

**CITY COUNCIL MEETING
OCTOBER 27TH, 2015, 6PM
CITY HALL COUNCIL CHAMBERS
405 N. PASEO DE OÑATE ESPAÑOLA, NM**

A. CALL TO ORDER

The meeting was called to order at 6:04 pm by Mayor Pro-Tem Pedro Valdez

B. PLEDGE OF ALLEGIANCE/ MOMENT OF MEDITATION/ INVOCATION

Mayor Pro-Tem Pedro Valdez led the pledge of allegiance and the moment of mediation and invocation
Councilor Peggy Sue Martinez asked for a moment of silence for Lilly Garcia who shot and killed in a road rage incident in Albuquerque, NM.

C. ROLL CALL/ DETERMINATION OF QUORUM

The following in attendance:

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

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

D. APPROVAL OF AGENDA

--Begin--

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE/ MOMENT OF MEDITATION/ INVOCATION

C. ROLL CALL/ DETERMINATION OF QUORUM

D. APPROVAL OF AGENDA

E. PUBLIC COMMENTS

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

F. COUNCILOR COMMENTS/ ANNOUNCEMENTS

G. MATTERS FROM THE MAYOR

1. Proclamation Recognizing "Red Ribbon Week in the City of Española"
2. Recognition of Displaying Exemplary Civic Pride Presented to Truth Ministries Cavalry Chapel Youth Group
3. Proclamation Recognizing Americans with Diabetes Month
— *Presented to American Diabetes Association NM Advocacy Chair, Doctor Majorie Cypress*

4. Friends of the City Award Presented to Anaya's Roadrunner Wrecker Service
5. Appointment of City Representative to the Jemez y Sangre Regional Water Plan Steering Committee

H. BUSINESS WITH VISITORS

6. 2015 Santa Fe County Property Tax Outreach Program Presentation
-- Presented by Santa Fe County Treasurer Patrick J. Varela
7. Presentation on the Center of Southwest Culture - Presented by Arturo Sandoval
8. Update on the Española YMCA Teen Center 2015 Harvest Youth Parade - Ben Sandoval Teen Center Director

I. CONSENT AGENDA

9. City Council Meeting Minutes 08-25-15
10. City Council Meeting Minutes 09-08-15
11. City Council Meeting Minutes 09-22-15

J. MATTER FROM THE CITY MANAGER

12. City Department Reports - City Manager Kelly Duran
13. Introduction of New Employees

K. REPORTS

14. Council Appointed Liaisons (NCSWA, Redi-Net, NCRTD, GEV CDC, E911, Veteran's Commission, Regional Coalition of LANL Communities)

L. ITEMS PROPOSED FOR COUNCIL CONSIDERATION/DISCUSSION ITEMS /ACTION ITEMS

15. Consideration of Co-Sponsorship for the Use of the Beatrice Martinez Senior Center for the Purpose of a Pancake Breakfast Fundraiser to Aid the Northern New Mexico Youth & Families Against Drugs (NNMYFAD) Walk Against Drugs Initiative
- Municipal Court Outreach Coordinator Richard Marquez & Grants Administrator Diahann Jacquez
16. Consideration of Resolution 2015-15 A Resolution to Request a Contract Time Extension for the 2014-2015 Coop Improvement Funding Grant Awarded Through the New Mexico Department of Transportation (NMDOT).-Grants Administrator Diahann Jacquez
17. Consideration of Adopting Española Police Department Proposed New Policies:
- Department of Public Safety Director Richard Gallegos and Deputy Chief Miguel Maez
 - a. Records - Policy 33.1
 - b. Bias Profiling - Policy 34.1
 - c. Use of Force - Policy 72.1

M. MATTER FROM THE CITY ATTORNEY

18. EXECUTIVE SESSION - City Attorney Frank Coppler
In accordance with the New Mexico Open Meetings Act Section 10-15-1 (H) (7) NMSA 1978,
 - a.) Discussion Regarding: Pending or Threatening Litigation in Which the City of Española Is or May Become a Participant, City of Española, et al. v. Santa Fe County and the N.M. Taxation and Revenue Department. b.) Discussion Regarding: Personnel Matters Involving City of Española Employees.

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. NOTE: New Mexico law requires the following administrative procedures be

followed when conducting "quasi-judicial" hearings. In a "quasi-judicial" hearing all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross examination. Witnesses have the right to have an attorney present at the hearing.

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-

Approved as amended

Item G #3 was tabled till the 11/24/15 City Council Meeting

Item L #17 was heard before item L #15

Item I #11 was tabled till the 11/24/15 City Council Meeting

Item H #7 was moved and heard before item H #6

Motion to approve agenda as amended by Councilor Peggy Sue Martinez and 2nd by Councilor Michelle Martinez

Motion Carried 7-0

E. PUBLIC COMMENTS

Diego Lopez from West and Out Fine Arts Exhibit thanked Mayor Alice Lucero, Councilors, all City employees and CM Kelly Duran for allowing him to speak on behalf of *Dia de los Muertos* and for assisting in the hanging of the banner. The Fine Arts had an exhibit on Friday, October 30, 2015 from 5-9 pm at Anthony's at the Delta. Mr. Lopez stated there will be 28 artists, all of Northern New Mexico. He stated, the show will be curated by artists Toby Morfin and Cruz Lopez.

Esa Lopez with *Somas Española* translated for Ramon Granillo who spoke about the Police Policy Bias Profiling, he also stated before the Policy was brought to the City Council there was lots of mistrust with the Police Officers and the constituents with discrimination. He also thanked Chief Gallegos and Deputy Chief Maez for all the hard work they have done in completing the Policy.

F. COUNCILOR COMMENTS/ ANNOUNCEMENTS

Mayor Pro-Tem Pedro Valdez stated the Toy Run had a good turnout; there were over 200 bikes that participated in the event. He also mentioned the 50th Annual Historical Society that was held at the Bond House. The City is preparing for the Christmas Light Parade 2015.

Councilor Michelle Martinez stated she will be attending the Hispanic Creole Summit where she stated she received a scholarship to attend the Summit in Orlando, Florida.

Councilor Peggy Sue Martinez congratulated Councilor Michelle Martinez. She also thanked Zia Credit Union for the adoption of Ranchitos Park, and also stated she and Councilor Adrianna Ortiz along with her family were present at the cleanup. She also thanked Community Services Director Mark Trujillo along with his staff for participating in the event. Councilor Peggy Sue Martinez also thanked Ben Martinez and Jonathon Salazar from the Parks Department who did an excellent job.

Councilor Peggy Sue Martinez also stated the Governing Body, the Public Safety Department and the Española Municipal Court have calibrated in Red Ribbon Week, she thanked Chief Gallegos, Deputy Chief Maez, Office Danny Pacheco, Sgt. Daniel Espinoza, Det. Eric Gallant, Det. George Martinez, and Councilor Michelle Martinez for organizing all she did at James H. Rodriguez Elementary. She also thanked, the

Governing Body, CM Kelly Duran, CA Frank Coppler, CC Anna Squires, DCC Jeanne Bustos, Chief Gallegos, and DC Maez, for contributing to the Cause. She also thanked Community Services Richard Marquez and the Municipal Court Staff, who also gave out bikes at every school; they provided the music and entrainment for the events that took place, thanks went out to the Española Fire Department, Lt. Johnny Martinez, Theresa Martinez, Fire Fighters Rico Trujillo and Steven George, the EFD took their Ladder Truck, Fire Truck, and Ambulance. The kids at every school had a great time and enjoyed themselves. She also thanked Mayor Lucero for allowing Holy Cross School to participate in these events.

Councilor Tania Sanchez stated that a Halloween Dance was held at the Beatrice Senior Center, October 28, 2015 from 1-4 pm. She also mentioned that the 19th Annual Electric Light Parade will be held on December 12, 2015, if anyone is interested please contact John Ramon Vigil at 505.929.0380.

Councilor John Hernandez stated he would like to see the City of Española follow the same procedures as the City of Santa Fe, in banning the sales of Miniatures of Liquor and ask that the City to consider the ban.

G. MATTERS FROM THE MAYOR

1. Proclamation Recognizing "Red Ribbon Week in the City of Española"

Councilor Michelle Martinez read a Proclamation for Red Ribbon Week and also welcomed two of her students Dominic Sandoval and Garrett Mane to accept the Proclamation on behalf of the school.

2. Recognition of Displaying Exemplary Civic Pride Presented to Truth Ministries Cavalry Chapel Youth Group.

Youth Pastor Ernest Sena thanked the City Council Members for recognizing the youth group. The youth that participated were as follows: Israel Gellis, Elijah Gonzalez, Lydia Gurule, Jacqueline Gonzalez, Megan Hodges, Alysia Martinez, Miquela Martinez, Marcos Roybal, Naomi Roybal, Amber Sanchez, Ashley Sanchez, Estrella Sena, Jazmin Sena, Mariah Sena, Kianna Vigil, Larissa Wheeler, Lonnie Martinez, Daisha Vigil, Celestial Sena, Dakota, Eliot Hersmen, Aaliyah Tsosie and Nehemiah Sena. Mr. Sena also thanked local business that took part in the process.

3. Proclamation Recognizing Americans with Diabetes Month

~ Presented to American Diabetes Association NM Advocacy Chair, Doctor Majorie Cypress

Tabled to the 11/24/15 City Council Meeting

4. Friends of the City Award Presented to Anaya's Roadrunner Wrecker Service

The Friends of the City Awards were presented and accepted by Robert Anaya Sr., Bernadette Anaya, Robert Anaya Jr. and Española Fire Fighter Pablo Montoya.

5. Appointment of City Representative to the Jemez y Sangre Regional Water Plan Steering Committee

Mayor Lucero appointed Councilor Peggy Sue Martinez as the City Representative to the Jemez y Sangre Regional Water Plan Steering Committee.

Motion to approve Councilor Peggy Sue Martinez as the Representative to the Jemez y Sangre Regional Water Plan Steering Committee made by Councilor Dennis Tim Salazar and 2nd by Councilor Adrianna Ortiz

Motion Carried 7-0

H. BUSINESS WITH VISITORS

Approved as Amended Item H #7 was moved and heard before item H #6

7. Presentation on the Center of Southwest Culture - Presented by Arturo Sandoval

Camilla Trujillo, Dan Bustos and Arturo Sandoval spoke about The Cooperative Development Center of New Mexico (CODECE), creates Healthy Indigenous, Mexicano and Chicano communities through Economic development cooperatives. CODECE is the economic development division of the Center of Southwest Culture, Inc. (CSC). Founded in 1991, the Center promotes the people and cultures of the Greater Southwest (US Southwest, Northern Mexico) and California through sustainable economic development and via innovative educational and cultural programs.

Please visit CSC's website at: www.centerofsouthwestculture.org & CODECE's Web site at: www.cooperativedevelopmentcenter.org or by phone at 505.247.2729.

6. 2015 Santa Fe County Property Tax Outreach Program Presentation

- Presented by Santa Fe County Treasurer Patrick J. Varela

Patrick Varela stated the Property Tax Outreach for Santa Fe County will take place at the Bennie Chavez Center and the Pojoaque Satellite Center three (3) weeks in a row. Two (2) weeks at the Bennie Chavez Center on November 16, 2015, and December 1, 2015 from 10am -1pm and at the Pojoaque Satellite Center on November 10, 2015, November 20, 2015 and December 1, 2015 at 10 am.

8. Update on the Española YMCA Teen Center 2015 Harvest Youth Parade

- Ben Sandoval Teen Center Director

Ben Sandoval invited the listening audience to the Española YMCA Teen Center 5th Annual Harvest Youth Parade on October 30, 2015 at 12 pm on the west side of Española. He also stated if anyone was interested in having a float, the fee is \$20.00 per float, with that fee the Teen Center then in turn adopts the youth of Pajarito. Housing area with "Warming Young Hearts". Ben Sandoval can be reached at 505.500.2045.

I. CONSENT AGENDA

1. City Council Meeting Minutes 08-25-15
2. City Council Meeting Minutes 09-08-15
3. City Council Meeting Minutes 09-22-15 (*Tabled to the 11/24/15 City Council Meeting*)

Motion to approve City Council Meeting Minutes 8/25/15 and 9/8/15 made by Councilor Adrianna Ortiz and 2nd by Councilor Peggy Sue Martinez

Motion Carried 7-0

J. MATTERS FROM THE CITY MANAGER

12. City Department Reports – City Manager Kelly Duran

Councilor Cory Lewis asked CM Duran, what the status on the La Joya Fire Station resurfacing of the parking lot and he would like to see this get done. CM Duran stated that the GSD will be resealing the parking lot. Councilor Peggy Sue Martinez showed concern with the sealing of the floors at the Lucero Center, she asked if a contractor will handle the issues. CSD Mark Trujillo stated he has received bids from Local Janitorial Service Contractors, and has decided to allow the Local Janitorial Service to complete the work at Lucero Center.

CM Duran stated that the appropriation of the CID and PD vehicles were part of a grant. The EPD were granted a total of seven (7) units, six (6) for the EPD and one (1) CID, four (4) SUV's and two (2) patrol units.

Councilor John Hernandez asked CM Duran about the SRO. CM Duran stated Officer Idalee Lopez is the new SRO and if needed will help out on the streets. Councilor Hernandez also asked CSD Mark Trujillo if the

Council will receive information about upcoming events within the city. CSD Trujillo responded, yes everyone will receive information about any upcoming events within the city.

Councilor Cory Lewis asked CM Duran what the status is on Camino Mira Montes; CM Duran stated that the city's engineers are looking into the issue.

13. Introduction of New Employees

CM Duran introduced and welcomed the new employees with the City of Española, they were as follows: Patrick Nicholson is our new Planning and Land Use Director, Nathaniel Vargas and Arsenio Garcia are our new Transport Officers for the Espanola Police Department, and Bryce Abeyta is now with our Water Department.

Chief Gallegos welcomed his Transport Officers.

CM Duran also welcomed Det. George Martinez, Det. Eric Gallant, Sgt. Daniel Espinoza, Sgt. Michelle Ortega, and SRO Idalee Lopez with EPD and Lt. Theresa Martinez with the EFD on their new positions. Chief Gallegos congratulated everyone on their new positions.

K. REPORTS

14. Council Appointed Liaisons (NCSWA, Redi-Net, NCRTD, GEV CDC, E911, Veteran's Commission, Regional Coalition of LANL Communities)

- NCSWA, no report
- Redi-Net no report
- NCRTD, Councilor Dennis Tim Salazar stated the meeting was scheduled for November 6, 2015 at 9:00 am at the NCRTD Building.
- GEV CDC, Councilor Michelle Martinez now the Chair stated no report and hopes to have information next month.
- E911, no report for the month of November, the board will meet on December 2, 2015.
- Veteran's Commission, CM reported the Commission was happy with everything with the Memorial Wall.
- Regional Coalition of LANL Communities, no report.

L. ITEMS PROPOSED FOR COUNCIL CONSIDERATION/DISCUSSION ITEMS /ACTION ITEMS

15. Consideration of Co-Sponsorship for the Use of the Beatrice Martínez Senior Center for the Purpose of a Pancake Breakfast Fundraiser to Aid the Northern New Mexico Youth & Families Against Drugs (NNMYFAD) Walk Against Drugs Initiative

– *Municipal Court Outreach Coordinator Richard Marquez & Grants Administrator Diahann Jacquez*

Richard Marquez requested the co-sponsorship of the City of Española.

Motion to approve Co-Sponsorship made by Councilor Peggy Sue Martinez and 2nd by Adrianna Ortiz

Motion Carried 7-0

16. Consideration of Resolution 2015-15

A Resolution to Request a Contract Time Extension for the 2014-2015 Coop Improvement Funding Grant Awarded Through the New Mexico Department of Transportation (NMDOT).

–*Grants Administrator Diahann Jacquez*

Diahann Jacquez asked for approval of an extension, for a total of \$67,160.00

Motion to approve consideration of resolution 2015-15 made by Councilor Peggy Sue Martinez and 2nd by Councilor Adrianna Ortiz

Motion Carried 7-0

17. Consideration of Adopting Española Police Department Proposed New Policies:

-- *Department of Public Safety Director Richard Gallegos and Deputy Chief Miguel Maez*

- a. Records – Policy 33.1
- b. Bias Profiling – Policy 34.1
- c. Use of Force – Policy 72.1

Motion of Consideration of Adopting Española Police Department Proposed New Policy # 33.1, # 34.1 and # 72.1 made by Councilor Peggy Sue Martinez and 2nd by Councilor Michelle Martinez

Motion Carried 7-0

M. MATTERS FROM THE CITY ATTORNEY

18. EXECUTIVE SESSION - City Attorney Frank Coppler

In accordance with the New Mexico Open Meetings Act Section 10-15-1 (H) (7) NMSA 1978,

a.) Discussion Regarding; Pending or Threatening Litigation in Which the City of Española Is or May Become a Participant, City of Española, et al. v. Santa Fe County and the N.M. Taxation and Revenue Department. b.) Discussion Regarding; Personnel Matters Involving City of Española Employees.

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.

NOTE: New Mexico law requires the following administrative procedures be followed when conducting “quasi-judicial” hearings. In a “quasi-judicial” hearing all witnesses must be sworn in under oath prior to testimony and will be subject to reasonable cross examination. Witnesses have the right to have an attorney present at the hearing.

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

Roll Call Vote:

Mayor Pro-Tem:	Pedro Valdez	in Favor
Councilors:	Tania Sanchez	in Favor

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

Motion Carried 7-0

The Governing Body entered into Executive Session at 8:35 pm

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

Roll Call Vote:

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

Motion Carried 7-0

The Governing Body came out of Executive Session at 9:14 pm.

Mayor Pro-Tem Valdez stated that in accordance with the New Mexico Open Meetings Act Section 10-15-1 (H) (7) NMSA 1978, there was no action taken in Executive Session, only discussion.

N. ADJOURNMENT

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Motion to Adjourn made by Mayor Pro-Tem Pedro Valdez and 2nd by Councilor Adrianna Ortiz
Motion Carried 7-0;

Meeting Adjourned at 9:15 pm

ADOPTED AND APPROVED by the Governing Body of the City of Española this 24th day of November 2015.


Alice Alarid Lucero, Mayor, City of Española

ATTEST:


Anna Squires, City Clerk

