

CITY COUNCIL MEETING  
JUNE 23RD, 2015, 6PM  
CITY HALL COUNCIL CHAMBERS  
405 N. PASEO DE OÑATE ESPAÑOLA, NM

**A. CALL TO ORDER**

The meeting was called to order at 6:02 pm by Mayor Alice A. Lucero

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

Dylan Valdez (with the Robo Rave competition) led the Pledge of Allegiance Mayor Pro-Tem Pedro Valdez led the Moment of Meditation/Invocation. A moment of silence led by Mayor Alice A. Lucero for the departed; Robert Felix and Sotero Naranjo.

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

The following were in attendance:

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

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

**D. APPROVAL OF AGENDA**

--Begin--

**A. CALL TO ORDER**

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

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

**D. APPROVAL OF AGENDA**

**E. PUBLIC COMMENTS**

**PLEASE SIGN IN; Print First Name and Last, including Affiliation and/or Address if Applicable. Please Keep Comments to a three (3) Minute Time Frame. Public Comment Log Sheet Located upon South East Entry near the City Clerk. Thank You.**

**F. COUNCILOR COMMENTS/ ANNOUNCEMENTS**

**G. MATTERS FROM THE MAYOR**

1. City of Española "Living Treasure Award" Honoring **Isabel "Belle" Becker**
2. City of Española "Living Treasure Award" Honoring **Isabel Ziegler**
3. City of Española Employee Recognition Award Presented to Larry Wyman COE Head Mechanic
4. Recognition of Local 2015 Robo RAVE International Award Recipients
5. Recognition of the Rio Arriba Adult Literacy Program & New Mexico Coalition for Literacy State-Wide Adult Literacy Student of the Year and Tutor of the Year Recipients.

**H. BUSINESS WITH VISITORS**

6. City of Española Healing Foods Oasis- *Christine Green-Radicke and Beata Tsosie-Pena*
7. 2015 Fiesta del Valle de Española Council Report – *President Bernadette Jaramillo*

**I. CONSENT AGENDA**

8. City Council Meeting Minutes 03-24-15
9. City Council Meeting Minutes 04-14-15
10. City Council Meeting Minutes 04-28-15

**J. CITY MANAGER REPORTS**

11. Department Overview Report - *City Manager Kelly Duran*

**K. ITEMS PROPOSED FOR COUNCIL CONSIDERATION/DISCUSSION ITEMS /ACTION ITEMS**

12. **City of Espanola Resolution 2015-09** – A Resolution to Accept New Mexico Department of Transportation COOP AWARD in the Amount Which Consists of State Award Amount \$55,356.00 dollars (75%) with a Local Match of \$18,452.00 dollars (25%) for the Reconstruction, Pavement, Rehabilitation/Improvements of Various Local Streets - *Grant Administrator Diahann Jacquez*
13. Approval of Policy Appendix Change(s) City of Española Administrative Policies, Procedures and Permit Application for Parks and Sports Facilities – *Community Services Director Mark Trujillo*
14. Approval of Lease Purchase Agreement for Water Utility Department Vactor Unit.- *Interim Water Operation Supervisor Steven Trujillo*
15. Memorandum of Understanding between the Cities of Española and Santa Fe, New Mexico Municipal Corporation (MOU) is made the 1st day of July, 2015 by and between the Cities of Española (“COE”) and Santa Fe (“CSF”), New Mexico municipal corporations within or partially within Santa Fe County, State of New Mexico, (collectively, “the Parties”). - *City Manager Kelly Duran & City Attorney Frank Coppler*
16. Approval of Ex. “A” to Memorandum of Understanding Between the Cities of The City of Santa Fe and the City of Española, New Mexico Municipal Corporations and Richard L. Lucero d/b/a Country Farm Supply, Marlo R. Martinez d/b/a New Mexico Office Products, Johnny’s Standard Motor Parts, Inc., and Accu Blueprint and Copy, Inc. vs. County Commission of Santa Fe County, New Mexico, and The New Mexico Department of Taxation and Revenue, Cause No. D-101-CV-2015-01396 - *City Manager Kelly Duran & City Attorney Frank Coppler*

**L. 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.

**M. ADJOURNMENT**

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

*Motion to approve agenda as is by Mayor Pro-Tem Pedro Valdez; 2<sup>nd</sup> by Councilor Peggy Sue Martinez*

*Motion Carried 8-0*

**E. PUBLIC COMMENT**

Vanessa Gonzales with RAC STOP, along with her Generation Hope Youth Group were present to discuss the Policies and Procedures Manuel Employee Hand Book for the City of Española in reference to Under Age Drinking.

Yvonne Maestas with RAALP would like to thank everyone for all the wonderful things that are taking place within the City of Española.

Teresa Chavez with Tewa Women United stated that she would like to express her support for the City of Española Healing Foods Oasis Project and also to express her gratitude for the City Staff that is working in collaboration with the program.

**F. COUNCILOR COMMENTS/ ANNOUNCEMENTS**

Mayor Pro-Tem Valdez stated that he would like to thank the Businesses and homeowners throughout the City of Espanola for the cleanup around their business and home properties.

Councilor Michelle R. Martinez expressed recognition to the Teen Biz winners, the winner are as follows: Anabelis Baca, Nathaniel Baros and Maria Vigil.

Councilor Peggy Sue Martinez congratulated Councilor Michelle R. Martinez along with her son Nathaniel Baros for a job well done. She also congratulated Andrew Martinez on his new position as a Reporter for the Rio Grande Sun, she also recognized Tara Nicks as a new Reporter for the Valley Daily Post, she also stated she attended the adoption cleanup at Valdez Park along with DNCU, United Way, Community Service Director Mark Trujillo and his staff, General Services, Chief Richard Gallegos and his granddaughter, she also thanked all who participated for a job well done.

Mayor Alice A. Lucero thanked the Los Alamos United Way and Del Norte Credit Union (DNCU) for a job well done in collaborating with the City of Española in adopting a park.

Councilor Dennis Tim Salazar publicly thanked our Espanola Police Department Detectives Daniel Espinoza and George Martinez in finding the 2015 Fiesta Queen's crown and for a job well done for all the hard work that is done on a daily basis by the entire Española Police Department.

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

### **1. City of Española "Living Treasure Award" Honoring Isabel "Belle" Becker**

Mayor Alice A. Lucero stated, Belle Becker is a lifelong resident of the Española Valley who has worked tirelessly for our community, for our Church and for those who are less fortunate. In appreciation for what she has done for this community of Española, Mayor Lucero presented Belle Becker with the "Living Treasure Award" on behalf of the City of Española.

### **2. City of Española "Living Treasure Award" Honoring Isabel Ziegler**

Mayor Alice A. Lucero stated Isabel Ziegler along with her husband Dr. Sam Ziegler who started the first Hospital in our Valley, which is now known as The Española Hospital, Isabel Ziegler was also recognized Nationally by Lady Bird Johnson, wife of President Johnson for using Native shrubs and flowers for the landscaping of the Española Traffic Islands. Mayor Lucero stated that Mrs. Ziegler became the first Women President of the Española Chamber of Commerce; she published her first Memoir titled "Rio Grande Sand In my Shoes". Mayor Lucero presented Isabel Ziegler with the "Living Treasure Award" on behalf of the City of Española.

### **3. City of Española Employee Recognition Award Presented to Larry Wyman COE Head Mechanic**

Mayor Alice A. Lucero recognized Mr. Larry Wyman for working with the City for 23 years; she also thanked Mr. Wyman for being an exemplary employee.

### **4. Recognition of Local 2015 Robo RAVE International Award Recipients**

Councilor Peggy Sue Martinez recognized the recipients who placed 3<sup>rd</sup> in the Robo Rave Competition, the Recipients were as follows: Team Española YMCA Teen Center (Aerial Competition) Coach Ben Sandoval, Brandon Sandoval, Larry Romero, Benjamin Sandoval, Janessa Sandoval, Christian Cordova, David Islas and Dominic Larranaga and last but not least, Team Tune Squad (A-MAZE-ING Competition) recognized were Coach Marie Martinez and Dylan Valdez.

### **5. Recognition of the Rio Arriba Adult Literacy Program & New Mexico Coalition for Literacy, State-Wide Adult Literacy Student of the Year and Tutor of the Year Recipients.**

Mayor Lucero gave thanks to the volunteers of the program and the services they provide to our community, on behalf of the Governing Body of the City of Española.

Councilor Michelle R. Martinez recognizes Jose Martinez Recipient and Student of the year for his exemplary efforts in learning and self-growth, which grace our community, she also recognizes Ernest Casa, Tutor of the year along with recognizing the Rio Arriba Adult Literacy Program for a job well done. Jose Martinez thanked everyone for believing in him. The services with this program are free of charge; the contact phone number is 505.747.6162.

## H. BUSINESS WITH VISITORS

### 6. **City of Española Healing Foods Oasis- *Christine Green-Radicle and Beata Tsosie-Pena***

Beata Tsosi-Pena with Tewa Women United along with Scott Davis and Christie Green gave an update on the Healing Foods Oasis Project which will be a large-scale Terrace garden located behind City Hall, lots of the work on the project is Pro-Bono, and she also informed the Governing Body of the water irrigation system for the project. The City of Española will assist in the project (the water irrigation system). She states there are 4 stages to the project.

Councilor Peggy Sue Martinez thanked Beata for her efforts on behalf of the people of the Valley. Councilor Tania Sanchez also thanked Beata for the vision she has for the Valley, would also like for Beata to please keep the Governing Body informed with the project.

### 7. **2015 Fiesta del Valle de Española Council Report – *President Bernadette Jaramillo***

2015 Fiesta Council Vice President Esperanza Martinez was speaking on behalf of President Bernadette Jaramillo, Esperanza stated, the 2015 Fiesta's will move forward without a "Reina". She also stated The City was approaching 90 years of celebrating the Fiestas of Española and with that, the Fiesta Council would like to celebrate with 90 years of tradition and would like to invite any and all past "Reina's" to participate with the 2015 Fiestas.

Councilor Dennis Tim Salazar commended the 2015 Fiesta Council for considering past "Reina's" to participate with the 2015 Fiesta. He also thanked the 2015 Fiesta Council for all their hard work.

Mayor Alice A. Lucero commended the 2015 Fiesta Council for raising funds needed for the 2015 Fiesta and also stated that any businesses that would like to help fund or sponsor the Fiestas to feel free.

Councilor Peggy Sue Martinez gave thanks to the entire 2015 Fiesta Council for all the hard work that was put into the Fiestas she also stated to please keep the Governing Body informed on all issues regarding the Fiestas.

## I. CONSENT AGENDA

8. City Council Meeting Minutes 03-24-15
9. City Council Meeting Minutes 04-14-15
10. City Council Meeting Minutes 04-28-15

*Motion to approve Consent Agenda as presented by Mayor Pro-Tem Pedro Valdez; 2<sup>nd</sup> by Councilor Peggy Sue Martinez*

*Motion Carried 8-0*

## J. CITY MANAGER REPORTS

### 11. **Department Overview Report - *City Manager Kelly Duran***

CM Kelly Duran provided a summarized view of the staff reports along with CM Duran's report.

Councilor Peggy Sue Martinez questioned page 2 of his report, CM K Duran responded by saying, The Department of Justice was a litigation that transpired one (1) and half (½) months ago and along with an ADA Coordinator which was sent and accepted by DOJ with Coordinator Sally Baxter.

CA Frank Coppler states, as the years go by and the agreement expires with no issues, the City of Española will no longer need to send the reports. Mayor Alice A. Lucero states to CM K. Duran if he would like to add a Budget Calendar, CM K. Duran responded, yes along with FASD Joyce Sandoval, we would like to propose a budget calendar also followed by a 7/7/15 (Budget work session), 7/14/15 to finalize the full budget, if not the budget will be finalized for our next CCM on 7/20/15 and will be adopted for the 2015/2016 FY.

Councilor John Hernandez questioned CA Frank Coppler, on page 6 of the summary, in reference to the Santa Fe County Businesses; the cost of the complaint is \$80,000 to 1 Million Dollars, and would we be allowed to return on Pharmaceuticals.

CA Frank Coppler responded by stating, the lawsuit is asking the Judge for a Declaratory Judgement specifying the Hold Harmless Gross Receipts Tax in Santa Fe County does not apply to the businesses within the City of Española or the City of Santa Fe, the reason for the complaint is that the authority in the State Statute authorizing that the tax is not clear, that is the reason we are asking the Judge for that declaration. The City of Española's budget has gone from 15 Million Dollars a year to 10 Million Dollars a year, 85% or 90% is generated by the City's gross receipts tax.

Councilor Peggy Sue Martinez stated to CM K Duran, to please brief the Governing Body where the City of Española is on the Audit process. CM K Duran responded, the Audits for 2012/2013 are in the process of being completed by 7/31/15, the 2014 Audit will be done between 4-6 weeks after 7/31/15 and the 2015 Audit will be done before our November deadline.

#### **K. ITEMS PROPOSED FOR COUNCIL CONSIDERATION/DISCUSSION ITEMS /ACTION ITEMS**

- 12. City of Espanola Resolution 2015-09** – A Resolution to Accept New Mexico Department of Transportation COOP AWARD in the Amount Which Consists of State Award Amount \$55,356.00 dollars (75%) with a Local Match of \$18,452.00 dollars (25%) for the Reconstruction, Pavement, Rehabilitation/Improvements of Various Local Streets - *Grant Administrator Diahann Jacquez*

*Motion to approve Resolution 2015-09 by Mayor Pro-Tem Pedro Valdez and 2<sup>nd</sup> by Councilor Michelle R. Martinez*

Councilor John Hernandez, questioned how the City proportioned the funds from Resolution 2015-09, so that the work is preformed within the four (4) districts? He also stated that he would like to see progress made within each district.

CM K. Duran responded by saying, he would like to have a task force to identify the needs of each district.

*Councilor Cory Lewis out at 8:08 pm*

*Councilor Cory Lewis in at 8:10 pm*

Mayor Pro-Tem Pedro Valdez stated he wants the constituents to know that the City of Española is working on the streets within the Valley, he also states he would like this project to go to Public Works to be divided into four (4) and then decide on the streets that need the most help with the amount of monies provided to do so for that district.

*Mayor Pro-Tem Pedro Valdez out at 8:19 pm*

*Mayor Pro-Tem Pedro Valdez in at 8:21 pm*

Mayor Alice A. Lucero states she would like to complete the roads (streets) that have been approved to be repaired in the past, first and then proceed with the current streets.

*Motion Carried 8-0*

- 13. Approval of Policy Appendix Change(s) City of Española Administrative Policies, Procedures and Permit Application for Parks and Sports Facilities** – *Community Services Director Mark Trujillo*

*Motion to approve Policy Appendix Change(s) City of Espanola Administrative Policies, Procedures and*

*Permit Application for Parks and Sports Facilities as presented by Mayor Pro-Tem Pedro Valdez; 2<sup>nd</sup> by Councilor John Hernandez*

Councilor Peggy Sue Martinez thanked CSD Mark Trujillo and his staff for a job well done. She also stated she was happy to hear that this document is a living document for future changes.

*Motion Carried 8-0*

**14. Approval of Lease Purchase Agreement for Water Utility Department Vector Unit.-Interim Water Operation Supervisor Steven Trujillo**

*Motion to approve the Approval of Lease Purchase Agreement for Water Utility Department Vector Unit by Mayor Pro-Tem Pedro Valdez and 2<sup>nd</sup> by Councilor Dennis Tim Salazar*

Mayor Pro-Tem Pedro Valdez questioned CM K Duran regarding how are we going to pay for this piece of equipment within a 5 year period?

CM K Duran stated, the City of Española will be entering into a 5 year lease agreement with Exempt Tax Leasing Corporation, with a rate of 3.49% and an annual payment of \$63,717.20, this dollar amount is already budgeted in the FY 2016.

*Motion Carried 8-0*

**15. Memorandum of Understanding between the Cities of Española and Santa Fe, New Mexico Municipal Corporation (MOU) is made the 1st day of July, 2015 by and between the Cities of Española ("COE") and Santa Fe ("CSF"), New Mexico municipal corporations within or partially within Santa Fe County, State of New Mexico, (collectively, "the Parties"). - City Manager Kelly Duran & City Attorney Frank Coppler**

*Motion Memorandum of Understanding between the Cities of Española and Santa Fe, New Mexico Municipal Corporation (MOU) is made the 1st day of July, 2015 by and between the Cities of Española ("COE") and Santa Fe ("CSF"), New Mexico municipal corporations within or partially within Santa Fe County, State of New Mexico, (collectively, "the Parties") Mayor Pro-Tem Pedro Valdez and 2<sup>nd</sup> by Councilor Adrianna Ortiz.*

*Motion Carried 8-0*

**16. Approval of Ex. "A" to Memorandum of Understanding Between the Cities of The City of Santa Fe and the City of Española, New Mexico Municipal Corporations and Richard L. Lucero d/b/a Country Farm Supply, Marlo R. Martinez d/b/a New Mexico Office Products, Johnny's Standard Motor Parts, Inc., and Accu Blueprint and Copy, Inc. vs. County Commission of Santa Fe County, New Mexico, and The New Mexico Department of Taxation and Revenue, Cause No. D-101-CV-2015-01396 - City Manager Kelly Duran & City Attorney Frank Coppler**

**L. 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.

*Motion to enter into Executive Session made by Councilor Peggy Sue Martinez and 2<sup>nd</sup> by Mayor Pro-Tem Pedro Valdez*

*Roll Call Vote:*

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

*Motion Carried 8-0*

*The Governing Body entered into Executive Session at 8:28 pm*

*Councilor Cory Lewis made a motion to come out of Executive Session, Motion 2<sup>nd</sup> by Mayor Pro --Tem Pedro Valdez.*

*Roll Call Vote:*

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

*Motion Carried 8-0*

*The Governing Body came out of Executive Session at 9:35 pm.*

*Pursuant to New Mexico Open Meetings Act Section 10-15-1 (H) Subsection (7) attorney-client privilege pertaining to threatening or pending litigation in which the public is or may become a participant; Motion was made by Councilor Peggy Sue Martinez to approve Ex. "A" to Memorandum Understanding Between the Cities of The City of Santa Fe and the City of Española, New Mexico Municipal Corporations and Richard L. Lucero d/b/a Country Farm Supply, Marlo R. Martinez d/b/a New Mexico Office Products, Johnny's Standard Motor Parts, Inc., and Accu Blueprint and Copy, Inc. vs. County Commission of Santa Fe County, New Mexico, and The New Mexico Department of Taxation and Revenue, Cause No. D-101-CV-2015-01396; Motion 2<sup>nd</sup> by Councilor Cory Lewis.*

*Roll Call Vote:*

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

**M. ADJOURNMENT**

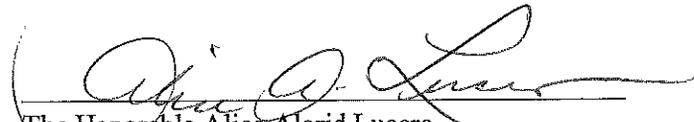
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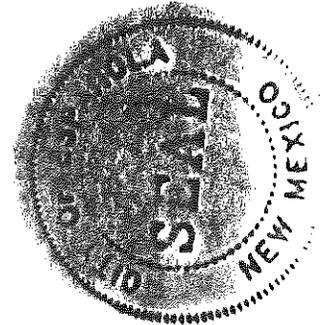
*Motion to adjourn made by Councilor Dennis Tim Salazar; 2<sup>nd</sup> Councilor Cory Lewis.*

*Motion Carried 8-0*

*Meeting adjourned at 9:39 pm*

**ADOPTED AND APPROVED** by the Governing Body of the City of Española this 20<sup>th</sup> day of July 2015.

  
The Honorable Alice Alarid Lucero  
Mayor, City of Española



ATTEST:

  
Anna Squires, City Clerk

[SEAL]