing a facility on Paseo de Oñate within Española City limits. He stated that he was informed by Mr. Quintana of recent difficulties that he had encountered which included costly infrastructure hook-up problems. Planning & Zoning Director Naranjo explained PMI was an ideal LEDA candidate and applicant because of the companies proven success, generated revenue and gross receipts contributions. He stated that PMI had successfully completed the LEDA application process and was now seeking approval from the Governing Body in order to accommodate for infrastructure aid such as water and sewer hook-ups as well as construction permit fees.

Planning & Zoning Director Naranjo noted in further detail the infrastructure problems and costs that Mr. Quintana encountered. He stated that upgrades estimated included a six (6) inch commercial tie-in (water-line) which would cost approximately $1,330, the next tie-in line would be the two (2) inch water line which connected to the six (6) inch line but was metered, thereby costing an average of $3,108.00. He stated that additional costs included: $1,000 for fifteen (15) internal structure fixtures and $10,000 dollars for sewer fixture tie-ins and infrastructure storage facilitation. He estimated that labor would cost $5,000 plus $180 for sewer fixtures. Planning & Zoning Director Naranjo reported that the building permit fee would equate to $6,327 based on the size of the building and cost for construction. He concluded that the amount Mr. Eric Quintana of PMI would be approved for would equate to $26,945 dollars.

P & Z Director Naranjo further stated that the amount, if it were approved, would be returned to the City over a three (3) year period given the size of company, its generated revenue, employment base and potential gross receipts tax.

Motion by Councilor Radosevich to approve Performance Maintenance Incorporated (PMI) Local Economic Development Act (LEDA) Application; seconded by Mayor Pro-Tem Valdez.

Mayor Lucero stated that the estimated revenue projections from Performance Maintenance Incorporated for the next year was an estimated $3,479,016. She stated that although PMI had another company based within the state of Texas, the City still stood to gain gross receipts tax revenue from the new facility.

Councilor Peggy Sue Martinez questioned the exact amount of revenue generated within the State of New Mexico from the company last year and asked if online sales were contributing factors to local gross receipts tax. Mr. Quintana stated that the company's revenue in New Mexico the previous year was approximately $1.8 million regionally. He further stated that gross receipts tax generated from website sales had not been determined yet.

Motion carried 8-0.

12. Plastic Bag Ordinance (Discussion Only)- Requested by Councilor Radosevich

Councilor Radosevich stated that he had brought the Plastic Bag Ordinance to the attention of Governing Body because he was tired of seeing plastic bags littering the community as well as surrounding areas. He stated that he had witnessed how Santa Fe quickly adapted to being without plastic bags and charged a fee for paper bags. Councilor Radosevich stated that he wanted to discuss the possibility of adopting a similar ordinance and discuss the effect it would have on the community if the ordinance was implemented.

Mayor Pro-Tem Valdez stated that he was a firm believer on educating the public on the environmental effects of certain types of trash and debris. He reported that he picked up trash every morning on Paseo de Oñate, Bond, and Hill Streets. Mayor Pro-Tem Valdez expressed that it appeared to be a lack of civic pride within the community and one could only lead by example. He stated that he would be open to discussing the ordinance further at a Public Works Committee meeting and commented that plastic bags should be recycled and repurposed to pick up trash. Mayor Pro-Tem Valdez stated that North Central Solid Waste Authority (NCSWA) was in the process of developing a recycling area at the new transfer station.

Councilor Michelle R. Martinez stated that she was contacted by constituents who were not in favor of the plastic bag ordinance. She stated that the constituents stated if there were to be a recycling center and appropriate recycling bins as well as education on recycling and the environment, the problem may resolve to some degree. Councilor Michelle R. Martinez further expressed that the City would have to collaborate with the County in order to address the problem regionally.

Councilor Hernandez stated that he had brought up a similar scenario during a Public Works Committee Meeting. He stated that by placing "No Littering" signs in many of the City Parks and Recreational areas, the situation may dissipate. Councilor Hernandez further stated that the concept could be enforced by City Police and revenues could be generated from violators who were caught and charged a penalty fee.

Councilor Adrianna Ortiz stated that in recognition of Earth Day, the topic of a Plastic Bag Ordinance was appropriate. She echoed the sentiments of Councilor Hernandez and Mayor Pro-Tem Valdez and stated that the issue was regional and environmental.

Councilor Dennis Tim Salazar stated that he needed to better educate himself on the Plastic Bag Ordinance passed within the City of Santa Fe. He echoed the comments discussed by Councilor Hernandez and stressed the importance of communicating with local public safety officials about deliberate littering. Councilor Salazar urged the public to take pride in their community and repurpose plastic bags by using them to place debris and trash in. Councilor Dennis Tim Salazar concluded his statement by echoing the comment made by Mayor Pro-Tem Valdez "lead by example and others may follow".

13. Approval of Joint Powers Agreement (JPA) with Rio Arriba County regarding State Projects

Mayor Lucero stated that the Joint Powers Agreement was initiated between the City of Española and Rio Arriba County. She explained that because the City was not up to date with audits, it was unable to obtain 2013 legislative appropriations in the amount of approximately $500,000. Mayor Lucero stated that during City and County Joint work sessions, Rio Arriba County offered to be the City's fiscal agent. She reported that the Department of Finance and Administration Local Government Division had stipulated that Rio Arriba County could not act as a fiscal agent; however, after meeting with Governor Susanna Martinez regarding the Joint Powers Agreement, the Department of Finance and Administration allowed the County to be the grantee of legislative appropriations through a Joint Powers Agreement. Through this agreement, the County would be responsible for drawing down the monies through the Department of Finance and Administration on behalf of the City of Española.

Councilor Radosevich exited at 7:48pm.

Attorney John Appel from the Coppler Law Firm stated that Mayor Lucero had accurately described the Joint Powers Agreement between Rio Arriba County and the City of Española. He stated that the agreement presented within the packets was the second draft and recommended that Council approve the draft which was subject to Department of Finance and Administration review and approval.

Councilor Radosevich re-entered at 7:49pm.

Motion by Mayor Pro-Tem Valdez to approve Joint Powers Agreement (JPA) with Rio Arriba County regarding State Projects; seconded by Councilor Dennis Tim Salazar.

Motion carried 8-0.

14. Request for Co-Sponsorship Espanola Valley Corvettes Show 'n Shine Show

Española Valley Corvettes Club President Larry Martinez stated that the Española Valley Corvettes Club was requesting co-sponsorship of the 7th Annual Show 'N Shine Corvette Show scheduled for Saturday June 7, 2014 from 9:00am to 5:00pm. Mr. Martinez requested that the Plaza de Española facilities including the gazebo, parking lot and Misión y Convento be made available during that day. Mr. Martinez further stated that the event had been co-sponsored by the City in years prior.

Motion by Councilor Lewis to approve the Request for Co-Sponsorship Espanola Valley Corvettes Show 'n Shine Show and the use of Plaza de Española facilities; seconded by Councilor Dennis Tim Salazar.

Motion carried 8-0.

15. Request for Co-Sponsorship Colcha Embroidery Exhibit

Ms. Loretta Atencio, volunteer of the Northern New Mexico Cultural Embroidery Exhibit stated that she had first approached the Community Services Committee Chair Eric Radosevich and was placed on the committee agenda for initial review. Ms. Atencio stated that she provided a letter requesting the use of the Bond House Museum from July 27 to September 1, 2014 for the purposes of having the Northern New Mexico Cultural Embroidery Exhibit. Ms. Atencio further stated that the exhibit

had taken place the year prior and was well received by the community. Ms. Atencio requested that the fee of $200 be waived in an effort to encourage more participation. Ms. Atencio further stated that monies saved from the co-sponsorship would be reinvested in advertising the exhibit.

Motion by Councilor Lewis to approve the Request for Co-Sponsorship Colcha Embroidery Exhibit and the use of the Bond House from July 27th until September 1st 2014; seconded by Councilor Peggy Sue Martinez.

Motion carried 8-0.

Councilor Radosevich exited at 7:53pm.

16. Request for Co-Sponsorship 29th Annual Española Valley Arts Festival

Espanola Valley Arts Festival Chair Andrew Herrera requested the use of the Plaza de Española for the 29th Annual Espanola Valley Arts Festival from September 27 -September 28, 2014. Mr. Herrera also requested that facility fees in the amount of $150 be waived. He reported that the event had been taking place for several years and had always brought in tourist dollars. Mr. Herrera explained that the Espanola Valley Arts Festival provided a venue to display local art work while supporting local artists and provided positive activity in the downtown area.

Mayor Lucero asked Mr. Herrera if provisions had been regarding clean-up. Mr. Herrera responded in the affirmative, stating that the Española Valley Arts Board had all agreed to provide clean-up after the event finished.

Motion by Councilor Peggy Sue Martinez to approve the Request for Co-Sponsorship of the 29th Annual Española Valley Arts Festival from September 27- September 28, 2014; seconded by Councilor Lewis.

Motion carried 7-0.

Councilor Hernandez stated that he now understood why the Plaza de Española Convento y Misión Museum had trouble turning profits and revenue. He urged fellow Councilors to be mindful of the requests made earlier from NNMRAC Executive Director John Werenko. Councilor Hernandez stated that he would be looking closer at alternative methods of payment and review the clause portion on the contract which allowed the waiver request of co-sponsorship and or facility fees.

17. Request for Co-Sponsorship the Second Farm Show

Española Farmers' Market Manager Sabra Moore stated that she was present to request the use of the Bond House facilities from September 2- October 31, 2014. Ms. Moore expressed her sincere gratitude toward the City of Española for their continued support of local farmers and merchants. She explained that the co-sponsorship would entail waiving the $200 license use fee. Ms. Moore further stated that the show would include ten (10) local artists who would interview twenty (20) farmers from the Española Farmers' Market about their family history, then work collaboratively to create twenty eight-foot by one-foot cloth farm story banners as part of the exhibition. Ms. Moore further explained that the artists would then create artwork in response to the farmer's stories.

Motion by Councilor Peggy Sue Martinez to approve the Request for Co-Sponsorship of the Second Farm Show; seconded by Mayor Pro-Tem Valdez.

Mayor Lucero requested that parking safety for the Española Farmers' Market be discussed or placed on the next Public Safety Committee Agenda. Councilor Lewis responded in the affirmative. Mayor Lucero expressed that many people parked on the shoulder of the street during the busy times of the farmers market and have in the process been subject to parking tickets.

Motion carried 7-0.

M. 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 in order to discuss personnel matter(s) and pending litigation.

Motion by Councilor Peggy Sue Martinez to enter into Executive Session; seconded by Councilor Lewis.

Roll Call Vote:

Mayor Pro-Tem:	***Pedro Valdez***	***In Favor***
Councilors:	***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 entered into Executive Session at 8:19pm.

Motion to exit from Executive Session made by Councilor Peggy Sue Martinez; seconded by Mayor Pro-Tem Valdez.

Roll Call Vote:

Mayor Pro-Tem:	***Pedro Valdez***	***In Favor***
Councilors:	***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 exited Executive Session at 8:51pm.

Mayor Lucero stated that there was no action taken in Executive Session.

N. ADJOURMENT

Motion by Councilor Peggy Sue Martinez to adjourn; seconded by Councilor Ortiz.

Motion carried 7-0.

The meeting was adjourned at 8:52pm.

PASSED, APPROVED and ADOPTED THIS 27th DAY OF MAY, 2014.

Alice A. Lucero, Mayor

Attest:

Tessa Jo Mascarenas, City Clerk