

Summary Minutes of:

CITY COUNCIL MEETING
TUESDAY, JULY 26, 2011 6:00PM
CITY HALL COUNCIL CHAMBERS
405 N. PASEO DE OÑATE ESPAÑOLA, NM

A. CALL TO ORDER

Mayor Lucero called the meeting to order at approximately 6:00pm.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Lucero.

C. MOMENT OF MEDITATION/ INVOCATION

The Moment of Meditation was led by Councilor Helen Kain-Salazar.

Mayor Lucero mentioned the death of former City Councilor C. L. Hunter and requested a moment of silence in his honor.

D. ROLL CALL/ DETERMINATION OF QUORUM

The following members of the Governing Body were in attendance:

Mayor:	Alice A. Lucero
Mayor Pro-Tem:	Cecilia Lujan (entered at 6:11 p.m.)
Councilors	Cory Lewis
	Greg Ortega
	Rosario (Chayo) Garcia
	Helen Kain-Salazar
	Pedro Valdez
	Robert Seeds

E. APPROVAL OF AGENDA

Mayor Lucero presented the agenda for approval.

---Begin---

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. MOMENT OF MEDITATION/ INVOCATION**
- D. ROLL CALL/ DETERMINATION OF QUORUM**
- E. APPROVAL OF AGENDA**
- F. PUBLIC COMMENTS**
- G. COUNCILOR COMMENTS**
- H. MATTERS FROM THE MAYOR**

1. Presentation of Proclamation- National Spanish Spelling Bee Winner Evelyn Juarez
2. Employee of the Month
- I. BUSINESS WITH VISITORS**
3. Presentation by Denny Hjeresen, Los Alamos National Laboratory regarding LANL's "Open Detonation Environment Permit"
4. Presentation by Melissa Salazar, Board President, Española Community Market
- J. CONSENT AGENDA**
5. Approval of Minutes
 - a. JUNE 20, 2011 CITY COUNCIL WORKSHOP MINUTES
 - b. JUNE 28, 2011 CITY COUNCIL MEETING MINUTES
- K. REPORTS**
6. **Council Committees** (Public Safety, Public Works, Community Services, Finance)
7. **Council Appointed Liaison** (NCSWA, NCRTD, E911, Hands Across Cultures, Fiesta Council, Regional Development Corporation)
8. **City Manager (Finance Report and Staff Reports)**
- L. ITEMS PROPOSED FOR COUNCIL CONSIDERATION/DISCUSSION ITEMS**
9. RESOLUTION 2011-09: FINAL BUDGET ADOPTION
- M. EXECUTIVE SESSION**

Pursuant to New Mexico Open Meetings Act Section 10-15-1 (H) Subsection (2) private personnel matters; (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. ANNOUNCEMENTS

O. 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 by Councilor Ortega to approve the agenda; seconded by Councilor Valdez.

Motion carried 7-0.

F. PUBLIC COMMENTS

Mr. Antonio Chavez addressed the issue of standby and overtime pay with regard to furloughs that had been discussed at the Finance Board meeting on July 21, 2011. He stated that they had yet to hear a response. City Manager Lujan apologized and stated that this meeting had occurred the Thursday prior, Mr. Marvin Martinez had been out on Friday and he was out sick on Monday. Mr. Martinez stated that he had asked his supervisors to ensure that employees are not scheduled to take their furlough day during a week where they will be working standby.

Mayor Lucero requested that they plan a general employee meeting for the city as a whole.

G. COUNCILOR COMMENTS

Councilor Seeds stated that if everyone was in agreement on the issue, he would like for Mr. Martinez to release a memo to that effect. Mr. Martinez agreed and stated that he did discuss it with the supervisors but he would do it in writing. Mayor Lucero stated that it seemed as though it may not have filtered down from the supervisors so she requested the document as well.

Councilor Valdez asked about the median by Bank of America. City Manager Lujan stated that he was supposed to receive a letter from the District 5 Engineer and one has not been received. Councilor Valdez pointed out that the amount of accidents has increased. City Manager Lujan stated that he would follow up.

Councilor Garcia stated that she is concerned with the Police Department and Fire Department taking furlough days adding that that they are short-staffed and that the City should work with them.

Mayor Lucero stated that she met with City Manager Lujan on this issue. City Manager Lujan stated that he and finance employees had run a report regarding the cost of overtime which revealed that it would cost more in overtime to cover the shifts for Public Safety than what the furloughs would save. Therefore, he is looking at exempting them from furlough days. There are currently two vacancies and those would have to remain vacant in order to make up the difference. The deficit is approximately \$118,000, but the Fire Department did receive some revenue and it may have to be used. He stated that he had spoken with Interim Fire Chief Ron Padilla about using the funds for this purpose and he is reluctantly in agreement.

Councilor Garcia stated that she understood that the City of Española was trying to save but her concern lay with the safety of the citizens. Mayor Lucero stated that the Governing Body may be adopting the budget resolution; however, that was only an approval of the bottom line. The City Manager would still be able to make changes.

Councilor Ortega stated that they had previously stated they would like to administer furloughs fairly across the board. He stated that he does not believe it is fair to other employees and there is a necessary balance. Councilor Ortega stated that he would like to see something in writing before that decision is made.

Mayor Pro-Tem Lujan entered at approximately 6:11 p.m.

City Manager Lujan stated that the other departments do not have the same type of savings. He reiterated that there is no savings if public safety takes furlough days. He stated that he has requested that all departments keep the cost of overtime down and declared that he would hold department directors accountable for overtime spending.

Councilor Lewis stated that he agreed with Councilor Ortega that it should be equal across the board as he felt that the City of Espanola should operate as a team and if Public Safety was exempted from furloughs all employees should be. City Manager Lujan stated that the only other way a balanced budget could be accomplished is through layoffs.

Councilor Seeds stated that they need to decide whether the public is better served with employees keeping their positions now or increasing the Police Department and furloughing employees. He suggested a hiring freeze and stated that he felt as though it asked a lot of other employees to pick up the slack. Councilor Seeds stated that if some position was desperately needed, it should come before the governing body.

Mayor Lucero stated that, in defense of the staff, they had already been picking up the slack. She stated that some of the necessary positions were ASD and Fire Chief.

Councilor Seeds stated that he disagreed. He cited Ms. Sandoval as an example of an employee stepping up into a position and doing a good job. He added that if the job was offered to her, it would be a good idea.

H. MATTERS FROM THE MAYOR

10. Presentation of Proclamation- National Spanish Spelling Bee Winner Evelyn Juarez

Mayor Lucero stated that Evelyn Juarez from the Española Valley had recently won the National Spanish Spelling Bee. She stated that Ms. Juarez brought a lot of recognition to the City of Espanola. Mayor Lucero read the proclamation.

Mayor Lucero requested that KDCE Radio announce the following day, July 27, 2011, as Ms. Evelyn Juarez Day.

11. Employee of the Month

Mayor Lucero announced Ms. Sandra Bustos as the Employee of the Month. She stated that she had taken on a new job, learned the process, and had done a great job. In addition she was a long-time employee.

I. BUSINESS WITH VISITORS

12. Presentation by Denny Hjeresen, Los Alamos National Laboratory regarding LANL's "Open Detonation Environment Permit"

Denny Hjeresen from LANL stated that he had spoken to the Governing Body the previous fall and thanked the council for their support with permitting. He stated that this process would help them to get their information out to the general public.

Mr. Hjeresen stated that he would be happy to answer any questions regarding fire mitigation but was present to speak on LANL's Open Detonation Permit. He stated that the prior week, they had submitted an application to the New Mexico Environment Department for the permit and they were currently within the 60-day comment period. He added that they want to make sure that the public and elected officials have the opportunity to comment.

Mr. Hjeresen explained that they use this process because explosion is the primary weapon of terrorists as they can make bombs out of non-traditional materials. He stated that most of the work that LANL did in the past few years was evident by regulations at airports for the detection of explosives.

He clarified that certain materials must be detonated because through testing, they become very unstable. Mr. Hjeresen stated that the best way to do away with materials like that was to detonate them. He stated that the state does not govern research, only waste.

He declared that LANL was trying to avoid the transport of the materials given that one of the fatalities at LANL occurred during transport. In response to that incident, they became very cautious. He stated that they had examined several options and the fastest and most effective way to do away with the materials was through detonation. He stated that encasing explosives in vessels had been examined and they could be used about six (6) times at a cost of approximately \$1 million dollars.

Mr. Hjeresen announced that they had consolidated two sites for the process and would be closing other sites in response to what had been occurring with the Las Conchas fire.

He stated that this could be done at other sites around the country; however, this would take the jobs with them. He added that the training programs for the military and homeland security bring people to New Mexico and keep funding and spending local.

Councilor Ortega asked if he was correct in the assumption that the permitting was being renewed. Mr. Hjeresen replied that they had been doing this on an interim basis for the past 18 years and were looking forward to closing the issue out. Councilor Ortega requested that the Mayor send a letter of support from the council for this project. Mayor Lucero stated that because the lab hires 40% of their workforce from the City of Española, the Governing Body had the responsibility to support LANL.

Councilor Seeds asked Mr. Hjeresen about the new buildings in Los Alamos and whether any other items from outside the LANL site would be brought in for detonation. Mr. Hjeresen replied that the ingredients were brought to Los Alamos; however, they create the unstable materials at LANL. Councilor Seeds agreed with Councilor Ortega and Mayor Lucero regarding the necessary support. He stated that he would like to give the constituency the opportunity to voice their opinion on this and while he personally supported the effort, he felt it was owed to the public to allow commentary.

Councilor Kain-Salazar agreed with Councilor Seeds about giving the public the opportunity to comment and asked if they had gone before the Environment Department. She called attention to a portion of the map that stated that it was a remote lab location and stated that she would like more details on that location. Councilor Seeds stated that the Lab had conducted an open door public comment night at the Santa Claran, which he attended.

Mayor Lucero asked Mr. Hjeresen to announce the dates for the upcoming public hearings over the radio. He stated that he would get back to KDCE as the meeting had been rescheduled due to the Las Conchas Fire.

Councilor Seeds added that the Lab should be commended on their efforts to protect their sites from the fire. Mayor Lucero commended the Lab on their communication during that period.

13. Presentation by Melissa Salazar, Board President, Española Community Market

Ms. Melissa Salazar stated that she had been president of the board for approximately 6 months. However, this project had been a 4-year effort and they were close to being able to sell food to their members. She stated that they wished to promote the City of Española agricultural products. She stated there were a lot of part-time farmers in the area and this would be a year round place for people to go to buy Espanola goods. She stated that they would encourage farmers to also preserve their projects and would like to begin an online market place. Ms.

Salazar explained that a full-time market would take about \$100,000 and they had currently raised about \$15,000. She stated that they would like to have people pre-pay for orders and that process would begin in about a month.

Ms. Salazar stated that there were not a lot of avenues for people to buy local products and local food was seen as a form of economic development. She stated that the local foods were being sent to higher income areas and the Co-Op would like to hire at least two (2) people to run the market. She stated that a lot of people drive to Santa Fe to get these types of foods.

Mayor Lucero applauded the group for keeping this project alive and stated that she would become a member.

Councilor Valdez left at 6:52 p.m.

Councilor Seeds asked about the location of the market. Ms. Salazar stated that they hoped to go into the old Chamber of Commerce building and stated that they were in talks for a potential lease.

Councilor Valdez reentered at 6:53 p.m.

Councilor Seeds asked how this would compete with the farmers market. Ms. Salazar stated that they did not wish to compete and would like to not have the same hours- have their hours in the evening and leave the farmers market with the workday hours.

J. CONSENT AGENDA

14. Approval of Minutes

- a. JUNE 20, 2011 CITY COUNCIL WORKSHOP MINUTES
- b. JUNE 28, 2011 CITY COUNCIL MEETING MINUTES

Motion by Mayor Pro-Tem Lujan to approve the consent agenda; seconded by Councilor Valdez.

Motion carried 7-0.

K. REPORTS

15. **Council Committees** (Public Safety, Public Works, Community Services, Finance)

Mayor Pro-Tem Lujan stated that the Public Safety committee had not met, as the first Monday of the month was a holiday. She emphasized that they would need to begin preparations for Public Safety Awareness Week which would take place the first week in October.

Councilor Kain-Salazar stated that this committee had attempted to meet three (3) times but did not get a quorum.

Councilor Seeds stated that the schools have had funding for a recreation facility and it is important to make every effort to assist them. Mayor Lucero stated that a letter was sent to the schools requesting they appoint a committee and we had not yet received a reply. Councilor Seeds stated that the School Board was getting frustrated.

Mayor Lucero stated that there was a Finance Board meeting and the resolution would be discussed this evening. Councilor Seeds requested a copy of the accounts payable on a monthly basis. Mayor Lucero requested that it be sent to all members of council. Councilor Seeds indicated that he had been asked about the failure of the City to pay a bill to Mr. Carpet. City Manager Lujan stated that they had not finished the job and that he would ensure they received a report.

16. Council Appointed Liaison (NCSWA, NCRTD, E911, Hands Across Cultures, Fiesta Council, Regional Development Corporation)

Councilor Valdez stated that he would have a report on NCSWA in the next month as several changes had occurred.

Councilor Seeds stated that NCRTD was continuing the advertisement process for the new director. He asked for suggestions to expand the transit system.

Mayor Lucero stated that Councilor Seeds had already addressed the issue she finds which was on-demand pick-up. Councilor Seeds stated that he had spoken with the director regarding this issue and it would be on the agenda for the September meeting.

Councilor Garcia stated that the fiestas had gone really well and that the Española float won 2nd Place at the Taos fiestas. She declared that they needed to start thinking about the fiesta council for next year.

Mayor Lucero commended Councilor Garcia for her time and efforts for fiestas and commended the City Manager and staff that helped.

City Manager Lujan announced that he had been elected chairman of the E-911 board and the budget had been approved by Rio Arriba County. He stated they had one employment vacancy and the board was looking for ways to keep those positions filled.

17. City Manager (Finance Report and Staff Reports)

City Manager Lujan stated that he was hoping to have an appreciation day for staff in the next month. He stated that the Streets Department had been out cleaning and Mr. Martinez would be having a cleaning day with his entire department. He stated that the incident command post just moved out of Industrial Park Road and earned the city \$11,000.

Councilor Garcia mentioned that she had seen people utilizing the sidewalks and lighting by walking up Industrial Park Road. City Manager Lujan stated that Mr. Martinez was looking at the repair of sidewalks throughout town. Mayor Lucero stated that she had received positive feedback on the medians.

Councilor Ortega mentioned the concrete that was left behind because of maintenance on the Santa Cruz Bridge. City Manager Lujan promised that he would ensure it was cleaned up. Councilor Ortega stated that he, Councilor Salazar, and Councilor Lewis would be working on three (3) city medians in conjunction with Mr. Richard Marquez. He added that they had already purchased gravel. Councilor Ortega explained that they hoped to jumpstart the median process.

Mayor Lucero commended the councilors on their efforts.

City Manager Lujan stated that the surfacing had been done on the Oñate Bridge and he continued to call them daily.

Ms. Sandoval stated that she would like to discuss the fact that the Finance Department was doing a software conversion. That day had been the first day of training. She explained that they would be closed partially on Friday as they would have training.

Ms. Sandoval stated she would like to go over the June financial report. She began with page 6 and reminded everyone that the general fund was the only fund affected by deficits. She stated that \$626,000 had been budgeted for a possible deficit during the previous fiscal year and that amount was not reached as the deficit was only \$584,000.

Councilor Seeds exited at 7:11 p.m.

Ms. Sandoval informed the Governing Body that as the year had gone on, the finance department had held back spending to meet the decreased amount of revenue influx.

She stated that only Utilities were not in the general fund and a deficit in general funds could not be made up by utilizing other funds. Ms. Sandoval declared that the costs of employees were the greatest amount and the Las Conchas fire had actually helped with a little revenue.

Councilor Seeds reentered at 7:14 p.m.

Mr. Sandoval referred to Page 2 of 6 stating that the City was still 3% shy of what was received the previous year. On page 3, she stated that only 93% of last years' budget was spent.

Ms Sandoval indicated that DFA had expected gross receipts to go up and it had not become a reality.

Councilor Ortega thanked the finance department for the foresight to save money and utilize it at a later date. Ms. Sandoval mentioned that DFA had cautioned the City of Espanola that they did not encourage this practice and this would not be allowed in the current year. She stated an approximate \$300,000 was being covered by furloughs and DFA was glad that the reserves were not being used.

Mayor Lucero thanked staff and department heads as did City Manager Lujan.

City Manager Lujan cautioned the Governing Body that Mr. John Martinez of DFA had received a message from a reporter from the Rio Grande Sun regarding a \$3 million deficit. He assured them that this was simply a rumor.

L. ITEMS PROPOSED FOR COUNCIL CONSIDERATION/DISCUSSION ITEMS

18. RESOLUTION 2011-09: FINAL BUDGET ADOPTION

Mayor Lucero presented the Resolution 2011-09.

Motion by Councilor Valdez to approve Resolution 2011-09; seconded by Councilor Garcia.

Motion carried 7-0.

M. EXECUTIVE SESSION

It was agreed that there was no need to go into Executive Session.

N. ANNOUNCEMENTS

Councilor Ortega stated that Ms. Anita Torres, a valuable educator in the Española Valley had passed away. He offered condolences to the Torres family.

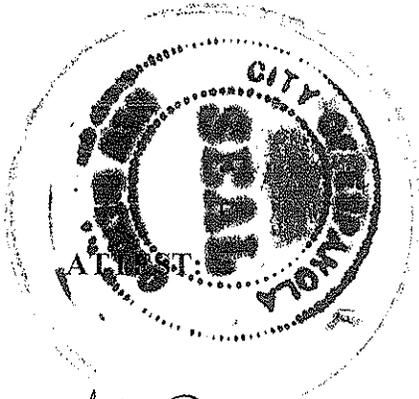
O. ADJOURNMENT

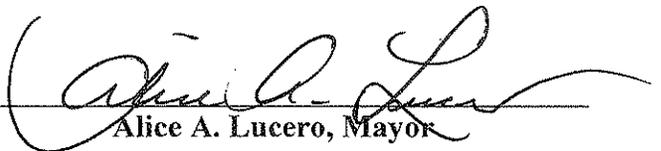
Motion by Councilor Ortega to adjourn the meeting; seconded by Councilor Lewis.

Motion carried 7-0.

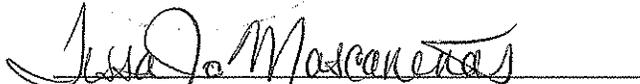
Minutes taken and transcribed by Tessa Jo Mascareñas, City Clerk.

APPROVED AND ADOPTED THIS 23rd DAY OF August, 2011.





Alice A. Lucero, Mayor



Tessa Jo Mascareñas, City Clerk