

Summary minutes of:

**City Council Organizational Meeting
Monday, March 22, 2010, 6:00pm
Public Safety Meeting Room 1316 Calle Adelante
Española, NM**

Call to Order

The meeting was called to order at 5:57pm with the following in attendance:

Mayor: The Honorable Alice A. Lucero, Mayor of the City of Española

Mayor Pro Tem: Cecilia Lujan

Councilors: Rosario "Chayo" Garcia
Cory Lewis
Greg Ortega
Helen Kain-Salazar
Dennis Tim Salazar
Robert Seeds
Pedro Valdez

Deputy City Clerk: Sally Baxter

City Clerk: Heather Velasquez

Staff: Municipal Judge Stephen Salazar

Pledge of Allegiance and Moment of Meditation

Mayor Lucero led the Pledge of Allegiance. Councilor Kain-Salazar gave an invocation.

Roll Call

The City Clerk read the names for the roll call.

Approval of Agenda

Agenda as presented:

---begin---

CALL TO ORDER

PLEDGE OF ALLEGIANCE AND MOMENT OF MEDITATION

ROLL CALL

APPROVAL OF AGENDA

PUBLIC COMMENTS

COUNCILOR COMMENTS

MATTERS FROM THE MAYOR

1. Appointment of City Council District Four Seat/Oath of Office
2. Appointment of City Manager
3. Appointment of City Attorney
4. Appointment of Chief of Police
5. Appointment of City Clerk
6. Appointment of Mayor Pro Tem
7. Appointment of Public Works Committee Members and Chair
8. Appointment of Community Services Committee Members and Chair
9. Appointment of Public Safety Committee Members and Chair
10. Appointment of Finance Committee Members and Chair
11. Appointment of Business Advisory Board Members and Council Liaison
12. Appointment of Planning and Zoning Commission Board Members
13. Appointment of Library Board Members
14. Appointment of Library Coalition Members
15. Appointment of E 911 Board Members
16. Appointment of Regional Transit District Board Member and Alternate
17. Appointment of Solid Waste Board Member and Alternate
18. Appointment of Lodgers Tax Board Members

19. Appointment of Fiesta Council Members and Council Liaison

ITEMS PROPOSED FOR COUNCIL CONSIDERATION

- 20. Resolution 2010-03 replacing 2009-09 Adoption of Open Meetings Act
- 21. Resolution 2010-6 for signatory authority for Valley National Bank

DISCUSSION ITEMS

- 22. Ethics Ordinance 2007-02 Distribution to Council Members
- 23. Code of Conduct Resolution 2009-13 Distribution to Council Members
- 24. Committee Rules and Structures Ordinance 2009-09 Distribution to Council Members

ANNOUNCEMENTS

ADJOURNMENT

At any time during the Open Meeting, the Governing Body may close the meeting to the public to discuss matters not subject to the New Mexico Open Meetings Act. 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 said she wanted to remove items #3 and #11.

Councilor Salazar made a motion to approve the agenda as amended, seconded by Councilor Kain-Salazar. The motion carried 7/0.

Public Comments

There were no public comments.

Councilor Comments

Councilor Garcia said there was a business coalition meeting Thursday at 6pm at the Water Store. She said the public was invited. She said "Cleanup Day" would be May 22nd at 8am at the Chamber of Commerce.

Mayor Lucero said it would be good to have representation from all ages, and they would be hearing more as we got closer to the time.

Councilor Garcia said the Fiesta Council was having a Frito Pie dinner. She said Fire Chief John Kitchen's birthday was the next day.

Councilor Salazar said he wanted to welcome and congratulate the new mayor and new councilors; Mayor Lucero thanked him. Mayor Lucero thanked everyone for being and the meeting, and for showing support.

Matters from the Mayor

Item #1, Appointment of City Council District Four Seat/Oath of Office

Mayor Lucero said it was very difficult for her, the seat had two years to fill, and she had thought of several people for this. She said she had met with Cory Lewis when he was running and asked him why he was running and he had said he wanted to help beautify the city. She said that had touched her heart, she had heard it from many people, and she wanted to bring pride back to Española. She said Mr. Lewis had run a good race, and a close race. The Mayor asked Cory Lewis to come forward.

Mayor Lucero said she wanted to Cory Lewis to finish her unexpired council term.

Councilor Salazar made a motion to ratify the appointment, seconded by Councilor Ortega. The motion carried 7/0.

Mayor Lucero asked Municipal Judge Stephen Salazar to administer the Oath of Office; Judge Salazar administered the Oath of Office.

Mayor Lucero thanked the Judge and congratulated Councilor Lewis.

Councilor Salazar said he wanted to welcome to Councilor Lewis. Councilor Lewis said he was looking forward to working with the Mayor and Councilors.

Councilor Kain-Salazar said she wanted to welcome Councilor Lewis. Councilor Lujan said she was looking forward to working with him and hearing new ideas and they were all going to move it forward.

Item #2, Appointment of City Manager

Mayor Lucero said this too was difficult, she wanted to hire a local who had all the credentials, and she was proud that there were several people who fit that bill, one whom was down to earth, knew how to treat employees, knew his way around Washington, had managed a multi-million dollar budget, and had experience dealing with the union. The Mayor said she was appointing Leroy Garcia.

Councilors Valdez and Lujan made a motion to ratify the appointment, seconded by Councilors Ortega and Seeds.

Councilor Ortega said he wanted to disclose Mr. Garcia was a brother to his stepmother.

The motion carried 8/0.

Judge Salazar administered the Oath of Office to Mr. Garcia.

Mr. Garcia said driving to the meeting, he had passed by City Hall and he wondered why it wasn't the People's Hall, so his pledge was that it is for the people, the people will be recognized, it took a whole community to benefit the community, and all were a part of it. He said he would do all he could to assist the Governing Body, but the people were a part of it.

Councilor Garcia said they all were praying for him.

Councilor Lujan said she had no doubt, all the confidence that Mr. Garcia would lead the city and all the employees who were the backbone of the city and he would have an open door for them. She said that was of the utmost importance, his statements were wonderful, and she knew he was going to work well for the city.

Mayor Lucero said the statements he had made were the statements of all of the Governing Body members; she thanked him for accepting the appointment.

Item #4, Appointment of Chief of Police

Mayor Lucero said there was a person in Española, retired from the state police, who had been working for the District Attorney's Office, and knew the people in the community. She said he was well respected, brought experience, was down to earth, and she believed in him. She said he had a lot to offer. Mayor Lucero said she wanted to appoint Joe Martinez as Chief of Public Safety.

Councilor Lujan made a motion to ratify the appointment, seconded by Councilors Salazar and Lewis. The motion carried 8/0.

Mayor Lucero asked Judge Salazar to administer the Oath of Office; the Judge administered the Oath of Office.

Chief Martinez thanked the Mayor and members of the Council for their faith in him, and pledged to the citizens to work with them and invited them to come and see him with any issues they had.

Councilor Lujan said his words were well welcomed and she trusted he would keep all of the residents safe, the children, and strive for a drug free environment. She said last but not least she wanted him to listen to their business owners and follow through. She said she didn't want to hear they weren't getting any follow-throughs. The Chief said he guaranteed he would follow through.

Councilor Seeds said if they didn't do their part to come up with the money for more officers, they wouldn't have done their part so the Council needed to follow through and come up with more money.

Item #5, Appointment of City Clerk

Mayor Lucero said Heather Velasquez had been appointed July 2009 and had done an excellent job, brought professionalism to the position, has the respect of the Council, and ran an election without incident. She asked Ms. Velasquez to come forward to be appointed City Clerk.

Councilor Valdez made a motion to approve seconded by Councilor Kain-Salazar. The motion carried 8/0.

Probate Judge Angela Gallegos administered the Oath of Office.

Ms. Velasquez introduced her family, and said they were proof of her vested interest in the city. The Mayor thanked the Judge, and thanked Ms. Velasquez for accepting the appointment.

Ms. Velasquez thanked the Mayor for the "journey they set off on nine months ago"; she said she knew she was taking a chance she might be here today. Ms. Velasquez thanked the Governing Body for their support and said she was here to stay for as long as they wanted her; Ms. Velasquez said to the members of public she was there to serve.

Councilor Kain-Salazar said she would like to say to Ms. Velasquez that she always had a sunny disposition and no matter how rough it got, she always stayed in there.

Item #6, Appointment of Mayor Pro Tem

Mayor Lucero said in the Mayor's absence, the Mayor Pro Tem acted on behalf of the Mayor, attending meetings, running meetings, and keeping the Council informed. Mayor Lucero said she wanted to open the floor for nominations.

Councilor Kain-Salazar made a motion to appoint Councilor Maria Cecilia Lujan, seconded by Councilor Garcia. The motion carried 7/0 with Councilor Lujan not voting.

Mayor Pro Tem Cecilia Lujan said she was very humbled by this action. She said it was a privilege to serve as Mayor Pro Tem, but it wasn't her alone, it was all the Councilors in it together. She said she saw them all as Mayors Pro Tem, and she was accepting the position with dignity and integrity.

Mayor Lucero said she wanted to let the public know this was one governing body as the Mayor couldn't act without the Council. She said they were one body, one team, and she was excited about the team.

Item #7, Appointment Public Works Committee Members and Chair

Mayor Lucero said the Public Works Committee would meet the first Tuesday of each month. The Mayor appointed Councilor Kain-Salazar Chair, and Councilors Garcia, Lewis and Valdez as members.

Mayor Pro Tem Lujan and Councilor Salazar made a motion to ratify the appointments, seconded by Councilor Valdez. The motion carried 8/0.

Item #8, Community Services Committee Members and Chair

The Mayor appointed Councilor Salazar Chair, and Councilors Seeds and Kain-Salazar, and Mayor Pro Tem Lujan as members.

Councilor Ortega made a motion to ratify, seconded by Councilors Lewis and Kain-Salazar. The motion carried 8/0.

Item #9, Appointment of Public Safety Committee Members and Chair

The Mayor appointed Mayor Pro Tem Lujan Chair, and Councilors Salazar, Ortega, and Lewis as members.

Councilor Valdez made a motion to ratify the appointments, seconded by Councilor Seeds. The motion carried 8/0.

Item #10, Appointment of Finance Committee Members and Chair

The Mayor appointed Councilor Garcia Chair, and Councilors Valdez, Seeds, and Ortega as members.

Councilor Salazar made a motion to ratify the appointments, seconded by Mayor Pro Tem Lujan. The motion carried 8/0.

Mayor Lucero thanked the Councilors for agreeing to serve on the Committees.

Item #12, Appointment of Planning and Zoning Commission Board Members

Mayor Lucero said this was not easy to be on. She said these people made difficult decisions and were held accountable, and had to be familiar with city ordinances. She said she wanted to commend those who served. The Mayor said Lupe Garcia had resigned so the Commission would have a new member.

Mayor Lucero said city ordinance required four members with one-year terms, and three with two-year terms.

Mayor Lucero appointed:

Erle Wright to a two-year term;
Anissa Martinez to a one-year term;
Laurie Koontz to a one-year term;
Amrit Khalsa to a two-year term;
Sunee Sandoval to a one-year term;
Jacob Torres to a two-year term; and
Richard Beaudoin to a one-year term.

Councilor Seeds made a motion to ratify the appointments, seconded by Councilors Garcia and Lewis. The motion carried 8/0.

Councilor Garcia said Planning and Zoning was the hardest of citizen based commissions, they were hard work and had to make hard decisions, and they were volunteers. Mayor Lucero thanked the members for serving.

Item #13, Appointment of Library Board Members

The Mayor appointed:

Daniel Roybal to serve as President;
Patrick Trujillo to serve as Vice President;
Olivama Martinez to serve as Secretary;
David Cargo as a member;
Beulah Sandoval as a member;
M. Scher Dow as a member;
Clarissa Duran as a member;
Tim Martinez as a member; and
John Vigil as a member.

The Mayor said for the first time ever the Board included a young person who was going to be a youth advisor but was instead appointed as a full-fledged member, John Vigil.

Councilors Ortega and Salazar made a motion to ratify the appointment, seconded by Councilor Kain-Salazar. The motion carried 8/0.

Mayor Lucero thanked the members for their willingness to serve and their hard work. She said she realized the Bond did not pass but would like for the Library

Coalition to remain active and pursue other funding. She said she would involve them in those decisions, and seek funding with the pueblos and counties.

Mr. Roybal thanked the members of the Governing Body for the opportunity to serve the Governing Body and library patrons. He said the city had a great librarian, Teddie Riehl, and he accepted on behalf of those who couldn't be at the meeting.

Mayor Lucero said they worked very hard, and she knew they would continue looking for alternative resources.

Item #14, Appointment of Library Coalition Members

The Mayor appointed Clarissa Duran, Olivama Martinez, Beulah Sandoval, Daniel Roybal, Michele Webb, Theresa Chavez, Beth Teel, Elizabeth Martinez, John Vigil, and John Braconnier to the Library Coalition.

Councilor Garcia made a motion to ratify the appointments, seconded by Councilor Lewis. The motion carried 8/0.

Mayor Lucero said they had a hard job ahead of them but the governing Body members would work hand in hand with them.

Item #15, Appointment of e-911 Board Members

Mayor Lucero said e911 was a separate authority, different entities participated including the counties, and pueblos, and the city had two voting members. She said normally these were the Chief of Police and one Councilor. The Mayor appointed Mayor Pro Tem Lujan and Chief Martinez.

Councilor Ortega made a motion to ratify the appointments, seconded by Councilors Kain-Salazar and Seeds. The motion carried 8/0.

Item #16, Appointment of Regional Transit District (RTD) Board Member and Alternate

The Mayor said the appointment of the RTD Board member should be an elected official, and she would also appoint an alternate and a staff liaison. She said the RTD was at a crossroads and soon would be moving their office to Española. The Mayor appointed Council Seeds as the Council liaison with Councilor Kain-Salazar as the alternate. She appointed City Clerk Heather Velasquez staff liaison.

Councilor Valdez and Mayor Pro Tem Lujan made a motion to ratify the appointments, seconded by Councilor Salazar and Ortega. The motion carried 8/0.

Item #17, Appointment of Solid Waste Board Member and Alternate

The Mayor said the North Central Solid Waste Authority was a separate entity, and the city had a Board member and an alternate. She said there was a lot of work to do on this board. The Mayor appointed Councilor Valdez with Public Works Director as the alternate.

Councilor Kain-Salazar made a motion to ratify the appointments, seconded by Councilor Garcia. The motion carried 8/0.

Item #18, Appointment of Lodgers Tax Board Members

The Mayor said the city had some members who had served and had done a fine job, and the Board was hard to serve on. The Mayor appointed:

Weldon McCollough from the hotel industry;
Diane Bowman representing tourism;
Joann Casaados from the restaurant industry;
Pete Valdez, who was a member of the community; and
Marlo Martinez from the business community.

Councilor Ortega made a motion to ratify the appointments, seconded by Councilor Valdez. The motion carried 8/0.

Item #19, Appointment of the Fiesta Council and Council Liaison

The Mayor appointed:

Manny Martinez, President;
Brian Martinez, Vice President;
LyAnn Vigil, Vice President;
Judy Martinez, Treasurer;
Camilla Romero, Sergeant of Arms;
Chayo Garcia; City Liaison/Parade Committee Chairperson
Tania Sanchez, Oñate Committee Co-Chair;
Joe Sanchez, Oñate Committee Co-Chair;
Julianna Barbee, Promotions/Publicity Chairperson
Nikki Bustos, Fiesta Poster
Leroy Martinez, Volunteer Committee Chairperson
Andrew Herrera, Booth Committee Chairperson
Josephine Velasquez, Parade Committee Member
Zuleika Jaramillo, Parade Committee Member
Derek Quintana, member;
Carmen Quintana, member;
Ray Baldonado, member;
Greg Barbee, member;
Ron Gallegos, member;
Steven Lona, member;
Charles Marrufo, member; and
Councilor Greg Ortega, member.

The Mayor thanked them for their willingness to serve. She said the last couple of years had been excellent and the Fiesta was self sustaining.

Mayor Pro Tem Lujan made a motion to ratify the appointments, seconded by the rest of the members of the Council. The motion carried 8/0.

Items Proposed for Council Consideration

Item #20, Resolution 2010-03 Replacing 2009-09, Adoption of Open Meetings Act

The Mayor said this was to adopt the Open Meetings Act. She said it provided for advertising for all meetings to provide adequate notice to the public and designated the time and dates for the City Council meetings. She said it included that notice be given five (5) days prior to meetings, the third Monday of each month would be the Workshop, the fourth Tuesday would be the regular City Council meeting at 6pm, special meetings required 72 hours advance notice except for emergency meetings which required 24 hour notice but could be called the same day if there was a dire emergency.

Mayor Lucero asked if Committee information was included; City Clerk Heather Velasquez said historically committees were not included, but she could give that information to the Councilors.

Councilor Garcia asked if the Clerk could add agendas would be ready 24 hours prior to the meetings. Mayor Lucero said it should include Public Safety on the first Monday of the month, Public Works the first Tuesday, Community Services on the second Monday, and Finance Committee on the second Tuesday of each month.

Councilor Seeds asked if was the experience had been that not many people attended at 6pm versus 7pm; Mayor Lucero said it had not been an issue, and the meetings were at 6pm so people could attend and not get out late.

Councilor Valdez made a motion to adopt the Resolution with the addition of times for the four committees included.

Mayor Lucero asked the City Clerk to include proper notice, 24 hours in advance.

Councilor Ortega seconded the motion. The motion carried 8/0.

Item # 21, Resolution 2010-06 for Signatory Authority for Valley National Bank
Mayor Lucero asked the City Clerk to present. The City Clerk said this was a Resolution in order to remove the previous signatory authorities and establish new authorities for payroll and to authorize finance employees to place stop payments, and request information from the bank. She said the Mayor, Leroy Garcia, and she were to be signatory authorities, and the Resolution would remove the existing and replace with these individuals. She said this had been reviewed by Lillian at Valley National Bank.

Councilor Ortega made a motion to approve the Resolution, seconded by Councilor Lewis.

Councilor Seeds asked the Clerk what had been done in the past, the Clerk said it was a motion. Councilor Seeds asked who the individuals who had had signatory authority were; Ms. Velasquez said the Mayor and the City Manager. Mayor Lucero said she as Mayor and the City Clerk had been signing checks, and Leroy Garcia would sign in their absence.

The motion carried 8/0.

Discussion Items

Item #22, Ethics Ordinance 2007-02 Distribution to Council Members

Mayor Lucero said this had been approved by the Council in 2007, and for the new members she wanted them to be fully aware of the ordinance. She said they could feel free to bring anything forward, and she just wanted them to be aware of it.

Councilor Valdez said he was elected by his constituents and there were grey area if something looked like he couldn't talk with constituent. He said he liked to do research and to be able to talk with his constituents and the employees and he didn't know if anything would prohibit that.

Mayor Lucero said she was a strong advocate that it shouldn't be prohibited to talk to employees or members of the public, unless it was regarding legal issues. She said the city was unionized so issues such as asking employees to do certain things might have union considerations. The Mayor asked all of the Councilors to review the ordinance.

Councilor Seeds said this did not imply anything he had a concern with; the Mayor said no, it dealt with how to conduct themselves as public officials.

Item #23, Code of Conduct Resolution 2009-13 Distribution to Council Members

Mayor Lucero said it was a controversial issue, it did include some of Councilor Valdez' concerns and those had been taken out. She asked the Councilors to review it, and if they wanted changes or to have it repealed they could act on it at another meeting.

Item #24, Committee Rules and Structures Ordinance 2009-09 Distribution to Council Members

Mayor Lucero said she felt there were questions on what the committees roles were, this was procedural, and she would like all to review it and bring forward any concerns.

Announcements

Councilor Garcia said regarding the Board of Ethics, they had to have two people recommended to the Board. She said it was a Board of sixteen with the names thrown into a hat so if there was a problem they could pick people.

Mayor Lucero thanked Councilor Garcia. The Mayor said the Board had two members of the public each Councilor recommended, only convened as needed, and once a Councilor was referred to the Ethics Board, the Board would convene.

Mayor Lucero asked that for the next meeting each Councilor brought two names forward.

Mayor Lucero said at the next day's Regular Council meeting there would be a long agenda and the public was invited to come. She thanked everyone for taking the time to be here this evening and offered her thanks to all who expressed a willingness to serve.

Adjournment

With no other business, the meeting adjourned at 7:09pm.

*Minutes taken and transcribed by Sally Baxter
Deputy City Clerk/ Public Information Officer*

APPROVED AND ADOPTED THIS 27th DAY OF April, 2010

*ELECTRONIC COPY
SIGNATURES ON FILE*