



**CITY COUNCIL MEETING**  
JULY 22, 2013, 6PM  
CITY HALL COUNCIL CHAMBERS  
405 N. PASEO DE OÑATE ESPAÑOLA, NM

**A. CALL TO ORDER**

Mayor Lucero called the meeting to order at 6:01pm.

**B. PLEDGE OF ALLEGIANCE/MOMENT OF MEDITATION**

Mayor Lucero led the Pledge of Allegiance and Councilor Valdez led the Moment of Meditation.

**C. ROLL CALL/ DETERMINATION OF QUORUM**

The following Governing Body members were in attendance:

Mayor:	Alice A. Lucero
Mayor Pro-Tem:	Dennis Tim Salazar
Councilors:	Elaine Herrera
	Eric Radosevich
	Cory Lewis
	John Hernandez
	Peggy Sue Martinez
	Pedro Valdez
	Robert Seeds

**D. APPROVAL OF AGENDA**

Mayor Lucero requested that Items 11 and 13 be discussed prior to Matters from the Mayor. Councilor Lewis suggested placing Items 11 and 13 right after Matters from the Mayor as there was a large audience in attendance. Mayor Lucero agreed. Councilor Hernandez requested that the Rio Arriba Literacy Program Memorandum of Understanding (MOU) be the first item under Items for Discussion/Action Items.

*Motion by Councilor Valdez to approve the agenda as amended; seconded by Councilor Radosevich.*

*Motion carried 8-0.*

**E. PUBLIC COMMENTS**

Ms. Lauren Reichelt stated that she lived on the Westside of Espanola and was employed as the County Health and Human Services Director. She stated that she was in attendance to support placing the Moving Arts Dance Company in the Hunter Ford building. Ms. Reichelt stated that it

would be positive to have something optimistic for youth in the neighborhood. She stated that no one went to her house on Halloween and she would love more of a neighborhood feeling.

#### **F. COUNCILOR COMMENTS/ANNOUNCEMENTS**

Councilor Valdez provided a statement about Streets Supervisor Anthony "Hawk" Trujillo. He discussed his many years of valuable service and explained that Street Supervisor Trujillo would be resigning for another position with Los Alamos County. Streets Supervisor Trujillo thanked everyone for the opportunity to work for the City of Espanola. He stated that every day had been a challenge and he would not be the person he was without a good crew. He asked the same courtesy and praise that the Council gave him, be also given to his employees.

Mayor Lucero expressed appreciation for all of Street Supervisor Trujillo's work and stated that it was a tremendous loss that was Los Alamos County's gain. She stated that the City of Espanola could not compete with the salary that Los Alamos County offered.

Street Supervisor Trujillo stated that he would always be willing to assist the City of Espanola in any way.

Councilor Lewis thanked Street Supervisor Trujillo for his hard work.

Councilor Martinez announced that Court Administrator Jolene Miera had been elected Secretary of the New Mexico Municipal League (NMML) Court Clerk's Association. Councilor Martinez reported that Court Administrator Miera would progress toward the position of President eventually.

Councilor Martinez congratulated Interim Librarian Sherry Aragon for being asked to speak at the New Mexico Coalition for Literacy.

#### **G. MATTERS FROM THE MAYOR**

##### **1. Recognition of Joe Ortega, Little League Coach**

Mayor Lucero asked Councilor Martinez to make the presentation as she had requested the award be given.

Councilor Martinez read the certificate.

Councilor Martinez asked Mr. & Mrs. Ortega to come forward. Mayor Lucero commented that one (1) year for opening day, the person that was supposed to sing the national anthem had not shown up and Mrs. Ortega had sang beautifully.

Mr. Ortega stated that he would not have been able to do the job without the support of the City Council. He explained that he had begun because his grandson's team needed a coach and three (3) years later he was asked to serve on the Board. He was then asked to serve as President and agreed to do it in the interim. He stated that the interim position had lasted for three (3) years. He expressed the importance of the assistance from City staff. He stated that without the

grounds people, utility workers, maintenance and Lucero Center staff, it would have been nearly impossible to do the job he did.

Mr. Ortega reported that the State Little League Tournament had been held in Espanola the previous year and he still received compliments, especially from the girls that won the World Series.

He announced that the program had grown to 600 kids with over 140 coaches. He stated that it was larger than Santa Fe, Pojoaque, Los Alamos and White Rock put together. He stated that he would miss the sounds of the children's voices.

Councilor Martinez read several emails praising the work of Mr. Ortega from Little League coaches. She thanked Mr. Ortega and asked that he consider the possibility of mentoring the next President so that everything that he had done throughout his tenure did not get lost. She presented him with gift cards for La Cocina and El Paragua.

Mr. Ortega stated that he would continue to help and would search for grants to transform the old lighting system.

Councilor Martinez asked Recreation Coordinator Herrera to stand up because he received the anonymous gift card for El Paragua. Recreation Coordinator Herrera stated that Mr. Ortega had shown commitment and they would continue to work together. He stated that he would not disclose the identity of the anonymous donor.

Mrs. Ortega mentioned that Mr. Ortega had invited her to prom in 1973 when they were (Santa Cruz High School) Crusaders and they would be celebrating their 37<sup>th</sup> wedding anniversary on August 2, 2013.

## 2. Co-Sponsorship of Mini-Walk Against Drugs (Action Item)

Mr. Efren Sanchez stated that he was in attendance requesting the co-sponsorship of the mini-walk on September 28, 2013. He thanked the Council for their support in years prior.

Mayor Lucero thanked Mr. Sanchez for his important work.

***Motion by Councilor Valdez to approve the co-sponsorship of the Mini-Walk Against Drugs; seconded by Councilor Lewis.***

***Motion carried 8-0.***

Mr. Richard Marquez announced that they had received over thirty (30) bikes the previous year and were hoping to get fifty (50) in the current year.

All Governing Body members committed to the donation of a bike.

## 3. Partnership with Moving Arts Española (Action Item)

Ms. Catherine Delgado-Apodaca introduced herself as the Board President of Moving Arts Espanola. She explained that they had come before the Council to express the significance of Moving Arts Espanola. She reported that children had been involved in the program since 2008 and it had impacted their wellness through positive and nurturing experiences. She stated that there were a lot of people that supported their efforts.

***Motion by Councilor Radosevich to approve the partnership between the City of Espanola and Moving Arts Espanola; seconded by Councilor Seeds.***

Mr. Roger Montoya announced that he had requested that two (2) individuals provide testimonials about their experiences working with moving Arts Espanola following his address.

Mr. Montoya provided a PowerPoint presentation.

He stated that without the help of Salvador Ruiz, his life partner, the accomplishments of Moving Arts Espanola would not be possible. He reported that they offered dance and gymnastics. Mr. Montoya stated that he became an acrobat at four (4) years old and had high level partnerships with international artists that come and teach on a guest basis. He stated that they sought superb instruction. He added that their hip-hop and break dancing classes had become popular as had their drama courses.

Mr. Montoya affirmed that agricultural arts would be a new endeavor and would be tied to La Tierra Montessori School. He stated that the work would set the stage for a potential partnership with the Community Co-op on Main street.

Mr. Montoya reported that each year there were 50-60 creative ballerinas that showed up on their doorstep. In addition, he stated that Contemporary Dance performance was an aspect they had put into place. He stated that Circus Arts expanded kids into a world that they would not otherwise see and Visual Arts developed capacity for the brain.

Mr. Montoya stated that the building was old and would require a thoughtful plan for the layers of development that he had discussed with the Mayor. He stated that they would like to institute a tutorial children's library. He stated that this would provide the children with a place to do their homework if they arrived afterschool and did not have a class until later in the evening.

Mr. Montoya stated that Mayor Lucero had presented the idea of creating a mural that would depict the legacy of the area on the exterior of the building.

He stated that the Community Market was a beacon waiting to be developed and the need for healthy food, diet and education was paramount. He reported that the native population was suffering from diabetes and his work was about prevention by keeping kids healthy and on track. He expressed hope that he would be able to reverse the increasing incarceration rate of 16-17 year olds.

He added that he would like to build gardens following the remediation of the building and the idea of bringing the building up to code was not taken lightly.

Mr. Eduardo Maes stated that he was fourteen (14) years old and from Espanola. He explained that Moving Arts Espanola had helped him go through training. He stated that he had learned how to discipline himself and be responsible. He stated that without Moving Arts Espanola, he would not be able to be really successful as he would not have had the training to go to professional school.

Mr. Mateo Peixinho stated that he was a parent with three (3) children. He announced that all of the parents had seen their children blossom. He reported that he had worked with surrounding communities and what Moving Arts Espanola brought to the community was huge in the way of having safe activities for children. He stated that his wife had mentioned possible use of the Hunter Building a year prior and he had believed it to be too much work; however, any great thing required hard work and parents were willing to do what it took.

Councilor Martinez asked Mr. Montoya about the logistics. She stated that she needed clarification about what the partnership would entail. Mayor Lucero explained that Mr. Montoya had approached her and Interim City Manager Duran regarding Moving Arts Espanola needing a location. She stated that the Hunter Building had immediately come to mind.

Mayor Lucero stated that the Library Board President had informed her that the Board would prefer a new building. She stated that the Hunter Building had a lot of potential and Moving Arts Espanola was willing to help refurbish the space.

Mayor Lucero stated that her granddaughter had taken ballet with Moving Arts Espanola and knew what it had done for her and for youth in the community. She stated that children developed self-confidence and self-esteem through their programs. She explained that the Council had always supported youth and tried to expand programs at the Lucero Center, Teen Center and Northern New Mexico Regional Art Center (NNMRAC). Mayor Lucero stated that there could never be enough programs and she would like approval of the partnership so the lease agreement could move forward at the next meeting. She stated that they were hoping to provide the services by October which may be a bit optimistic. She stated that the City did have money to remediate and would have to remodel the restrooms.

Mayor Lucero stated that the mural would be placed on the west side of the building. She curbed her remarks by stating that preliminary discussions were still underway; however, the partnership would improve the downtown area.

Councilor Martinez asked if it involved any financial responsibilities. Mayor Lucero replied that it did not at that point. Councilor Seeds stated that the partnership would impact the City at a later date. He added that if the Council was not obligated to support the community, then they had no purpose. He expressed pride in supporting the efforts of Moving Arts Espanola.

***Motion carried 8-0.***

Mr. Montoya stated that he looked forward to drafting a lease. He stated that with this approval, discussion would get to meat and potatoes of how the project would roll out. He stated that he did not want to interrupt service and would be willing to work as quickly as possible.

#### 4. Implementation Team/US Attorney/DEA Tip line

Mayor Lucero reported that there had been a press conference the previous day on US Highway 84/285 coming into the City from Pojoaque. She stated that they placed a billboard providing numbers for the public to call to report drug trafficking.

#### 5. North Central New Mexico Economic Development District (NCNMEDD)- Fiscal Agent for Legislative Funding

Mayor Lucero explained that in June, an Executive Order was issued by Governor Susana Martinez stating that any city that was not in compliance with audits or was designated to be at-risk would not be eligible to receive capital outlay funding. She stated that she was looking into the possibility of the Northern New Mexico Economic Development District serving as the fiscal agent for the City's capital outlay funds. She stated that the issue would be heard at the next Executive Board meeting. Mayor Lucero stated that it was very important to utilize the money to create diversion by the Veteran's Memorial Wall so that water did not damage the granite. She stated that she would also like amphitheater style seating.

Mayor Lucero stated that the veterans were aging and the memorial would be handicap accessible. She added that she would also like to get the improvements to the La Joya Fire Station completed.

#### 6. Co-Sponsorship of 1<sup>st</sup> Annual Petanque de Espanola Doubles Tournament

Mr. Patrick "Skip" Montoya thanked the Mayor and Council for the opportunity to appear before them. He explained that petanque was the French version bocce. He stated that he was born and raised in Espanola and was trying to hold a petanque tournament at the Plaza de Espanola. He reported that he had attended some tournaments in Santa Fe, Nambe and Albuquerque. He announced that they would like to donate the funds to Casa de Corazon and invited everyone to attend the tournament.

Mr. Montoya requested that the City of Espanola co-sponsor the petanque tournament by waiving the fee for the plaza so they could donate the money.

***Motion by Councilor Radosevich; seconded by Councilor Seeds and Councilor Valdez.***

Mayor Pro-Tem Salazar stated that the funds would go to a great cause. He explained that by giving to the organization, it was giving back to the community and youth. He stated that they taught life skills to troubled youth and helped parents create a better environment for the future. Mayor Pro-Tem Salazar announced that approximately 100 employees had gone on indefinite furloughs that resulted in layoffs. He stated that other organizations, like Team Builders, had been greatly affected as well.

Councilor Seeds stated that he would like to donate \$10.

Mayor Pro-Tem Salazar stated that approximately 200 clients had been affected and he added that he would also like to donate \$10.

Mr. Montoya introduced Ifeata C. Oboli as an employee of Casa de Corazon.

Mr. Oboli stated that he had been playing petanque for three (3) years and had used the sport to teach focusing skills to the kids he worked with.

Mayor Lucero expressed appreciation for Mr. Montoya and Mr. Oboli bringing the sport to Espanola.

***Motion carried 8-0.***

***Item #11- Resolution 2013-16: Approving FY 14 Final Budget***

Mayor Lucero stated that the resolution would accompany the budget that was approved the previous week.

***Motion by Councilor Valdez to approve Resolution 2013-16; seconded by Councilor Martinez and Councilor Herrera.***

Councilor Martinez asked if it was feasible to adopt the resolution with an amendment to the budget. Mayor Lucero replied that the budget had already been adopted.

***Councilor Martinez rescinded her second of the motion.***

Councilor Seeds stated that the Council had discussed the new budget the previous week as well as a 3% increase for employees. He cautioned the Governing Body about new higher paid salaries that had been created. He stated that nearly 6,000 people and four (4) military bases were being forced to take twelve (12) furlough days and expressed fear that it would happen in the City. He stated that he had not seen the economy improve and suggested holding off on hiring the higher paid positions for six (6) months.

Councilor Martinez stated that less than thirty (30) days prior, the Council was presented a budget with a deficit of \$341,000 and they had been presented the previous week with a budget that was changed from being flat. She stated that the current document was without a beginning balance. She stated that \$850,000 had magically appeared in the budget and expressed concern that if the City went that far in the red to that far in the black the Council did not know what the City's financial stability was. She mentioned the enormity of the difference in thirty (30) days.

Councilor Martinez asked everyone to think about the City of Detroit and what got them to the position they were in. She stated that the City needed to invest in the image problem and in public safety. She stated that the City needed to be proactive with previous commitments to

Native neighbors and constituents. Councilor Martinez continued that the City needed to follow through on empty promises that had not been fulfilled and get past personal feelings for one another. She stated that the Council was elected and sworn to protect their office and the community. She added that a \$1 million deficit told her that they did not know their financial standing. She expressed the opinion that raises for City employees were overdue and stated that it was unfortunate that they came before the election. She stated that she believed that raises should be merited on the basis of performance and it was unfortunate that the City was spending money like it was printing it.

Councilor Valdez stated that he had just heard a sad speech, but he had studied the budget. He explained programs did not generate revenue and there was a surplus close to \$1 million. He stated that there were some areas that the Council would have to examine as far as revenues which he would bring up in the Public Works committee. Councilor Valdez asked the Council to not paint a picture that Espanola was experiencing hard times. He stated that people were shopping in town and the budget had improved. He stated that, if necessary, changes could be made at the mid-year review.

Mayor Pro-Tem Salazar noted that he was unable to vote at the last meeting as when he stepped out of the room, there was a call for the vote. He expressed happiness that the employees would receive increases. He continued that there should be an annual evaluation process so that when it came time for raises, it was based on an evaluation not just before a mayoral election. Mayor Pro- Tem Salazar thanked the employees for their hard work.

Councilor Herrera explained to Councilor Martinez that the \$1 million had not just appeared rather there was a year-end process that took place. She commended ASD Sandoval for being able to provide the Council with final numbers by the previous week as it had taken a lot of hard work.

Councilor Hernandez explained that he was new and was listening to the comments of the other Councilors. He agreed with Councilor Seeds that the City should proceed cautiously and forego filling some positions. He asked for clarification as to whether the City was operating at a deficit or a surplus.

Mayor Pro-Tem Salazar asked ASD Sandoval or Interim City Manager Duran if the increase included temporary employees. ASD Sandoval replied that the 3% was given across the board to all employees so that would include temporary employees.

Councilor Seeds said that he was optimistic given the warning that Councilor Hernandez stipulated. He stated that everyone was in agreement that the Governing Body had struggled to give the employees a bonus. He expressed hope that they would approve the budget but hold off on hiring until December.

**Roll Call Vote:**

Mayor Pro-Tem:	Dennis Tim Salazar	In Favor
Councilors:	Elaine Herrera	In Favor

Eric Radosevich	In Favor
Cory Lewis	In Favor
John Hernandez	In Favor
Peggy Sue Martinez	Against- <i>Stated that she was in agreement with a raise for employees but did not believe in bloated government.</i>
Pedro Valdez	In Favor
Robert Seeds	Against- <i>Stated that as the budget stood with high paid positions, he could not support it.</i>

***Motion carried 6-2.***

***Item #12- Resolution 2013-17: Open Meetings Act Resolution (Councilor Radosevich)***

a. Reinstatement of Finance Committee

City Clerk Mascareñas stated that Councilor Radosevich had requested that the regularly scheduled meetings be moved to Tuesday nights. She added that a few other Councilors had informed her that Tuesdays nights worked better for their schedules as well.

Mayor Lucero stated that there had been a request from Councilor Valdez to reinstate the Finance Committee.

Councilor Radosevich explained that he would like the meeting to be changed as when he began serving as a Councilor, they were on Tuesdays. He stated that he would be better able to make it on those evenings and wanted to avoid meetings being canceled due to the lack of a quorum.

***Motion by Councilor Valdez to approve Resolution 2015-17 with the reinstatement of the finance committee; seconded by Councilor Radosevich.***

Councilor Seeds stated that all of the Councilors should have the opportunity to see where the City was headed and expressed hope that the Council would not relinquish that. He stated that he would like to act on the issues separately.

Mayor Lucero clarified that this measure would not dissolve the Finance Board, as the Council was defined as the Finance Board statutorily. She explained that the Finance Committee would be in place with other City Council committees.

Councilor Seeds asked if there would be meetings every month for both the Finance Board and the Finance Committee. Mayor Lucero replied that Finance Board meetings would be called as needed and the Finance Committee would meet every month and measures would be forwarded to the full Council for approval.

Councilor Martinez stated that she was against doing away with the Finance Board. She stated that more times than not, she felt as though she was playing a game of “keep away.” She

expressed the feeling that every single person on the council had been elected and should be involved with finances. She added that it was important that there was open government. Mayor Lucero stated that she was trying to do that by re-establishing the Finance Committee. Mayor Lucero reminded Councilor Martinez that she had been invited to go into City Hall and speak with the Administrative Services Director so she could have an understanding of Finance. Councilor Martinez stated that what was odd and ironic was that Councilor Valdez had accused her of being a micromanager and she had never spoken with the department. Mayor Lucero replied that there was a difference between micromanagement and asking questions.

***Motion carried 6-2, with Councilor Seeds and Councilor Martinez voting in the negative.***

a. Council Committee Appointments

Mayor Lucero stated that she would like to reappoint Councilor Valdez as the chair of the Finance Committee and include Councilor Herrera and Councilor Hernandez on the committee.

Mayor Lucero appointed Councilor Hernandez to the Public Works Committee.

***Motion by Councilor Valdez to approve the Committee Appointments; seconded by Councilor Radosevich.***

Councilor Seeds asked if Councilor Valdez would control two (2) committees. Mayor Lucero stated that Councilor Valdez would chair two (2) committees.

***Motion carried 6-2, with Councilor Seeds and Councilor Martinez voting in the negative.***

***Councilor Radosevich exited at 7:30pm.***

#### **H. BUSINESS WITH VISITORS**

7. Dr. Danny Trujillo, Española Public Schools Superintendent

Dr. Danny Trujillo stated that he managed a \$55 million budget. He stated that it was a big enterprise and there was a lot of hope. He stated that he was in attendance to discuss a partnership. He acknowledged that in current times, the Public Schools and the City had to work together to move the vision forward that every student in the School District would become successful. Dr. Trujillo stated that the challenge would be to determine how to go about it. He stated that there would have to be collaboration.

Dr. Trujillo asked how many councilors had children in school system. Councilor Lewis and Mayor Pro-Tem Salazar replied in the affirmative.

***Councilor Radosevich re-entered and exited at 7:33pm.***

Dr. Trujillo stated that he would like to offer the remodel of ETS Fairview as a point of consideration. He invited all members of the Governing Body to attend the opening of the new

facility in Alcalde. He stated that they would all receive invitations. Dr. Danny Trujillo thanked the Governing Body for the opportunity to speak before them.

Councilor Seeds asked about renovations to ETS Fairview. Dr. Trujillo stated that there were concerns about the plumbing. He stated that the shortest distance for water lines would be through Bonecutter Lane; however, there were issues with Santa Clara boundaries.

Councilor Seeds asked if the property past Lowe's Supermarket through the pavement was tribal. Interim City Manager Duran stated that Hacienda de Salud was not tribal but there was not a 12 inch line on Riverside Drive. Councilor Seeds asked if that direction would be a more feasible alternative. Interim City Manager Duran stated that it would if there were a place to connect it. He explained that the only place that there was a 12-inch line was Fairview Lane. Dr. Trujillo stated that this had been an issue historically.

Mayor Lucero stated that she had been attempting to meet with the Governor of Santa Clara since he became Governor but had been unsuccessful. Councilor Lewis stated that he meant no offense; however, there may be a reason the Governor was not returning calls from the City. Councilor Lewis stated that the Pueblo had been asking to place a flag at the Plaza for years. Mayor Lucero stated that they had never provided a flag. Councilor Lewis stated that he would like to have a meeting with the Pueblo, the City and the Public Schools. Mayor Lucero stated that she would send out an email with several dates.

## **I. REPORTS**

### **8. Council Committees (Public Safety, Public Works, Community Services)**

#### Public Safety

Mayor Pro-Tem Salazar stated that the next meeting would be held on August 5, 2013.

#### Public Works

Councilor Valdez stated that they would be reviewing two (2) resolutions at the next meeting regarding Pacheco Lane and Monterrey Lane. He added that they would also be discussing solid waste. Councilor Valdez stated that the items would eventually be brought to the full Council for approval.

#### Community Services

Councilor Seeds stated that there would be a discussion of two (2) more little league fields next to the softball fields at the next Community Services Committee meeting.

***Councilor Herrera exited at 7:44pm.***

### **9. Council Appointed Liaison (NCSWA, NCRTD, E911, Beautification Committee, Veteran's Commission, Regional Coalition of LANL Communities, Redi-Net)**

Councilor Valdez stated that he typically placed the agenda in all Councilors boxes. He stated that they had discussed residential garbage and had openings for four (4) bids on the Transfer Station. He added that they were working on the Joint Powers Agreement (JPA) and Memorandum of Understanding (MOU) with the City and County Attorneys.

***Councilor Herrera re-entered at 7:45pm.***

Councilor Seeds stated that he had forgotten to mention that he had asked staff to go through the facilities. He expressed hope that they would obtain figures for anything that needed repair or replacement.

NCRTD

Mayor Pro-Tem Salazar stated that there was nothing to report.

E-911

Interim City Manager Duran stated that there had been a meeting on July 9, 2013 during which the expansion or relocation of the E-911 center had been discussed. He stated that it had been disapproved. He added that a Budget Adjustment Request had been reviewed and they had approved the FY 2013-14 Final Budget.

Beautification Committee

Councilor Martinez stated that she would like to commend Ms. Louanna Hawke and Ms. Barbara Ritchie.

Veteran's Memorial Wall Commission

Interim City Manager Duran stated that the Commission had met on July 10, 2013 and discussed the design and overview of the pending legislative appropriation. He stated that they had also discussed a missing chair, which was meant to represent MIA and POWs. He stated that they would purchase a new one.

Regional Coalition of LANL Communities

Mayor Lucero stated that they would be going out to bid for a new Executive Director.

Redi-Net

IS Manager Joaquin Maestas stated that the Board had met the previous Wednesday. He reported that they were coming to the end of the grant period and had a \$256,000 balance that had been extended for two (2) months so they could continue with the agreements among entities. He explained that RediNet would waive fees for educational partners to have additional IPAs. He stated that they would allow the Espanola Public Schools to get IPAs at the same cost they would get in the private market.

He announced that on August 16, 2013, there would be an official launch event held at County Annex from 1:30pm-3:30pm. He stated that Congressman Tom Udall and Congressman Ben Ray Lujan would be present and there would be representatives from Congressman Martin Heinrich's office. He stated that the Governing Body was invited and there would be some light refreshments.

Councilor Martinez asked how long after the launch RediNet would be available to the public. IS Manager Maestas explained that RediNet was not in the business of selling internet to homeowners. He stated that the process of providing the service to the public was for last mile providers.

*Councilor Seeds exited at 7:55pm.*

**J. ITEMS PROPOSED FOR COUNCIL CONSIDERATION AND/OR DISCUSSION – ACTION ITEMS**

10. FY 2010 Audit Report

ASD Sandoval stated that the Auditor could not be present because he was ill.

She continued that the FY 2010 audit was submitted to the State Auditor's office on July 10, 2013 for review. She stated that she had contacted them to find out the status and had been informed that it should be complete by Friday. She explained that they would then be informed of any changes that needed to be made. She stated that, if accepted, the auditor was authorized to print the final bound copies for distribution to the City. ASD Sandoval announced that each councilmember and Department Head would receive an audit report. She stated that they would then proceed with the FY 2011 audit.

Mayor Lucero stated that many may be wondering why the City was just completing the FY 2010 audit. She explained that when she came into office, she realized that the last clean audit was in 2004. Therefore, she had requested that for the FY 2010 audit, the Finance Department go back and get the true balances for 2004-2009. She reported that it had been a tremendous amount of work.

ASD Sandoval reported that they would not see the fruition of their work until the FY 2011 audit. She stated that it had been a lot of hard work and she was pleased with the outcome as she could now identify assets, debt, revenues and expenses for the year forward. ASD Sandoval stated that it could not have been done without the assistance of the auditor. She stated that most audit firms would have preferred to have everything done the moment they walked in so they could spend a minimal amount of time with test work to obtain the highest amount of return for their time in the office.

Mayor Lucero stated that the City had worked closely with the State Auditor's office that had provided leadership and guidance. She reported that the City would not see a truly clean audit until 2011 and expressed hope that it would be presented during the month of August.

## 11. Rio Arriba Adult Literacy Program Memorandum of Agreement

Ms. Susan Roybal from the Rio Arriba Adult Literacy program stated that they were in partnership with the New Mexico Coalition for Literacy.

***Councilor Valdez exited at 8:03pm.***

She stated that they had formed the previous year and began to provide services in March. She reported that they had five (5) tutors and five (5) students. She stated that Sherry Aragon was one of their board members and had allowed them to meet as a board in the library as well as provide space for tutors and students to meet. She explained that they were somewhat operating out of the library.

***Councilor Valdez re-entered at 8:05pm.***

***Motion by Councilor Seeds to approve the Memorandum of Understanding (MOU) with the Rio Arriba Adult Literacy Program; seconded by Councilor Hernandez.***

Mayor Lucero mentioned that the old Stroke Center was not currently being used. Recreation Coordinator Herrera added that the space was big compared to what they currently had.

City Attorney Coppler stated that he had a couple of small changes. He stated that standard legal language was not used. He suggested bringing the measure back following some revisions; however, he added that if the Council wished to allow him to develop standard language that was acceptable to the organization, it could be signed and would not have to return to the Council for approval.

Councilor Seeds expressed concern about the timeframe. He stated that he was amenable as long as a timeframe was included.

***Motion amended by Councilor Seeds to approve the MOU in concept to allow staff to develop standard language and include the use of the Stroke Center; seconded by Councilor Hernandez.***

***Motion carried 7-0.***

Councilor Martinez requested a recess.

***The meeting was recessed at 8:10pm.***

***The meeting was called back to order at 8:16pm.***

## 12. Resolution 2013-14: A Resolution to Accept New Mexico Department of Transportation Coop Award In the Amount Which Consists Of State Award

\$43,321.00 (75%), With a Local Match of \$14,441.00 (25%) For The Reconstruction And Pavement Rehabilitation/Improvements Of Various Local Streets

Street Supervisor Trujillo stated that the Street Department had submitted requests for two (2) grants. He stated that they had not received the MAP money, but had received the CO-OP money to repair curb and gutter.

***Motion by Councilor Valdez to approve Resolution 2013-14; seconded by Councilor Seeds.***

Councilor Seeds stated that it had been discussed that this money would be used to improve on North McCurdy.

***Councilor Martinez re-entered at 8:18pm.***

***Councilor Lewis re-entered at 8:18pm.***

Councilor Seeds asked Councilor Valdez to place the issue on the Public Works agenda for discussion.

***Motion carried 7-0.***

#### 13. Selection of Voting Delegate at New Mexico Municipal League Annual Conference

City Clerk Mascareñas stated that during the previous week, she had received a letter from the New Mexico Municipal League (NMML) stating that the Governing Body would have to select a delegate to vote on behalf of the City of Espanola at the Annual Conference.

She explained that the voting would occur on Thursday, August 28, 2013. She stated that NMML officers would be elected and resolutions would be voted on. She continued that the resolutions would be requested at the legislative level.

Councilor Seeds asked who would be driving back and forth from the conference as that would be who he would support.

Councilor Martinez stated that she would like to nominate Councilor Valdez.

Mayor Lucero appointed Councilor Valdez as the City of Espanola delegate for the 201 NMML Annual Conference.

***Motion by Councilor Martinez to approve the appointment; seconded by Councilor Seeds.***

***Motion carried 7-0.***

#### 14. Extinguishment of Easement- A portion of Exception 196, Private Claim 210 and a portion of Exception 191, Private Claim 205 of the Santa Clara Pueblo Grant Lying

within Projected Section 2, Township 20 North, Range 08 East of the New Mexico Principal Meridian, City of Española and County of Santa Fe, New Mexico

Interim City Manager Duran explained that the property owners had been unable to sell the property because of the easement. He stated that a 20ft. easement for the sewer and a 10ft. easement for the water lines would remain as they already existed. He stated that the remaining 84ft. of property totaled about one-half (½) of an acre.

Councilor Seeds verified that no money had been spent to obtain the easements. City Attorney Coppler stated that the individual and her family had given the City easement without consideration and the City would just be returning the unneeded portion.

Councilor Seeds asked Interim City Manager Duran if the utility lines would have to be realigned. Interim City Manager Duran replied in the negative. He stated that there was already 20ft. easement for sewer and the property owners were willing to provide 10ft. for the water lines.

***Motion by Councilor Valdez to approve extinguishment of easement; seconded by Councilor Seeds.***

Mayor Lucero expressed the belief that the property owner had granted the easement in good faith. She stated that if the easement were not being used, it made sense to grant the extinguishment.

Councilor Valdez stated that he was aware of the easement because at that time there was a desire for a street to cut across the property.

Councilor Seeds asked if the City had provided the landowners with free hook ups or incentives. Interim City Manager Duran replied in the negative. Councilor Seeds asked if the property owners were related to anyone at City Hall. Interim City Manager Duran replied in the negative.

Mayor Lucero asked the name of the owner of the property. Interim City Manager Duran stated that her name was Mabel Williams.

***Motion carried 7-0.***

#### 15. Extension of Ranchitos Pool Season

Recreation Coordinator Herrera stated that the season had started late and the Department would like to extend the season until mid-September in the evenings. He stated that after the normal session, they would cut the additional lifeguards. He explained that he had coordinated with ASD Sandoval and by cutting the lifeguards to two (2) they would accommodate the budget. Mayor Lucero asked if the scheduling would work. Recreation Coordinator Herrera stated that the lifeguards were in school and would be able to work in the evening.

Councilor Lewis asked Recreation Coordinator Herrera how the DWI event had gone. Recreation Coordinator Herrera replied that they had been unable to hold it due to the weather. He reported that they hoped to reschedule for August 2, 2013.

***Motion by Councilor Lewis to approve the extension of the Ranchitos Pool Season; seconded by Councilor Seeds.***

***Motion carried 7-0.***

16. Resolution 2013-15: Española Nasal Narcan Resolution

Director of Public Safety Garcia stated that this resolution would provide them with a tool to save lives. He espoused that the beauty of the program was that Municipalities had historically fallen on the coat-tails of counties. He stated that this measure would set precedence for other cities and would establish the future for the Southwest.

Director of Public Safety Garcia asked what a life was worth. He stated that the cost of one dose of narcan was between \$15 -\$25. He stated that the New Mexico Department of Health would support the initiative.

***Motion by Mayor Pro-Tem Salazar to approve Resolution 2013-15; seconded by Councilor Martinez.***

Mayor Pro-Tem Salazar mentioned that the resolution had gone before the Public Safety Committee. He asked everyone to place themselves in the situation of a family member whose loved one could die. He encouraged all councilmembers to vote in favor of the resolution.

Councilor Seeds asked if Director of Public Safety Garcia would ensure that officers were well trained to employ the lifesaving mechanism. Director of Public Safety Garcia stated that the Fire Department was on board to conduct instruction as well as Hospital Administrator Brenda Romero. He stated that they had more than enough resources available and the New Mexico State Legislature had approved the Good Samaritan Act which would ensure that the City was not held liable.

Director of Public Safety Garcia thanked City Attorney Coppler for his assistance.

Councilor Seeds asked City Attorney Coppler if the insurance company needed to be notified about this approval. City Attorney Coppler replied that the City would not as the New Mexico State Legislature had removed the possibility of lawsuit against the City for use of the nasal narcan.

Mayor Lucero requested that Director of Public Safety ensure that training certificates be placed in the personnel files at City Hall.

***Motion carried 7-0.***

17. Discussion of Water and Wastewater Fee Schedule (Councilor Seeds)

Councilor Seeds stated that the Public Works Committee had not had a quorum. He stated that there had been statements made in the past about how monies were healthy in the city; however, a 5% increase had been implemented annually. He stated that it had served some purposes; however, he believed that there were not a lot of people wanting to hook onto City lines because they could not afford it. He stated that he would take the measure back to the Public Works Committee.

Mayor Lucero stated that there were a lot of other sections that she would like to see amended. She explained that she had discussed the issue with the former Public Works Director, but he had never had time to pursue it. Mayor Lucero suggested reviewing the ordinance as a whole. Councilor Valdez pointed out that everyone needed to read and study the issue carefully. He stated that water sales and sewer revenues had decreased. He explained that the 5% increase had to do with the price of water, not the connection fees or materials. He asked everyone to keep those facts in mind so the City would not incur a deficit. Mayor Lucero added that the reason for the increase was because water and wastewater funds were low and there had not been money to replace lines. She stated that the City was not recovering hook up costs so those things needed be considered.

Councilor Seeds explained that these issues had prompted him to look into this. He stated that he had looked at the cost of hook-up fees and believed that they were too high.

Councilor Seeds mentioned that Planning & Zoning Director Naranjo had handed him a copy of the vacant/abandoned homes ordinance.

**K. EXECUTIVE SESSION**

There was no need to enter into Executive Session.

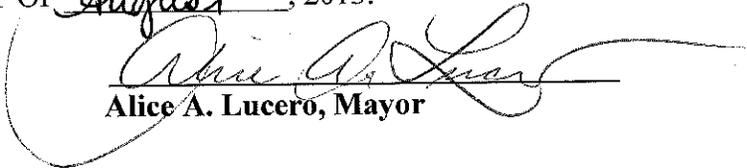
**L. ADJOURNMENT**

*Motion by Councilor Lewis to adjourn; seconded by Councilor Herrera.*

*Motion carried 7-0.*

*The meeting was adjourned at 8:40pm.*

APPROVED AND ADOPTED THIS 27<sup>th</sup> DAY OF August, 2013.

  
Alice A. Lucero, Mayor

