

CITY OF ESPAÑOLA
CITY COUNCIL MEETING
Tuesday, May 25, 2010, 6:00pm
City Council Chambers
405 Paseo de Oate, Española, NM

Call to Order-

Meeting was called to order at 6:05pm with the following in attendance:

Mayor: Alice A. Lucero

Mayor Pro Tem: Cecilia Lujan

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

Interim City Manager: Heather Velasquez

City Attorney: Frank Coppler

Staff: Ben Ortega, Public Works Director; Ron Archuleta, Finance Department;
Joyce Sandoval, Finance Department; Joe Martinez, Chief of Police; Larry Wyman,
Fleet Department; Joe Griego, Police Department; David England, Police Department;
Joe Duran, Planning and Zoning Department. Jessica Martinez, City Clerks Office.

Pledge of Allegiance- Moment of Meditation/ Invocation-

Mayor Alice Lucero led the Pledge of Allegiance. Councilor Valdez led Mediation/Invocation.

Roll Call/ Determination of Quorum

All in attendance

Approval of Agenda-

Mayor Alice Lucero presented agenda for approval.

Call to Order

Pledge of Allegiance

Moment of Meditation/ Invocation

Roll Call/ Determination of Quorum

Approval of Agenda

Public Comments

Councilor Comments

Matters from the Mayor

1. Presentation of Certificates of Achievement to EVHS students Shayla McCall, Jacob Serrano and Beverly Williams for participating in the State Golf Championships
2. Employee of the Month Award presented to Larry Wyman

Business with Visitors

3. Presentation of Certificate of Recognition to the City of Española from the New Mexico Environment Department (NMED)/Rural Community Assistance Corporation (RCAC); Melanie Delgado, NMED, and Bianca Surgeon, RCAC, will present the Certificate to the Governing Body
4. Presentation by Yvonne Trujillo regarding the "Relay for Life" walk
5. Project update and budget discussion for Industrial Park Road construction project, presented by Jon Paul Romero, Southwest Design, LLC

Public Hearing(s)

6. Ordinance 2010-03, "An Ordinance Amending Ordinance 2004-04, An Ordinance Adopting the New Mexico Traffic Ordinance by Reference, in Order to Attach Fine Schedule for Parking Violations Pursuant to 12-12-1.2 of the Ordinance"; *the Governing Body may choose to adopt this ordinance following the Public Hearing*

Consent Agenda

7. Approval of minutes: March 23, 2010 Workshop/Regular Meeting; April 19, 2010 Workshop; April 27, 2010 Regular Meeting

Discussion/Action Item(s)

8. Discussion of letter to North Central Solid Waste Authority regarding pledge of \$50,000 contingent on the Authority closing a loan agreement with New Mexico Department of Finance and Administration; *it is anticipated that this will be a discussion item only, however, the Governing Body may take any action related to this as it deems appropriate*
9. Discussion of Lease of the old fire station at Railroad and Hunter; *it is anticipated that this will be a discussion item only, however, the Governing Body may take any action related to this as it deems appropriate*
10. Discussion, and possible approval, of Memorandum of Agreement supporting the Community DWI Program
11. Discussion, and possible adoption, of Resolution 2010-12, "A Resolution Supporting the Regionalization of Existing Water and Wastewater Services"

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12. Review, discussion, and possible adoption, of Findings of Fact and Conclusions of Law for the Application of Philip Chacon for a Mobile Home Park at 611 Baker Lane
13. Ethics Board Appointments

Announcements
Adjournment

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

Public Comments-

Mayor Alice Lucero opened the floor for public comments. Joseph Torres stated he was there that evening to invite the Governing Body to a Meet and Greet at the Santa Claran Hotel with Congressman Lujan. He stated it was just a Meet and Greet and not a Fundraiser. The Governing Body thanked Mr. Torres for coming out and extending the invitation.

Jose Castillo of North Central Solid Waste Authority (NCSWA) stated he was a City Employee for 4 years before the changing over to NCSWA, he stated that he felt the City had forgotten about the employees. Mayor Alice Lucero stated that the City had done as much as they could; they lent out trucks etc. She stated that NCSWA owed the City money. Mayor Alice Lucero stated that NCSWA was requesting the City's Gross Receipts Tax money and that the City was willing to pay what they had but the City had to pay for closure of the site first. She stated that the City hadn't forgotten the employees. She stated that she had met with many employees and had also met with the County to figure out what could be done. Mayor Alice Lucero thanked Mr. Castillo for coming and stating his concerns.

Councilor Comments-

Councilor Ortega stated that the local Boy Scouts of America and their Troop Leader were here because one of their requirements was viewing a public meeting. He stated they were; Gerald Guier, Leader, Jacob Naranjo and Timothy Naranjo from Santa Clara.

Councilor Garcia stated that the Business Advisory Committee Meeting was held last week. She stated that the City still had a lot of work to do to be business friendly and to bring new business into Española. Councilor Garcia stated that the Fiesta Council had its Reina, Ofiate, and court chosen. She stated there would be a Frito Pie Fundraiser on June 16 to raise money. She asked for donations to help with the Fiestas.

Mayor Pro Tem Lujan stated that the City Clean-up was on Saturday. She requested to Ben Ortega that he should possibly contact the Department of Transportation (DOT) to cut the grass and trees along the road way. She stated that there was a good turn out.

Mayor Pro Tem Lujan stated that Maria Sandoval (Recreation Director) had told her that Rita Pandon came to observe the Healthy Kids Program at Lucero Center and she was impressed and wants to continue with the program. Mayor Pro Tem Lujan stated that the E-911 Department was continuing to work with Department of Finance and Administration (DFA) on money owed by Santa Fe County. She stated they had discussed the possibility of a Speed van in Española. She asked Chief Martinez to stay on red light camera thought, as it would make the City safer and generate money. Mayor Pro Tem Lujan stated that the red light cameras were only allowed on city owned streets. She stated that they had asked officers to patrol Coronado and other streets in the City; McCurdy, Fairview, Zuni, SR 76, and others. Mayor Pro Tem Lujan stated she wanted to thank the Officers. She stated that Ben Ortega was working with DOT on painting cross walks. She thanked Ben Ortega.

Councilor Valdez stated that Governing Body should have been looking at being business friendly. He stated that there are some islands within the City that are not business friendly. He stated that as far as the medians in San Pedro he felt they needed to be rethought. Councilor Valdez stated that he knew it would cost a lot of money to take them out but he foresaw many issues with no turning lane in that area.

Councilor Seeds stated that the City needed to be more business friendly. He stated that the City was restricting business by making businesses move or lower their signs. He stated that it would cost a lot of money for business owners to do. Councilor Seeds stated that that needed to stop. He stated that the Governing Body needed to come up with some ideas to make a reality, because they had all agreed to make changes. Mayor Alice Lucero state that an ordinance was adopted 18 months ago, and she would like to repeal that ordinance. She stated that the Advisory Board was formed for these issues and to make changes. She stated it was very important for businesses to be successful. Councilor Seeds asked that Mayor Alice Lucero halt personnel from restricting businesses. Mayor Alice Lucero stated it was ideal to have businesses conform. She stated that she had already asked Planning and Zoning to halt even though she knew she would be criticized.

Mayor Alice Lucero stated that Ron Archuleta and the Finance Department had provided a budget and we were fortunate we were not in deficit at the time. She stated that there was \$454,209 remaining in budget, and 600,000 that needed to be reimbursed by DFA. She stated that the City was barely keeping in line, and asked the public and Governing Body to be patient with staff and the City. Mayor Alice Lucero stated that the employees have worked very hard. Ron Archuleta stated that the budget was finished along side DFA who was in today. Mayor Alice Lucero stated the Governing Body would have to have a special meeting to approve. Ron Archuleta stated that there were further cuts that needed to be done, but Finance had been working hard. He stated that revenues were projected at \$700,000 less next year. Mayor Alice Lucero stated the City had been fortunate enough to not have to cut pay, jobs or have furloughs. Ron Archuleta stated it was just a reality that more cuts had to be made. Mayor Alice Lucero asked Ron Archuleta when the budget would be ready. Ron Archuleta stated that it had to be at DFA by midnight on Tuesday. Ron Archuleta stated that Tuesday morning would be good to meet for approval.

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Councilor Garcia stated that Tuesday was June 1st, election day. Joyce Sandoval suggested a meeting before the weekend that way they didn't run into trying to get everyone together for Election Day. She stated the budget would be ready Friday evening. She stated that there were already people working on the final pieces. Mayor Alice Lucero stated she would be content with Friday evening. Councilor Seeds asked Ron to get the final numbers and have everything ready. Mayor Alice Lucero asked the Governing Body what time they wanted to meet on Friday. Councilor Lewis suggested 7:00, Councilor Seeds suggested 5:00. Councilor Seeds stated that it shouldn't take too long. Joyce Sandoval stated this was just the preliminary and the City had until July 21 to submit the final. Mayor Alice Lucero stated that as long as budget was balanced, changes could be done later. 5:30 Friday evening. Ron stated he was committed to being responsive.

Mayor Alice Lucero commended the Finance staff. She stated that for a long time the Governing Body didn't know what cash balance was.

Matters from the Mayor

Presentation of Certificates of Achievement to EVHS students Shayla McCall, Jacob Serrano and Beverly Williams for participating in the State Golf Championships-

Mayor Alice Lucero stated that the Valley had many successful teams this year. She stated that she was not able to get info from the Athletic Director on all the students that participated at State. She stated that she did know that the Golf team went to State. She stated that one of the players was her nephew, Jacob Serrano. Mayor Alice Lucero Presented Jacob with a certificate. Tom Velarde, coach, and other players, Shayla McCall and Beverly Williams were not present.

Employee of the Month Award presented to Larry Wyman-

Mayor Alice Lucero stated that this award was selected by the Division Director, City Manager and Mayor. Mayor Alice Lucero presented Larry Wyman was the Employee of the Month Award. She stated that Larry Wyman had been with the City for 18 ½ years as the Fleet Manager and Head Mechanic. Mayor Alice Lucero thanked Larry Wyman for all his effort. Ben Ortega stated that Larry Wyman started as a Community Service worker. He stated that the Police Department liked Larry Wyman working on their cars, but the only way to do that was to hire him. Larry Wyman thanked Governing Body and stated it was a surprise to him.

New Police Officers-

Chief Martinez presented Joe Griego, a 21 year veteran, and David England, new to the field. Mayor Alice Lucero congratulated both officers. She stated it was always wonderful to hire qualified officers.

Councilor Seeds stated that for the Golfers to play at the level they played was unbelievable and that he wanted to commend them. Mayor Alice Lucero stated she was proud of Jacob, and asked him what his average was. Jacob stated about 76 average.

Interim City Manager-

Mayor Alice Lucero stated she had decided to appoint Joe Duran as Interim City Manager. She stated that he had been City Manager before; he knew the field and knew the City. Mayor Alice Lucero asked the Governing Body to ratify her decision to appoint Joe Duran as Interim City Manager.

Councilor Valdez made motion to ratify, seconded by Councilor Lewis and Councilor Seeds.

Motion carried 8/0.

Heather Velasquez swore Mr. Duran into Office.

Business with Visitors-

Presentation of Certificate of Recognition to the City of Española from the New Mexico Environment Department (NMED)/Rural Community Assistance Corporation (RCAC); Melanie Delgado, NMED, and Blanca Surgeon, RCAC, will present the Certificate to the Governing Body

Melanie Delgado was here to present Certificate to City. She stated she was here to present a certificate on behalf of NMED, in appreciation for efforts in providing safe drinking water. She thanked the City for working with smaller communities and for collaborating with those communities. Mayor Alice Lucero stated that Ms. Delgado had been very supportive on helping take over small communities. Mayor Alice Lucero congratulated the Water and Public Work Departments.

Presentation by Yvonne Trujillo regarding the "Relay for Life" walk

Yvonne Trujillo stated that she was an advocated for relay for life. She stated that Lisa Duran, Clara Archuleta and Sylvia Bustos were here with her as well. Ms. Trujillo stated that on June 12 and 13 "Relay for Life" would be hosting their annual walk at Española Valley High School football field. She stated that she wanted the Espanola Valley to get together. Ms. Trujillo stated that she and Clara were both Cancer Survivors. She stated that Cancer hits at any time and anywhere.

Ms. Trujillo stated that most businesses didn't even know what the Cancer Society does. She asked the Governing Body if the City could be involved by getting businesses organized to display a colored balloon. Ms. Trujillo stated that she would like for the Governing Body to show up, she wanted City to help. Mayor Alice Lucero stated she did plan to be there Friday at 6:00pm and she would like the Governing Body to be there as well. Ms. Trujillo stated that the event started at 6:00pm and there were vendors and entertainment lined up for the event. She stated that the

fee for teams was \$100 per person, and \$1000 per team. Ms. Trujillo handed a donation slip to each of the Governing Body members. Mayor Alice Lucero thanked Ms. Trujillo for presentation.

CV stated that the New Mexico Gas Company always participated but in Taos, he didn't know there was one in Española. Lisa Duran stated it had been here since 2006, this was the biggest year yet. She stated that the first lap was for survivors. She stated that the walk would last all night until six in the morning, with activities and entertainment all night.

Ms. Duran stated that she would also like the City to be there. She stated that the City always provided the stage. She also stated that former Mayor Maestas showed up every year but didn't stay long; she would like the Governing Body to participate more. Mayor Alice Lucero thanked the representatives for their presentation. Ms. Duran stated that she wanted the Governing Body there for at least 12 hours; the committee was there for 24.

Mayor Alice Lucero asked if this was open to children. Ms. Duran answered yes. She stated there was a 9 year-old survivor participating.

Heather Velasquez asked that Ms. Trujillo and the group participated on coffee break. She thanked them for their efforts as she was going thru cancer in her own family. Ms. Duran stated there was a purple toilet that she takes to businesses to collect donations. She stated that Cancer will affect everyone at some point or another. Mayor Alice Lucero encouraged the Governing Body, businesses and the Public to participate and donate.

Project update and budget discussion for Industrial Park Road construction project, presented by Jon Paul Romero, Southwest Design, LLC

Ben stated this was presented at the last Workshop. Councilor Ortega asked if this was put aside last week. Ben stated it should be finished July 1st. Councilor Valdez asked why there was not a third lane, as the PD wouldn't be able to get through if there was an emergency. He asked how come it was designed that way. Mr. Ortega stated it was designed before he became Public Works Director, so he was not sure how it came about. He stated they had done away with the original designed medians. Councilor Valdez stated that the Governing Body should be involved in the design so that things like that don't happen again.

Public Hearing(s)-

Ordinance 2010-03, "An Ordinance Amending Ordinance 2004-04, An Ordinance Adopting the New Mexico Traffic Ordinance by Reference, in Order to Attach Fine Schedule for Parking Violations Pursuant to 12-12-1.2 of the Ordinance"; *the Governing Body may choose to adopt this ordinance following the Public Hearing*
Frank Coppler stated he reviewed the amendments and the only thing he would suggest was that this ordinance should state "Governing Body" as opposed to "City Council". Mayor Alice Lucero stated that the \$100 fine was extreme and it was modified to \$30, except for handicapped which was \$250.

Mayor Alice Lucero opened Public Hearing at 7:14pm.

There were no comments.

Mayor Alice Lucero closed the Public Hearing at 7:15pm.

Councilor Seeds made motion to approve with changes as suggest by Attorney, seconded by Mayor Pro Tem Lujan. Councilor Seeds stated he felt it was fair now, more in line where it should be because \$100 was too severe.

Roll call vote, motion carried 8/0

Consent Agenda-

Approval of minutes: March 23, 2010 Workshop/Regular Meeting; April 19, 2010 Workshop; April 27, 2010 Regular Meeting

Councilor Valdez made motion to approve, seconded by Councilor Salazar.

Motion carried 8/0

Discussion/Action Item(s)-

Discussion of letter to North Central Solid Waste Authority regarding pledge of \$50,000 contingent on the Authority closing a loan agreement with New Mexico Department of Finance and Administration; *it was anticipated that this will be a discussion item only, however, the Governing Body may take any action related to this as it deems appropriate*

Mayor Alice Lucero stated she asked Ron Archuleta to provide a synopsis. Mr. Archuleta referred Governing Body to the document he had handed out. Between 2005-2010 there were numbers that were not validated due to lack of supporting documents when the auditors came in. Mr. Archuleta stated that he had been asked by DFA to go back to 2009. He stated that after all expenditures; there was \$50,000 that would be applied to solid waste. Mayor Alice Lucero stated that there was a letter attached so that North Central Solid Waste Authority (NCSWA) could apply for DFA loan. She stated that at this point she would have liked the Governing Body to approve the pledge so that NCSWA could enter into the loan from DFA. Councilor Seeds stated that if it was approved at this time, the Governing Body would be acting without working with partners. He stated that he didn't want to have to worry about constituents dumping trash in other places.

Council Seeds stated that staff didn't know where this money was, because of things that have happened in the past. He asked Ron Archuleta if he knew where the money was. Mr. Archuleta stated there was \$2.5 million that staff was unable to identify because it was not properly tagged. Councilor Seeds stated that he believed in an effort to make a commitment to develop in the future, the City needed to sit down with partners. He asked what money would be generated coming forward. Councilor Seeds stated that this needed to be done properly so that the constituents would have a place to dump. He stated he hoped it would not be done tonight.

Councilor Valdez stated that the pledge should have not been written as it was. He stated that the City needed a certified station to dump. He stated that it should be taken to the Public Works Committee and then the Finance Committee. Councilor Valdez stated that it was up to the Governing Body to pass. Mayor Alice Lucero stated that City was required to pay only after we pay our own debt. She stated that the City had a commitment to the closure of the site. She stated that she didn't think the City can budget more; the City didn't have the money. Councilor Valdez stated that he disagreed. He stated that there was some kind of moneys out there that would be found. He stated that the City needed to give 16% to solid waste.

Councilor Salazar asked to refresh his memory of the 2004 MOU. He stated he was confused, and would like to know the facts before going forward. Mayor Alice Lucero asked Frank Coppler to comment. Mr. Coppler stated that the intent was to simply reserve Governing Body rights to do whatever they think was right in the future. He stated in regards to the \$50,000 pledge, going forward the City could add to the obligation as the Governing Body saw fit. Councilor Seeds stated that he was glad Mr. Coppler clarified that but he felt that if we were going to do it, we needed to do it right the first time. He stated that this was a facility that would take care of the needs of not only the City but the County. Councilor Seeds stated that the EGRT was meant for this reason. Mr. Coppler stated that the Governing Body could decide on that issue tonight. He stated that the letter was simply only a temporary solution. He stated that this was a policy question for the Governing Body to debate. Mayor Alice Lucero stated that this was all the City can afford at this time. She asked if we gave all our EGRT, how could we pay other debt.

Councilor Valdez stated he did not like the way it was written. He asked what if NCSWA came in and asked for need more. Mayor Alice Lucero stated that the bills needed to be paid before committing to NCSWA. She stated that she did want the Authority to be successful, but they have the responsibility to deal with their own finances. Mayor Alice Lucero stated that she wished the City had the money to give. Councilor Seeds stated that he wanted all entities to come together and commit for next year. He stated that the City was not a role model to criticize finances. He stated there was a serious problem with the trash, they were closing early almost everyday because it could not hold enough. Mayor Alice Lucero stated that her understanding was that this was only to get a loan from DFA. She stated she was told this would be enough to secure it. She stated that each one of the Governing Body got calls everyday about the issues at NCSWA. She stated that next year may be a different story; there may be money to give then. Councilor Garcia stated that this was not a solution, but a band aide. She stated that the Authority needed a solution, everyone needed to work together. Councilor Garcia stated that the City needed to commit to this now so that they could get the loan.

Councilor Garcia asked if Souder miller was paid, how much would be left to pay. Ron Archuleta stated that the City would be caught up. Mr. Archuleta stated that there was money that came into the City but he didn't know what it was designated for. He stated he has no clue what the \$2.5 million was. Councilor Garcia asked Ron if staff had no idea where this money came from. Joyce Sandoval stated that they didn't know, it could have been from EGRT or something else. Councilor Garcia stated that this money shouldn't be factored in without knowing where it was from.

Councilor Ortega stated that the Governing Body had asked staff to make cuts, and in looking at Ron what gave us, there was no money. He stated that \$50,000 was a start to the future. He stated that he had trust in Ron and Joyce and knew that the Governing Body would now know what EGRT were coming in and where they were going. Councilor Ortega stated that there was a need for a new station out there. He stated that the City was not the only ones suffering, the County was as well. Councilor Ortega stated that since the first day in office, he had received calls of complaints on the Authority. HE stated that the Governing Body still needed to go back and see what we could commit. He stated that trash had to be picked up. Councilor Ortega stated that closing at noon had nothing to do with money but with lack of space. He stated that at a later point can decide what we can afford.

Mayor Pro Tem Lujan stated that the \$50,000 was crucial, as the Authority was needed. Need to get other entities together to commit to helping with this problem, not just the City.

Councilor Kain-Salazar stated that she just didn't know how the City can give more than the \$50,000. She stated that this was just a start.

Councilor Valdez made motion to approve, with the exception of "one time" pledge in wording. Mayor Alice Lucero asked if he wanted to take out the whole last sentence. Councilor Valdez stated he would like that whole paragraph taken out. Mayor Alice Lucero stated the paragraph only stated that this should be for use of equipment, not salaries. Frank Coppler stated that there was not a problem taking out the wording, but he would suggest that it be left in. He stated that the purpose was to make sure it was for loan and not anything else. Councilor Valdez stated that the first paragraph clarified everything, he just wanted "one time" taken out.

Councilor Seeds stated that EGRT was paid by the people, these were monies paid by taxes specifically for trash. He stated that he had spoken to Tomas Campos and he said that \$50,000 would not be enough. Councilor Seeds stated that he had not been at any meetings and he felt the Governing Body needed to sit down with all entities, and everyone needed to commit. Mayor Alice Lucero stated that Councilor Valdez attended the meetings as he was on Board.

Mayor Alice Lucero asked Frank Coppler for language. Mr. Coppler stated that this budget year would reflect what we could afford after paying other debts. He stated that going forward, the City could adopt a permanent solution with EGRT. Mr. Coppler stated that this was something to commit for next years budget. Mayor Alice Lucero stated EGRT went down this year and would be expected to go down again. Ron Archuleta stated that DFA did not expect relief from revenues till about 2015. Mayor Alice Lucero stated that the City needed to be very careful.

Councilor Salazar yielded the floor to Alfred Herrera. Alfred asked if the \$50,000 was annual commitment. Mayor Alice Lucero answered no, it was for this year only. Alfred stated that there was no way the Authority could get the loan with \$50,000. He stated that he had spoken with Mr. Campos and he did not recollect agreeing to \$50,000. Mr. Herrera stated that he would be happy to provide information to the Governing Body. He stated that in the 2005 audit, the City had entered into an agreement for 20 years, with Future costs of \$250,000. He stated the City was to give \$56,000 the first year and \$28,000 in each subsequent year. Mr. Herrera stated that it was premature to attempt

to do anything without sitting down with all entities. He stated that he has letters from all other entities to commit. Mr. Herrera stated that a lot of work still needed to be done, but there was no way they could enter into the loan with \$50,000.

Councilor Ortega stated that if authority did not want the \$50,000, we would not give that \$50,000. He asked what was the commitment from other entities. He stated that this was an effort to help move forward.

Councilor Valdez made motion to omit "one time" and full paragraph stating with "however, this pledge..." Mayor Alice Lucero asked if he wished that this money be spent as they wish. Councilor Valdez stated that it was clear on the first paragraph what it would be used for. Mayor Alice Lucero clarified that paragraph 3 and 4 and "one time" be omitted.

Mayor Pro Tem Lujan seconded Councilor Valdez' motion. Councilor Garcia asked Alfred Herrera what commitment the pueblos were offering, were they offering as much as the city. Mr. Herrera stated that Rio Arriba County was offering more than you can imagine, and San Juan was contributing land. Councilor Garcia stated that the City contributed land already and continues to. Mr. Herrera stated that as far as EGRT, there was no commitment because they did not collect that tax, but they pay EGRT as you and I do.

Councilor Ortega asked about removing the third paragraph, he wanted Frank Coppler to clarification. Mr. Coppler stated that if it was removed, the Authority could use as it seemed fit and not necessarily only for the loan. Councilor Valdez stated that the first paragraph already stated it would be used for equipment. Mr. Coppler stated that the loan would be for that, but the \$50,000 would not need to be used for the loan if the third paragraph was taken out. Mayor Alice Lucero stated that Paragraph 3 stated that it was for the purpose of the loan. Councilor Valdez asked that "...only after authority had closed on loan" be added in. Mr. Coppler stated that a sentence could be added to the first paragraph stating that money must be used for closing on the loan. Councilor Valdez asked if this money would have to be set aside until the loan was closed. Frank stated that as far as what he had understood from Tomas Campos, Rio Arriba County would commit to money.

Councilor Salazar stated he didn't know way it was so damn hard to get all entities together to work together. Mayor Alice Lucero stated that anyone was welcome to attend Authority board meetings.

Councilor Seeds stated that this should be discussed at a joint meeting. He stated that the City needed to find out what needs to be done. Councilor Seeds stated that the only way he would support this was if we didn't think we could just wash our hand of the whole issue.

Mayor Alice Lucero stated there was a motion on the floor to approve pledge with the following changes; adding "\$50,000 must be used for DFA loan", omit "one time" and omit all of paragraph 3 and 4.

Motioned carried 7/1. Councilor Garcia objected.

Discussion of Lease of the old fire station at Railroad and Hunter; it was anticipated that this will be a discussion item only, however, the Governing Body may take any action related to this as it deems appropriate

Mayor Alice Lucero stated that contractor working on the Paseo de Ofiate Bridge asked for facility to sandblast. She stated that they had looked at many locations but none were suitable. Ben Ortega stated that the fire station was a good location because it was near their job site. He stated that the contractors were good to go. He stated that the lease was only for 60 days. Mr. Ortega recommended the lease be approved.

Frank Coppler asked that 3 typos be addressed. Mayor Alice Lucero stated that this was a late request, but had no issues with approving it. She stated the City had already received a check for \$1000. Councilor Garcia made motion to approve, but asked that the bank information be removed from copies submitted in the Council packets.

Councilor Seeds stepped out at 8:00pm.

Motion Carried 7/0. Councilor Seeds did not vote.

Councilor Seeds stepped back in at 8:06pm.

Discussion, and possible approval, of Memorandum of Agreement supporting the Community DWI Program

Mayor Pro Tem Lujan made motioned seconded by Councilor Valdez.

Councilor Valdez asked if there were any match from the City. Heather Velasquez answered no. Councilor Seeds stated he was happy with this, and felt the City needed to do more with the County to share the burden.

Motion carried 8/0

Discussion, and possible adoption, of Resolution 2010-12, "A Resolution Supporting the Regionalization of Existing Water and Wastewater Services"

Mayor Alice Lucero stated there were many entities that came to the City and asked to hook up to city water due to contamination. She stated that McCurdy School was having problems but they were working with Santa Cruz. Ben Ortega stated that this was why we got award earlier. He stated that this was not a commitment of money, only to support a request for a grant. He stated that the common goal was to provide clean drinking water. Mayor Alice Lucero thanked Ben.

Councilor Seeds moved to approve, seconded by Councilor Valdez.

Motion carried 8/0.

Councilor Valdez asked if we were already testing water. Antonio Chavez answered yes, they received the results today. Councilor Seeds stated that this was awesome to help communities have good drinking water.

Review, discussion, and possible adoption, of Findings of Fact and Conclusions of Law for the Application of Philip Chacon for a Mobile Home Park at 611 Baker Lane

Mayor Alice Lucero stated Attorney Frank Coppler was here to answer any questions. Frank Coppler stated that he would see no problem with the Governing Body accepting the ruling. He asked that the comprehensive plan and photos be added to the official denial. He also asked the Governing Body to move to include all information in the file for the record.

Mayor Pro Tem Lujan moved to approve, seconded by Councilor Seeds provided that the Record include all documents from the Planning and Zoning official file.

Councilor Valdez stated that he voted no last time, how was he to vote now. Mr. Coppler stated that the earlier vote was to uphold what Planning and Zoning ruled. He stated that this was a vote to approve finding and facts.

Motion carried 7/1, with Councilor Valdez objecting.

Mr. Coppler asked that every Councilor except Councilor Valdez sign findings.

Ethics Board appointments

Mayor Alice Lucero asked the Governing Body if they confirmed with their recommendations to the Ethics Board. Councilor Seeds recommended David Chavez and Sandra Martinez. He stated that both were willing to serve. Councilor Ortega stated he hadn't contacted the people he had recommended, but they would be confirmed tomorrow. Councilor Garcia asked that the phone number of her contacts be deleted. All other Councilors did confirm their recommendations.

Councilor Garcia stated that this was tabled last week so that they could be contacted.

Motions withdrawn

Councilor Garcia removed from table and moved that all recommendations be approved. Mayor Pro Tem Lujan asked that Chris Martinez be deleted. Councilor Kain-Salazar added David St Martin.

Motion carried 8/0

Mayor Alice Lucero asked City Clerk to get information from the Governing Body of all people listed.

Announcements-

Councilor Ortega stated he wanted to reemphasize the importance of our business community. He stated he did not want to be misquoted on statement he made about the sign ordinance. He stated it was important to spend money locally. He stated it was important to back up local businesses and that he felt there were ordinances that need to be re-looked at. Mayor Alice Lucero stated that she has asked the Advisory Board to address.

Councilor Seeds stated that he was thinking of ways to stimulate business, maybe by giving incentives to them. He stated that maybe like on the weekends in summer where the city can give incentives to. Would be nice to have something like that. Mayor Alice Lucero asked that any ideas be shared with Councilor Garcia to take to the Advisory Board. She stated that the more activities the City had, the more people would come in. She stated that there were activities every weekend at the Plaza and she was pleased that people were putting those on.

Adjournment-

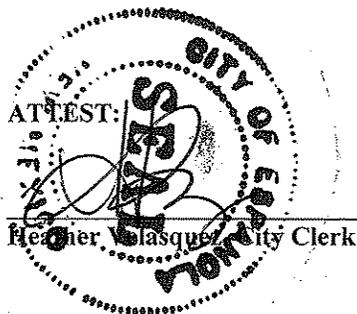
Councilor Garcia made motion to adjourn, seconded by Councilor Kain-Salazar.

Motion carried 8/0.

Being no other business, the meeting was adjourned at 8:28 pm.

APPROVED AND ADOPTED THIS 27TH DAY OF JULY, 2010


Alice Lucero, Mayor


ATTEST:

Heather Velasquez, City Clerk