



**CITY COUNCIL MEETING
NOVEMBER 24TH, 2014, 6PM
CITY HALL COUNCIL CHAMBERS
405 N. PASEO DE OÑATE ESPAÑOLA, NM**

A. CALL TO ORDER

The meeting was called to order at 6:00 pm by Mayor Alice A. Lucero

B. PLEDGE OF ALLEGIANCE

Mayor Alice A. Lucero led the Pledge of Allegiance. Mayor Lucero stated that a notion expressed by Council Members to lead in the Pledge of Allegiance as well as the following Moment of Meditation Invocation would be appreciated. She encouraged all interested to advise her prior to the meeting.

C. MOMENT OF MEDITATION/INVOCATION

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

D. ROLL CALL/DETERMINATION OF QUORUM

The following in attendance:

Mayor:	Alice A. Lucero
Mayor Pro-Tem	Pedro Valdez (arrived at 6:04pm)
Councilors:	John Hernandez
	Peggy Sue Martinez
	Dennis Tim Salazar
	Michelle R. Martinez
	Cory Lewis
Absent:	Adrianna Ortiz
	Eric Radosevich

E. APPROVAL OF AGENDA

Agenda as presented:

---Begin---

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE/MOMENT OF MEDITATION

C. ROLL CALL/ DETERMINATION OF QUORUM

D. APPROVAL OF AGENDA

E. MATTERS FROM THE MAYOR

1. Recognition of Community Services Staff
2. Appointment Fiesta Council
3. Special Recognition by Mayor

F. BUSINESS WITH VISITORS

4. Report from John Werenko, Northern New Mexico Regional Arts Center Executive Director

G. REPORTS

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

6. **Staff Reports**

H. CONSENT AGENDA

7. 9.29.14 City Council Meeting Minutes
8. 10.14.14 City Council Meeting Minutes
9. 10.14.14 City Council Work Session Minutes
10. 10.28.14 City Council Meeting Minutes

I. ITEMS FOR COUNCIL CONSIDERATION (ACTION ITEMS)

11. Approval of DFA BAR for New Mexico Library Foundation Grant Award
12. Memorandum Of Understanding Between North Central Solid Waste Authority and the City Of Española, NM for the Sharing of Information and Integration of Technology
13. Agreement Between the City of Española and Walmart of Northern America dba Walmart Store #2656, Española, NM
14. City Employee Holiday Schedule

J. 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.

K. ADJOURNMENT

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

--End--

Mayor Alice A. Lucero stated that she would like to omit from the CCM Agenda item number two (2); Appointment of Fiesta Council. Mayor Lucero further stated that interviews for Fiesta Council President and Vice President had not yet taken place but were in the process of being scheduled. Councilor Peggy Sue Martinez stated that she would like to add Public Comments as well as Councilor Comments to the Agenda sighting their absence on the City Council Agenda. Mayor Alice A. Lucero concurred with Councilor Peggy Sue Martinez.

Motion made by Councilor Cory Lewis to approve the agenda as amended; 2nd by Councilor Peggy Sue Martinez

Motion Carried 6-0

PUBLIC COMMENTS

-None-

COUNCILOR COMMENTS/ ANNOUNCEMENTS

Councilor Michelle R. Martinez announced that her next Town Hall Meeting was potentially scheduled for the following week of the current date. She further sighted December 4th, 2014 at the Beatrice V. Martinez Senior Center, pending further clarification from Senior Center Coordinator Josephine Velasquez.

Councilor Michelle R. Martinez stated that she had recently met with an organization that protect and aid the rights of immigrant nationals who seek amnesty and a civil process towards U.S. Citizenship. She further stated that the local organization was entitled *Somos Española* and was a sub-group of the original organization entitled *Somos un Pueblo Unido* of Santa Fe, N.M. Councilor M.R. Martinez stated that she would like to work collaboratively with the organization in an effort bridge further communication with Public Safety officials and agencies.

Councilor Michelle R. Martinez announced that she had recently attended the Biennial National Institute for Newly Elected Officials (NALEO) held November 20th through the 23rd in Washington D.C. She stated that the institute was a non- partisan professional training program emphasizing the understanding of the legislative process. Councilor M.R. Martinez expressed gratitude for the opportunity to attend the institute and further stating that the experience was both positive and educational.

Councilor Michelle R. Martinez further announced that she was grateful for the opportunity to attend the Municipal Officials Leadership Institute (MOLI) N.M. She further stated that she was scheduled to graduate the program in the near future pending current course studies. Councilor Michelle R. Martinez stated that as an elected official attending both institutes provided her an educational avenue gaining a better understanding of how to effectively aid and represent her community.

Mayor Pro-Tem Valdez in at 6:04pm.

Mayor Lucero thanked Councilor Michelle R. Martinez for her hard work, dedication and commitment to the City of Española. The sentiments were echoed by Councilor Peggy Sue Martinez. Mayor Lucero stated that Councilor Michelle R. Martinez was subject to an extensive selection process by both organizational institutes; further stating that both institutes chose to sponsor Councilor M. R. Martinez.

Mayor Lucero announced that *Posadas* would be held within the Mision at the Plaza de Española, December 16th 2014 at approximately 6:30pm. Community Services Director Mark Trujillo stated that a Toy-Dive entitled *Operation Christmas Cheer* would be taking place at the Lucero Center, December 13th, 2014 at approximately 5:30pm. Interim Recreation Coordinator Greta Trujillo stated that currently three hundred and seventy-five (375) children registrants of the Toy-Drive would be receiving toys during Operation Christmas Cheer. She further stated that the deadline for registrants would be December 1st, 2014.

Mayor Pro-Tem Pedro Valdez announced that the 18th Annual Española Electric Light Parade would be held December 13th, 2014 beginning at approximately 6:30pm.

E. MATTERS FROM THE MAYOR

1. Recognition of Community Services Staff

Community Service Director Mark Trujillo stated that the Community Services Department consisting of Parks, Recreation, and Public Library and Senior Center employees. He further stated that all departments had been working collaboratively and effectively to help enrich the lives of people within the community. CSD M. Trujillo stated that he was pleased to be working and directing a wonderful group of individuals namely; Ben Martinez, Jonathon Salazar, Neil Chacon, James Martinez, Alex Lucero and Jeremy Martinez of Parks. Greta Trujillo, Kim Cordova, Desiree Miranda, Mario Miranda, Jesus Martinez of the Lucero Recreation Center. Sherry Aragon, Lucy Pena, Wendy Lonewolf, Stephanie Garcia, Chris Abeyta of the Public Library. Josephine Velasquez, Melita Lujan, Joseph Martinez, Tracy Naranjo, Regina Garcia, Sheila Suazo of the Beatrice Martinez Senior Center.

Mayor Alice A. Lucero commended Community Service Director Mark Trujillo for his leadership and foresight to recognize all department(s) efforts during the Holiday Season. She then presented all individuals mentioned with a Certificate of Recognition. Encouraging and appreciative sentiments recognizing all departments mentioned were shared by Councilor Peggy Sue Martinez, Councilor Michelle R. Martinez and Councilor Cory Lewis.

2. Appointment of Fiesta Council

(postponed until further notice - taken off agenda at beginning of meeting)

3. Special Recognition by Mayor

Mayor Lucero stated that City Clerk Tessa Jo Macareñas would be leaving the City of Española to work as a Policy Analyst for Santa Fe County. She further stated that City Clerk Macareñas would be dearly missed. Mayor Lucero expressed gratitude for her hard work and dedication to the City of Española. She further sighted developments within the Clerks Department as well as Human Resources while under her direction. Mayor Lucero then presented City Clerk Macareñas with a Certificate of Appreciation on behalf of the

Governing Body. Mayor Lucero then announced her decision to appoint Deputy City Clerk Anna Squires as Interim City Clerk for the City of Española beginning December 5th, 2014.

Councilor Cory Lewis thanked City Clerk Tessa Jo Macareñas for her hard work and dedication. Sentiments were echoed by Councilor John Hernandez and City Attorney Frank Coppler. Mayor Lucero acknowledged Cynthia Ulibarri, mother of City Clerk Tessa Jo Macareñas.

F. BUSINESS WITH VISITORS

4. Report from John Werenko, Northern New Mexico Regional Arts Center Executive Director

Community Service Director Mark Trujillo introduced NNMRRAC Executive Director John Werenko. He further sighted the five (5) year period of work conducted by Executive Director John Werenko to sustain viable development(s) at the Northern New Mexico Regional Art Center. CSD M. Trujillo expressed sincere gratitude towards NNMRRAC Executive Director Werenko and recognized further positive efforts supporting the Plaza de Española as well as working collaboratively with contributing nonprofit organizations namely; Family YMCA teen Center, Children Youth Families Department (CYFD), N.M. State Foster Care, Las Cumbres, El Mirador, Rio Grande National Heritage Area (NRGNHA), Española Fiber Arts Center and the education and community programs of the Santa Fe Opera.

NNMRRAC Executive Director John Werenko thanked CSD M. Trujillo for his introduction and acknowledged NNMRRAC Board of Trustees member Kathy Madrid for her attendance and representation. Mr. Werenko reviewed current NNMRRAC mission, status, overview and goals, further sighting the organizations nonprofit 501 c 3 status. He then reviewed NNMRRAC's proposed sustainability philosophy, current funding and projected grant funding. Mr. Werenko stated that NNMRRAC was comprised of over forty (40) volunteers and workers, namely twelve (12) Board of Trustees, Three (3) Instructors, ten (10+) Interns, all of whom represent ethnic and cultural interest throughout the center and moreover donate their time and skills to the organization.

NNMRRAC Executive Director Werenko further explained the involvement and length of time NNMRRAC had conducted to manage the Plaza de Española. He stated that the Plaza was comprised of two museums, a Community Art Gallery, Gift Shop, Visitor Center, Performing Arts Space and the Community Arts Education Center which provided year round instruction in art, music, chorus, dance classes for the youth of the community. Mr. Werenko continued to explain that the Española Community Arts Education Center served over 3,689 students in the past three years between 2010 and 2014. NNMRRAC Executive Director Werenko expressed that the center was a pivotal point to ensure self-sustainability for the years to follow.

NNMRRAC Executive Director John Werenko stated that with the aid of state, federal and corporate funding, NNMRRAC would continue to flourish and eventually be self-sustained. He further added that he had recently met with members of the Congressional Delegation in Washington D.C. discussing the critical need to develop and aid rural communities such as the Española Valley.

Mayor Alice A. Lucero thanked NNMRRAC Executive Director John Werenko for his efforts to provide arts education outreach to all youth of the Española Valley. Encouraging and supporting sentiments were expressed by Councilor Peggy Sue Martinez, Mayor Pro-Tem Valdez and City Manager Kelly Duran.

G. REPORTS

5. Council Appointed Liaisons (NCSWA, NCRD, E911, Beautification Committee, Veteran's Commission, Regional Coalition of LANL Communities, Redi-Net)

Mayor Pro-Tem Valdez stated that the North Central Solid Waste Authority (NCSWA) and City officials were working collaboratively to adhere to the delivery of new polycarts and orders. He further stated that similar efforts and arrangements to organize the disbursement of the 2015 Trash Punch-Cards were also being conducted. He further stated that the NCSWA Memorandum of Understanding between North Central Solid

Waste Authority (NCSWA) and the City Of Española, regarding sharing of information and integration of technology would be discussed later in the meeting and refrained from further commentary.

Councilor Michelle R. Martinez out 7:03pm in 7:04pm

Councilor Dennis Tim Salazar stated that the next North Central Regional Transit District (NCRTD) Meeting would be taking place December 5th, 2014 within the RTD building located on Riverside Drive.

City Manager Kelly Duran stated that he would be attending an upcoming Emergency-911 (E-911) Board Meeting to be held within Council Chambers December 3rd, 2014 at 10:00 am.

Mayor Lucero stated that the Veterans Memorial Celebration Honoring Veterans Day took place November 11th, 2014 at the Veterans Memorial Wall located at the Plaza de Española. She further stated that the event was well attended and respectfully honored local Veterans.

Mayor Lucero stated that as the chair of the Regional Coalition of LANL Communities (RCOLC) she had recently attended an intergovernmental meeting. She further stated that she had met with officials from the Department of Energy (DOE), Los Alamos National Laboratory (LANL) and the Environmental Protection Agency (EPA). Mayor Lucero stated that during the meeting N.M. Environment Department Cabinet Secretary Ryan Flynn delivered an important message addressing the damaged barrel contained by the Waste Isolation Pilot Plant (WIPP).

Mayor Lucero further stated that Los Alamos National Laboratory (LANL) admitted to mistakes containing the harmful material. Mayor Lucero explained that during the meeting LANL assured all parties of meaningful and corrective action to remediate the damaged caused from the spill would proceed. Mayor Lucero expressed that NMED Cabinet Secretary Flynn spoke in support of LANL, further stating that LANL was an economic driving force throughout New Mexico and within the U.S. and should be supported during this time. NMED Cabinet Secretary Flynn expressed that corrective action at a national level was imperative in an effort to restore the public's trust.

Councilor Michelle R. Martinez out 7:03pm in 7:04pm

6. Staff Reports

City Manager Kelly Duran stated that staff reports were provided within the Council Packet. He then stood open for any questions or concerns from the Governing Body. No questions were addressed from the Governing Body.

H. CONSENT AGENDA

7. 9.29.14 City Council Meeting Minutes
8. 10.14.14 City Council Meeting Minutes
9. 10.14.14 City Council Work Session Minutes
10. 10.28.14 City Council Meeting Minutes

Motion made by Councilor Cory Lewis to approve the Consent Agenda; 2nd by Councilor Peggy Sue Martinez

Motion Carried 6-0

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

11. Approval of DFA BAR for New Mexico Library Foundation Grant Award

Grants Administrator Diahann Jacquez explained that a Memorandum of Understanding (MOU) between the New Mexico Library Foundation and the City of Española was an understanding that the Española Public Library would continue to promote a program entitled *Friends Helping Friends* and would offset the expenses for art supplies for the program(s) art project(s) in the amount of \$950.00 dollars. Grants Administrator Jacquez stated that funding would need to be reported accordingly to DFA pending the approved of Council. Grants Administrator Jacquez further explained that prior to the issuance of funds provided by New Mexico Library Foundation Grant, a budget adjustment increase was requested by the State Department of Finance and Administration/ Local Governments Division/ Financial Management Bureau (FY 2014-2015) and was required to be accounted for prior to being allocated to the City's Public Library.

Motion made by Councilor Peggy Sue Martinez in favor to approve the DFA BAR for the New Mexico Library Foundation Grant Award; Motion 2nd by Mayor Pro-Tem Pedro Valdez.

Motion Carried 6-0

12. Memorandum Of Understanding Between North Central Solid Waste Authority and the City Of Española, NM for the Sharing of Information and Integration of Technology

City Manager Kelly Duran explained that the Memorandum of Understanding (MOU) Between North Central Solid Waste Authority and the City Of Española City Staff would ensure correct billing for City residential solid waste customers as well as avoid double-billing City customers. City Manager Kelly Duran stated that by entering into the MOU would allow both parties to improve their billing database. CM K. Duran further stated that both parties would eventually establish a virtual private network (VPN) access for the other respective network in an effort to facilitate database access. He further stated that accounts established on each workstation to server relations are related to *transport methodology*. He further explained that the initiative would be used by authorized personnel only with the proper restrictions allowing access.

Motion by Councilor Cory Lewis to acceptance the Memorandum of Understanding between North Central Solid Waste Authority and the City Of Española, NM for the Sharing of Information and Integration of Technology; 2nd by Michelle R. Martinez.

Motion Carried 6-0

13. Agreement Between the City of Española and Walmart of Northern America dba Walmart Store #2656, Española, NM

City Attorney Frank Coppler stated that the agreement was made and would be entered into on the 18th day of November, 2014, between the City Of Española and Walmart of Northern America dba Walmart Store #2656, Española, NM 87532. City Attorney Coppler stated that under the agreement, the City would provide special police presence at store #2656 on Thanksgiving Day, Thursday 27th, 2014. He further stated that Walmart was expecting a large crowd of customers jockeying for the opportunity to purchase limited numbers of items at deep discount.

City Attorney Frank Coppler stated that it was Walmart's duty, not the Cities' to assure the safety of its customers and staff during Thanksgiving Day shopping and the purpose of the agreement was to provide compensation to the City by Walmart for police presence during the event.

City Attorney Frank Coppler stated that Walmart agreed to pay the City for services provided on Thanksgiving Day with the consideration of; reimbursement for payroll costs, cost of EPD Police vehicles and equipment, overhead costs, time of Police Chief Gallegos, Deputy Chief Miguel Maez.

Deputy Chief Miguel Maez stated that Walmart assumed liability and agreed to defend and indemnify the City, its agents, officers and employees from all claims arising out of the police presence at Store #2656 on Thanksgiving Day. He further state that the city assumed liability and agrees to defend and indemnify Walmart, Its agents, officers and employees for all claims arising out of its authorization of the police presence and acceptance of payment for services.

City Attorney Frank Coppler explained that by entering into this agreement, the parties do not intend to create any obligations express or implied. He further stated that Walmart's requested the officers would be assisting with crowd control in order to eliminate any conflict that may occur during the event.

Motion by Mayor Pro-Tem Valdez to accept the agreement between the City of Española and Walmart of Northern America dba Walmart Store #2656, Española, NM providing special police presence at store #2656 on Thanksgiving Day, Thursday 27th, 2014; 2nd by Councilor Cory Lewis.

Motion Carried 6-0

14. City Employee Holiday Schedule

City Manager Kelly Duran proposed that the City of Española be closed from December 25, 2014- through January 5, 2015. He further proposed that City employees use their leave, donate their excess leave to coworkers. City Manager Kelly Duran stated that the use of administrative leave should be taken during December 26, 2014- January 2, 2015 pending the use of vacation, compensatory time, or personal leave, during December 29, 2014 through December 31, 2014.

City Manager Kelly Duran stated that *donation of time* would be further encouraged to donate to fellow coworkers and temporary staff that have not accumulated sufficient amount of leave to take during the said days. CM K. Duran stated that employees who were in need of leave could request a donation of leave by submitting a donation request to Human Resources Coordinator Stephanie Martinez.

City Manager Kelly Duran stated that any Department of Public Safety employee scheduled to work during the Holiday and any "on call" staff working would be granted two (2) personal days to use at a subsequent time. He further stated that the name(s) of those individuals could be communicated via a memo from the Department Head no later than January 9th, 2015 in order to receive the floating personal days.

City Manager Kelly Duran closed his statement by urging employees to take the time and rest and spend quality time with friends and family, but more importantly take time to keep thoughts and prayers with the City Employees that are working which include; Fire, Police, and On-Call personnel.

Motion by Mayor Pro-Tem Valdez to accept the proposed City Employee Holiday Schedule; 2nd by Councilor Cory Lewis.

Motion Carried 6-0

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.

Mayor Lucero stated that there was no need to go into Executive Session. She stated that the previously determined Work Session following the City Council Meeting would need to be postponed.

Mayor Lucero deliberated with Council and questioned if the next Work Session Meeting and Finance Board Meeting could take place on December 9th 2014 following or prior to the next scheduled City Council Meeting. Councilor Peggy Sue Martinez, Councilor Michelle R. Martinez, Councilor Adrianna Ortiz, Councilor John Hernandez, Councilor Cory Lewis and Mayor Pro-Tem Pedro Valdez concurred.

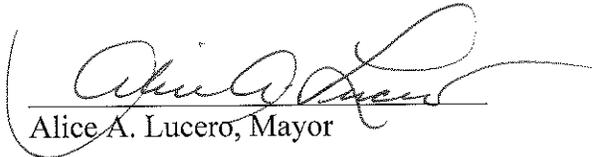
M. ADJOURNMENT

Motion to adjourn made by Councilor Cory Lewis; Motion 2nd by Mayor Pro-Tem Valdez.

Motion Carried 6-0

Meeting Adjourned at 7:20 pm

PASSED, APPROVED and ADOPTED THIS 13th DAY OF JANUARY 2015.



Alice A. Lucero, Mayor

Attest:



Anna Squires, City Clerk