

**CITY COUNCIL MEETING  
JANUARY 26TH, 2016, 6PM  
PLAZA DE ESPAÑOLA CONVENTO  
706 EAST BOND ST, ESPAÑOLA, NM 87532**

**A. CALL TO ORDER**

This meeting was called to order by Mayor Alice A. Lucero at 6:03 pm

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

Mayor Lucero led the Pledge of Allegiance. Councilor Cory Lewis led the moment of Meditation/Invocation.

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

The following in attendance:

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

Absent: Councilor Adrianna Ortiz

City Manager Kelly Duran-residing  
City Attorney Frank Coppler-residing  
City Clerk Anna Squires-residing

**D. APPROVAL OF AGENDA**

Agenda as presented:

--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**

**F. COUNCILOR COMMENTS/ ANNOUNCEMENTS**

**G. MATTERS FROM THE MAYOR**

**1. Friends of the City Award Presented to Desert Sun**

**2. Certificate of Appreciation Presented to Angela Fresquez**

**H. CONSENT AGENDA**

**3. 12-08-15 City Council Meeting Minutes**

**4. 12-14-15 Special Meeting Minutes**

**5. 01-12-16 City Council Meeting Minutes**

**I. MATTERS FROM THE CITY MANAGER**

**6. Department Review – City Manager Kelly Duran**

## **J. MATTERS FROM THE CITY CLERK**

**7. 2016 Municipal Election Updates** - *City Clerk Anna Squires*

## **K. PUBLIC HEARING**

**8. Ordinance 2016-01;** An Ordinance of the City of Española, New Mexico, NM Providing for Sale or Lease With Option to Purchase at Appraised Value of Up to 7.84 Acres of City Owned Property Located on The South Side of Fairview Lane (S84) Its West Boundary Being the Rio Grande and Its East Boundary a Parcel on Which is Located Washington Federal Bank Española; Authorizing the City Manager and the City Clerk to Handle the Administrative Details Authorizing the Mayor to Execute All Documents Necessary to Complete The Transaction, The Subject of the Sale or Lease with Option to Purchase is Vacant City Owned Land. – *City Attorney Frank Coppler*

**9. Ordinance 2016-02;** An Ordinance of the City of Española, New Mexico Adopting the 2015 Edition of the International Property Maintenance Code, Regulating and Governing the Conditions and Maintenance of All Property , Buildings and Structures; by Providing the Standards for Supplied Utilities and Facilities and Other Physical Things and Conditions Essential to Ensure That Structures Are Safe, Sanitary and Fit for Occupation and Use; and The Condemnation of Buildings and Structures Unfit for Human Occupancy and Use, and The Demolition of Such Existing Structures in the City of Espanola; Providing the Issuance of Permits and Collection. – *Planning & Land Use Director Patrick Nicholson*

## **L. ITEMS PROPOSED FOR COUNCIL CONSIDERATION/DISCUSSION ITEMS (ACTION ITEMS)**

**10. Resolution No. 2016-02;** A Resolution Concerning the Appointment of Precinct Boards for Each Designated Polling Place & Voter Convenience Center for the Regular Municipal Election, To Be Held in the City of Española, New Mexico on the 1st Day of March 2016. - *City Clerk Anna Squires*

**11. Resolution No. 2016-03;** Approval of Budget Adjustment to Accommodate Water Well # 1 Arsenic Treatment Plant Media Replacement in the Amount of \$60,515.00 dollars. - *Steven Trujillo – Water Operations Foreman*

**12. Consideration of City of Española Sponsorship of Little League Program 2016** –*Community Services Director Mark Trujillo*

**13. Consideration of Memorandum of Understanding (MOU) with the City of Española and RACSTOP** – *Director of Public Safety Richard Gallegos*

**14. Consideration of YDI Lease Agreement** - *City Manager Kelly Duran*

## **M. MATTERS FROM THE CITY ATTORNEY EXECUTIVE SESSION** –*City Attorney Frank Coppler*

**15.) a.) Discussion on recent actions taken terminating two city police officers. b.) Discussion of the purchase, acquisition or disposal of real property or water rights by the public body, "specifically" 7.84 acres of city-owned property located on the south side of Fairview Lane (S 84) and the property known as the Chamber of Commerce building located at; 710 North Paseo de Oñate, Española NM 87532, 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.**

## **N. 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--

**D. APPROVAL OF AGENDA**

*Motion to continue and hear, Ordinance 2016-01, at a Special Meeting on Monday, February 1, 2016 at 6:00 pm at the Convento, made by Councilor Michelle R. Martinez and 2<sup>nd</sup> by Councilor Peggy Sue Martinez*

*Motion to move consent agenda to the February 9, 2016 City Council Meeting made by Councilor Michelle R. Martinez and 2<sup>nd</sup> by Councilor Peggy Sue Martinez*

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

*Motion Carried 6/0*

**E. PUBLIC COMMENTS**

--NONE--

**F. COUNCILOR COMMENTS/ ANNOUNCEMENTS**

Mayor Lucero stated there was a Special Meeting on 2/1/16 at 6:00 pm at the Convento. She also stated there was a short meeting on 1/26/16 with the auditors and, the city had to get someone new to handle the audits because the one in charge, his mother passed away and then left the company, after meeting with new auditor, the city was still looking for the audit to be complete by end of February., she also stated the 2014 should be complete by 3-30-16 and 2015 approved by 4-30-16. She went on to say that the auditors will work on keeping the calendar and the schedule. And the 2016 will follow.

**G. MATTERS FROM THE MAYOR****1. Friends of the City Award Presented to Desert Sun**

Desert Sun took the inchoate and establish a program called "The Big Givers Program." Mayor Lucero presented the Friends of the City Award to Desert Sun. Debbie Valdez accepted the award on behalf of Desert Sun, Mayor Lucero stated the owner Bobbie Martinez and Manager Dolores Martinez could not be present.

**2. Certificate of Appreciation Presented to Angela Fresquez**

CSD Mark Trujillo presented Angela Fresquez with a Certificate of Appreciation. CSD Trujillo went on to thank Angela for all her hard work as a volunteer for the City.

**H. CONSENT AGENDA**

3. 12-08-15 City Council Meeting Minutes

4. 12-14-15 Special Meeting Minutes

5. 01-12-16 City Council Meeting Minutes

*Motion to move consent agenda to the February 9, 2016 City Council Meeting made by Councilor Michelle R. Martinez and 2<sup>nd</sup> by Councilor Peggy Sue Martinez*

## I. MATTERS FROM THE CITY MANAGER

### 6. Department Review – *City Manager Kelly Duran*

Councilor John Hernandez asked CM Duran, on page three (3) of the report, with the New code Enforcement Officer and the thirty six violations that were issued, Councilor Hernandez would like to commend the Officer for processing those citations. Councilor Hernandez would like to know if there will be any fees associated with the citations. CM Duran responded by saying, yes there will be.

P&Z Planning Director Patrick Nicholson stated to the Governing Body, the P&Z department will first issue a ten (10) notice of violation, if the city is not contacted within those ten (10 days) then a second notice is issued which will extend time from the initial contact, the customer now will be out of compliance and will be charged a One Hundred Dollar (100) fine, and if still non-compliant the case will be filed at Espanola Municipal Court for further action. He also stated that the purpose of the actions is not to punish anyone but to ensure the value of the properties.

Mayor Lucero asked CM Duran to give a report on the ongoing projects with City. CM Duran responded by saying the following: The special projects that are taking place is the Lucero Center Library, which has not been renovated since 1972. CM Duran also thanked GSD Juanito Maez with the fine job he is doing. He also stated the renovation of City Hall is a little over Six Hundred Thousand Dollars (600) and next project is the Senior Center. Mayor Lucero asked CM Duran to comment on entrance of City Hall. CM Duran responded by saying the “Brady Bunch” counter top is no longer in the front lobby of City Hall. CM Duran thanked General Service for a job well done; he also thanked CC Squires for the painting of many offices at City Hall.

Councilor Michelle R. Martinez asked CM Duran in reference to the Finance Report, she would like to see the Mid-Year Budget emailed to the Governing Body for review. CM Duran stated he would forward that information to the Governing Body. Mayor Lucero echoes similar comments as Councilor Michelle R. Martinez also stated she would like to have a Finance Board Meeting to review a Mid-Year Budget in February 2016.

Councilor Cory Lewis asked CM Duran what the status was on the Ladder Truck for EFD. CM Duran stated the Ladder Truck was having the hydraulic pump replaced and is costing the city around Five Thousand Five Hundred Dollars (5,500) to replace. He also stated LT. Theresa Martinez, Lt. Ron Padilla and of course along with DFC Eric Tafoya coordinated with Pojoaque Fire Department to ensure backup in case of needing a Ladder Truck in the event of a fire. He also stated that the city has assistance through Pojoaque Fire Station thru Santa Fe County. CM Duran stated he is hopeful for the city to receive the Ladder Truck soon. He also stated the Ladder Truck is coming near the end of its service life, he informed the Governing Body to start capitalizing on this expenditure on the purchase of a new Ladder Truck and so they are making those arraignments now.

Mayor Lucero stated she had a meeting with EPD Chief Gallegos and as they discussed the need for a new Ladder Truck and as the city is looking for other funding to purchase a new Ladder Truck, she also stated, if all else fails the city will be asking for Legislative Appropriation funds, the city was not able to ask for assistance this year, but the city will ask for assistance.

## **J. MATTERS FROM THE CITY CLERK**

### **7. 2016 Municipal Election Updates - City Clerk Anna Squires**

CC Squires stated to the Governing Body the election update the listing public about absentee voting , stated today 1/26/16. She also stated if anyone has any questions or concerns the public is welcome to contact the City Clerk's Office at 505.747.6019, 505.747.6039 or 505.747.6054, or the application can be printed off the website at [www.cityofespanola.org](http://www.cityofespanola.org), under absentee voting. She also stated that the application can be obtained in person at City Hall in the Council Chambers.

Mayor Lucero asked CC Squires to inform the listening public of the notice that the Clerk's office received. CC Squires stated she received a notice from Laura Seeds, which she questioned her process of the Election.

Mayor Lucero stated that Councilor Cory Lewis will remain on the Election Ballot by Judge for the process was done appropriately and he is an eligible candidate and is up to people to decide who Councilor is by voting.

## **K. PUBLIC HEARING**

**8. Ordinance 2016-01;** An Ordinance of the City of Española, New Mexico, NM Providing for Sale or Lease With Option to Purchase at Appraised Value of Up to 7.84 Acres of City Owned Property Located on The South Side of Fairview Lane (S84) Its West Boundary Being the Rio Grande and Its East Boundary a Parcel on Which is Located Washington Federal Bank Española; Authorizing the City Manager and the City Clerk to Handle the Administrative Details Authorizing the Mayor to Execute All Documents Necessary to Complete The Transaction, The Subject of the Sale or Lease with Option to Purchase is Vacant City Owned Land. – *City Attorney Frank Coppler*

***Motion to continue and hear at a Special Meeting on Monday, February 1, 2016 at 6:00 pm at the Convento, Ordinance 2016-01 made by Councilor Michelle R. Martinez and 2<sup>nd</sup> by Councilor Peggy Sue Martinez***

***Motion Carried 6/0***

**9. Ordinance 2016-02;** An Ordinance of the City of Española, New Mexico Adopting the 2015 Edition of the International Property Maintenance Code, Regulating and Governing the Conditions and Maintenance of All Property , Buildings and Structures; by Providing the Standards for Supplied Utilities and Facilities and Other Physical Things and Conditions Essential to Ensure That Structures Are Safe, Sanitary and Fit for Occupation and Use; and The Condemnation of Buildings and Structures Unfit for Human Occupancy and Use, and The Demolition of Such Existing Structures in the City of Espanola; Providing the Issuance of Permits and Collection. – *Planning & Land Use Director Patrick Nicholson*

P&Z Land Use Director Patrick Nicholson thanked CA Frank Coppler for bringing this issue to his attention; he also stated to the Governing Body that Ordinance 2016-02 is exactly what it states it should be. He also stated the ordinance is designed to ensure all structures are safe for the public; the code covers bother commercial and residential building and property, the code includes provisions and a process that a condonation and demolition to building deemed unsound and unfit for human usage. Mr. Nicholson also stated the code is utilized in other County and City Governments, such as Roswell, Clovis, Artesia and Silver City. He also stated the Planning and Zoning Commission has forwarded to the Governing Body for

consideration the IPMC adoption of the Ordinance with the recommendation to approve, if adopted the Planning and Land Use Department will apply the code accordingly.

Mayor Lucero opened up Ordinance 2016-02 for Public Hearing. Mr. Robert Naranjo, however Mr. Naranjo lives outside of the City Limits, he asked the Governing Body, is there is provisions with the process of throwing down buildings, Mr. Naranjo also stated he was in favor of Ordinance 2016-02.

***Motion to approve Ordinance 2016-02 made by Mayor Pro-Tem Pedro Valdez and 2<sup>nd</sup> by Councilor Cory Lewis.***

***Under discussion Mayor Pro-Tem Pedro Valdez stated, this ordinance is one that has been in question for quite a while.***

Councilor Peggy Sue Martinez stated the Ordinance is overdue and believes the ordinance will help property owners along with the property values as she believes that this is an important step for the Council to take.

***Roll Call Vote:***

<b><i>Mayor Pro-Tem</i></b>	<b><i>Pedro Valdez-in favor</i></b>
<b><i>Councilors:</i></b>	<b><i>John Hernandez-in favor</i></b>
	<b><i>Peggy Sue Martinez-in favor</i></b>
	<b><i>Dennis Tim Salazar-in favor</i></b>
	<b><i>Michelle R. Martinez-in favor</i></b>
	<b><i>Cory Lewis-in favor</i></b>

***Absent:*** ***Councilor Adrianna Ortiz***

***Motion Carried 6/0***

**L. ITEMS PROPOSED FOR COUNCIL CONSIDERATION/DISCUSSION ITEMS (ACTION ITEMS)**

**10. Resolution No. 2016-02;** A Resolution Concerning the Appointment of Precinct Boards for Each Designated Polling Place & Voter Convenience Center for the Regular Municipal Election, To Be Held in the City of Española, New Mexico on the 1st Day of March 2016. - *City Clerk Anna Squires*

CC Squires recognized Contractor Kelli Romero and Therisa Aguilar, Record Specialist for the work they do on a daily basis now during Elections.

Mrs. Kelli Romero thanked all the poll workers for the long hours and the hard work that comes with being precinct officials, which are all registered voters in Rio Arriba County and Santa Fe County, the election officials are as follows:

Ronald J. Gallegos, Antonio Ortega, Jeanette E. Salazar, Lorraine Valdez, Dorothy Guinn, Phillip J. Valdez, Pricilla Herrera, Elaine Johnson, Rebecca Duran, Vivian Vigil, Theresa M. Montoya, Theresa A. Vigil, Joe I. Archuleta, Desirae L. Duda, Betty Guillen, Precillano P. Garcia, Evelyn M. Jaramillo, Francis M. Salazar, Linda Chavez, Mariah M. Valdez and Mary A. Garcia.

Councilor Peggy Sue Martinez asked CC Squires, will there be someone from every district at the polling places at all times, CC Squires responded yes.

Councilor Cory Lewis thanked all pole workers for the hard work they do on Election Day.

***Motion to approve Resolution # 2016-02 made by Councilor Cory Lewis and 2<sup>nd</sup> by Mayor Pro-Tem Pedro Valdez***

***Motion Carried 6/0***

**11. Resolution No. 2016-03;** Approval of Budget Adjustment to Accommodate Water Well # 1 Arsenic Treatment Plant Media Replacement in the Amount of \$60,515.00 dollars. - *Steven Trujillo – Water Operations Foreman*

WOF Steven Trujillo stated he was seeking the approval of Resolution # 2016-03. He also stated that the Arsenic Treatment Plant Media will have to be replaced every 1 ½ years. Councilor Cory Lewis asked WOF Trujillo when the Media was replaced last, WOF Trujillo replied by saying in 2014. Councilor Cory Lewis stated that the Media has been out of compliance in 2014 and is curious if the city is in compliance currently. WOF Trujillo informed Councilor Cory Lewis that the city has only been out of compliance since 12/2015.

***Motion to approve Resolution 2016-03 made by Mayor Pro-Tem Pedro Valdez and 2<sup>nd</sup> by Councilor John Hernandez***

***Motion Carried 6/0***

**12. Consideration of City of Española Sponsorship of Little League Program 2016 –Community Services Director Mark Trujillo**

CSD Mark Trujillo introduced Mr. Joe Ortega; CSD Trujillo thanked Mr. Ortega for volunteering over 40 hours a week to spend with the youth of Espanola. Mr. Ortega addressed the Governing Body by saying he will not retire from the Little League Program, he also stated he is searching for someone to take over the program in the future. Mr. Ortega introduced Chris Alcala and Jonathon Borrego. Mr. Ortega also stated they need the presence of the EPD and does appreciate the assistance of the EPD. He also stated that registration begins on 2/1/16 and practice will start on 3/1/16 and the games will begin on 4/11/16 and last but not least opening ceremony will be on 4/23/16 and the end of the season will be around 6/15/16.

CM Duran commended Mr. Ortega for the great job and for the hard work he and his do on a yearly basis with the youth and to make this program happen.

***Motion to approve Little League Program 2016 made by Councilor Peggy Sue Martinez and 2<sup>nd</sup> by Mayor Pro-Tem Pedro Valdez***

***Motion Carried 6/0***

**13. Consideration of Memorandum of Understanding (MOU) with the City of Española and RACSTOP – Director of Public Safety Richard Gallegos**

Chief Richard Gallegos thanked Ms. Bagett with RACSTOP. Mayor Lucero also thanked Ms. Bagett for all she does. Ms. Bagett also thanked Ms. Mayor Lucero for allowing the MOU to take place. Councilor Peggy Sue Martinez echoes similar comments.

***Motion to approve Memorandum of Understanding with the City of Espanola and RACSTROP made by Mayor Pro-Tem Pedro Valdez and 2<sup>nd</sup> Councilor Michelle R. Martinez***

***Motion Carried 6/0***

**14. Consideration of YDI Lease Agreement - City Manager Kelly Duran**

CM Duran stated if it wasn't for YDI in the city, there would be families that would not be able to engage in the programs provided by YDI.

Under discussion Mayor-Pro-Tem Pedro Valdez stated if the city can go into a five (5) agreement with YDI, CA Frank Coppler stated yes.

***Motion to approve Consideration of YDI Lease Agreement made by Councilor Cory Lewis and 2<sup>nd</sup> by Councilor Dennis Tim Salazar***

***Motion Carried 6/0***

**M. MATTERS FROM THE CITY ATTORNEY EXECUTIVE SESSION –City Attorney Frank Coppler**

15.) a.) Discussion on recent actions taken terminating two city police officers. b.) Discussion of the purchase, acquisition or disposal of real property or water rights by the public body, "specifically" 7.84 acres of city-owned property located on the south side of Fairview Lane (S 84) and the property known as the Chamber of Commerce building located at; 710 North Paseo de Oñate, Española NM 87532, 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 move into Executive Session at 7:27 pm made by Councilor Cory Lewis and 2<sup>nd</sup> by Mayor Pro-Tem Pedro Valdez***

**Roll Call Vote:****Mayor Pro-Tem** *Pedro Valdez-in favor*

**Councilors:** *John Hernandez-in favor*  
*Peggy Sue Martinez-not in favor*  
*Dennis Tim Salazar-in favor*  
*Michelle R. Martinez-in favor*  
*Cory Lewis-in favor*

**Absent:** *Councilor Adrianna Ortiz***Motion Carried 5/1****Councilor Peggy Sue Martinez not in favor**

**Councilor Peggy Sue Martinez made a motion to come out of Executive Session, Motion 2<sup>nd</sup> by Councilor Michelle R. Martinez**

**Roll Call Vote:****Mayor Pro-Tem:** *Pedro Valdez* *in Favor***Councilors:**

*Cory Lewis* *in favor*  
*Michelle R. Martinez in favor*  
*Dennis Tim Salazar in favor*  
*Adrianna Ortiz* *in Favor*  
*Peggy Sue Martinez in Favor*  
*John Hernandez* *in Favor*

**Motion Carried 6-0****The Governing Body came out of Executive Session at 8:07 pm.****Mayor Alice A. Lucero stated that there was no action taken in Executive Session, only discussion****N. ADJOURNMENT**

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**Meeting Adjourned at 8:09 pm.**

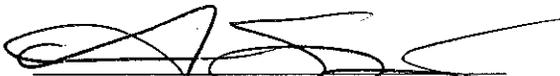
**ADOPTED AND APPROVED** by the Governing Body of the City of Española this 25<sup>th</sup> day of February, 2016.



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The Honorable Alice Alarid Lucero  
Mayor, City of Española

ATTEST:

  
Anna Squires, City Clerk