

**CITY COUNCIL MEETING
JANUARY 28, 2014 AT 6PM
CITY HALL COUNCIL CHAMBERS
405 N. PASEO DE OÑATE ESPAÑOLA, NM**

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE/ MOMENT OF MEDITATION/INVOCATION

Councilor Pedro Valdez led the Pledge of Allegiance & Moment of Meditation/Invocation. He observed a moment of silence for U.S. citizens living on the East Coast who were experiencing extreme cold weather patterns.

C. ROLL CALL/DETERMINATION OF QUORUM

The following Governing Body members were in attendance:

Mayor:	Alice A. Lucero
Mayor Pro-Tem	Dennis Tim Salazar
Councilors:	Elaine Herrera
	John Hernandez
	Peggy Sue Martinez
	Pedro Valdez
	Robert Seeds

Absent:	Eric S. Radosevich
	Cory Lewis

E. APPROVAL OF AGENDA

Agenda as presented:

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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/ANNOUNCEMENTS

H. MATTERS FROM THE MAYOR

1. Appointment of Fiesta Council Vice President and Fiesta Council

I. CONSENT AGENDA

2. 12.9.13 City Council/County Commission Joint Work Session
3. 1.8.14 City Council/County Commission joint Work Session

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

4. Appointment of Precinct Board Members and Translators
5. Resolution 2014-02: Providing for Regional Collaboration in Support of Maintaining and Increasing Local Federal Institutions' Procurements Through Local Businesses
6. Resolution 2014-03: A Resolution to Indicate the City of Española's Intent to Apply for the Bureau of Reclamation Funding Opportunity R14AS00003 in the Amount of \$25,000.00 for the Creation of a Water Conservation Plan.
7. Resolution 2014-04: Request That The New Mexico PRC Uphold the Validity of the Protest Filed by the Jemez Rural Electric Cooperative & Maintain Proper Oversight Over Tri-State Generation & Transmission Association Electric Rates.

8. Approval of Co-Sponsorship of American Cancer Society Relay for Life Event
 9. Approval of Co-Sponsorship of McCurdy High School Girls Softball Tournament Fundraiser
 10. Consideration of Rio Arriba County Acting as Fiscal Agent for the City of Española for Area Agency on Aging Grant
 11. Approval of Lease Agreement with Cuatro Villas for Water
 12. Approval of Lease Agreement with Rio de Chama Acequia Association for Water and Water Storage
- K. ITEM EXECUTIVE SESSION**
L. ADJOURNMENT

Motion by Councilor Valdez to approve the agenda as presented; seconded Councilor Hernandez.

Motion Carried 6-0.

F. PUBLIC COMMENT

Española Valley Chamber of Commerce Executive Director Kelly Duran stated that a unique opportunity had arisen where both the Chamber of Commerce and the Community Development Corporation came together and presented an employment opportunity to a single individual who could best serve his/her community. He expressed the opinion that 2013 had been a successful year in the Greater Española Valley but he would aspire to do more within 2014. Mr. Duran stated that he was humbled and honored to be chosen to serve his community and nurture the people who also give back. He further expressed that the State of the Chamber Event which took place Friday January 24, 2014, had been well attended. He stated that he was grateful for the support and participation at the event. He finalized his commentary by stating he would be expressing his concerns at an important Public Regulation Commission (PRC) Meeting January 29, 2014 regarding the proposed rate increase by Tri-State Generation & Transmission Association.

President of AFSCME Local 1188 Joaquin Maestas advised the Governing Body of New Mexico Senate Bill 540: Hold Harmless that would allow municipalities and counties the discretion to impose a gross receipts tax through an ordinance that did not provide certain deductions contained in the gross receipts and compensation tax. He urged the entire Governing Body to better educate themselves on Senate Bill 540 and the consequences it may have on the community. Mr. Maestas stressed that the repeal of Hold Harmless was over a fifteen (15) year period and discussed the impact it would bring to City employees. He further explained that it would be an expense of local government because the repeal of Hold Harmless provisions for Gross Receipts Tax on Food and Medical is used to offset a large part of the tax breaks for business. He expressed that the 15% deduction from the City budget would equate to an out of pocket amount of approximately \$1.5 million dollars causing a considerable amount of City jobs to be lost.

Mr. Maestas explained the provisions of Hold Harmless which stated that municipalities fewer than 10,000 would get to keep their Hold Harmless or impose a new tax. He expressed that according to a recent census, the City of Española was over 10,000 in population. He finalized his statement by urging the Governing Body to embrace a united effort toward the issue. He stressed that the Parks, Streets, Finance, and Public Safety Departments would each lose a position. He stated that if the ramifications of Hold Harmless were incurred, the quality of work as well as maintenance of the city would suffer. Mayor Lucero thanked Mr. Maestas for his comments and concerns. She agreed with his assertions.

City Attorney Frank Coppler stated that two House Bills were forwarded to the House Taxation & Revenue Committee and introduced by Representative Lundstrom and Representative Harper. He explained that House Bill 114 and House Bill 352 both addressed issues surrounding Senate Bill 540. City Attorney Coppler stressed that solutions proposed within House Bill 114 and House Bill 352 may be worth reviewing for future thought and consideration. He further stated that provisions affecting municipalities such as an ordinance which authorized a new local option of Hold Harmless Gross Receipts Taxes of 3/8 percent may help the City. He urged the City Council to contact local legislators and become better informed on the matter. He stated that the Taxation & Revenue Committee had not scheduled a hearing to discuss either bill.

Mayor Lucero stated that she had spoken to local legislators regarding Senate Bill 540. She stated that she felt most of the legislators were receptive to the concerns and ramifications.

Councilor Martinez asked City Attorney Frank Coppler if it were possible to embark on the 3/8th Hold Harmless Gross Receipts Tax percent by ordinance prior to the March 30th deadline. She asked if it was also feasible to place the ordinance on the next City Council Agenda for action and/or discussion. City Attorney Coppler stated that he had no issues if that was what the Governing Body wished. He further stated that the ordinance language must not deviate from the draft ordinance provided on the Taxation & Revenue website. He explained that the City Clerk would have to advertise a Public Hearing thereafter. Councilor Peggy Sue Martinez stated that she was very concerned about Hold Harmless and the effect it may have on Public Safety and the community at large. She stated that if the City granted the 3/8th percent tax, she would like to see the funds earmarked toward Public Safety.

Rio Arriba County Director of Economic Development Christopher Madrid explained that he, along with Mr. Todd Lopez from Siete del Norte had prepared a packet for the Legislative Session requesting funding for the Food Hub in the amount of \$300,000 dollars. He asked that the Governing body express their support of the project by contacting local legislators. He thanked the Governing Body for their continued effort to work in collaboration with the County in hopes of a better and brighter future for the community.

Mayor Lucero thanked Mr. Madrid for his time and effort. She reported that City Attorney Coppler had lobbied for the City. City Attorney Coppler stated that Mr. Madrid and Mr. Lopez had the knowledge and experience to lobby on behalf of the City and had proven to possess professional lobbyist abilities. He endorsed their recent efforts and stressed the importance of being properly informed.

G. COUNCILOR COMMENTS/ANNOUNCEMENTS

Mayor Pro-Tem Salazar stated that he was concerned about the visibility of the crosswalk on Bond Street that connected the Plaza de Española Mision y Convento to Blake's Lotaburger. He asked Interim City Manager Duran about the feasibility of repainting the crosswalk so that it would not pose a safety issue. Interim City Manager Duran replied that the General Services Director Juanito Maes was in the audience and would take note of the issue and report on the progress at a later date.

Mayor Pro-Tem Salazar commented that the City of Española Governing Body had presented students from the James H. Rodriguez Elementary with a proclamation honoring the "Future City Team" in the month of December 2013. He reported that the students attended their Regional Competition in Albuquerque N.M. and won the Award for Best Rural Transportation Design in the State of New Mexico. He stated that he was extremely proud of the James H. Rodriguez Elementary students who participated and represented their community positively.

Councilor Seeds recognized the Rio Arriba S.T.O.P. Program for their diligent efforts in making the 2nd Annual 6-PAC event a success. He stated that the students were very enthusiastic and the event was well attended. Councilor Seeds stated that he would have liked to attend the State of the Chamber Event held on January 24, 2014 but did not receive an invitation. He asked City Clerk Mascarenas if she had gotten an invitation. She replied in the affirmative and explained that it had been a personal invitation rather than one for the entire Governing Body. Mayor Lucero stated that she was previously a long time Chamber of Commerce Board Member as well as President. She stated that she was contacted by the current Chamber of Commerce President via email. She then stated that she replied via telephone and purchased tickets prior to the event. Councilor Seeds stated that he would like to see communication improve with all members of the Governing Body and Administration.

H. MATTERS FROM THE MAYOR

Appointment of Fiesta Council Vice President and Fiesta Council

Mayor Lucero announced that the 2014 Fiesta Council Vice-President would be Bernadette Jaramillo. Mayor Alice A. Lucero thanked all of the 2014 Fiesta Council Executive Committee and then asked each of them to stand and be recognized. Mayor Lucero announced the 2014 Fiesta Council Members as follows: Briana Ellis, Mavalis Tafoya, Tito Terrazas, Chastity Pacheco, Rebecca Money, John Ramon Vigil, Ron Gallegos, Daniel Espinoza, Manny Martinez, Christy Silva, Verna Trujillo, and Justin Salazar Torrez. Mayor Lucero recognized 2014 Fiesta Council Member Volunteers, as follows; Lynette Baca, Fred Romero, Francis Archuleta, Nelson Morfin, Jenny Gonzales, Andrea Havier, Francis Archuleta, Nick Martinez, Adrian Espinoza, Linda Ortega, and Francisco Garcia. She thanked everyone for volunteering their time and efforts.

Motion by Councilor Valdez was made to ratify the Appointment of Fiesta Council Vice President and Fiesta Council; seconded by Councilor Martinez.

Motion Carried 6-0.

I. CONSENT AGENDA

Mayor Lucero asked if there were any changes, concerns and/or questions regarding the minutes presented on the Consent Agenda.

Motion by Councilor Valdez to approve the Consent Agenda; seconded by Councilor Seeds.

Motion Carried 6-0.

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

#4. Appointment of Precinct Board Members and Translators

City Clerk Mascareñas stated that a Precinct Board Members & Translators list was provided in the packets for Council review and consideration. She explained the process of determining Precinct Board Translators and stated that an advertisement was placed in the Rio Grande Sun advertising positions for election workers. She further explained that during the previous election a contact list was compiled of Precinct Board Members and Translators and that listed helped to yield qualified election workers. She stated that previous experience and understanding was useful and effective when determining potential Precinct Board Members. She thanked Council for their time and consideration.

Motion by Councilor Valdez to approve the appointment of Precinct Board Members and Translators; seconded by Councilor Hernandez.

Councilor Seeds asked City Clerk Mascareñas about the feasibility of placing a watcher during the counting of absentee ballots. City Clerk Mascareñas replied in the affirmative and stated that the law allowed for a designated watcher during the counting and tallying of ballots but she would hold off on detailing the particulars until she could cite the specific statute. She stated that she would confirm and relay the information to Councilor Seeds.

Councilor Martinez asked City Clerk Mascareñas if Presiding Judge Lisa Gurule was girlfriend to P&Z Director Naranjo. City Clerk Mascareñas stated that the Director of Planning and Zoning Russell Naranjo could better answer that question. P&Z Director Naranjo stated that Presiding Judge Lisa Gurule was his girlfriend. Councilor Martinez asked P&Z Director Naranjo if Kevin Hauke was his uncle. P&Z Director Naranjo replied in the affirmative. Councilor Martinez asked that both or at least one of the Precinct Board Members in question be dismissed so as to not show bias during the voting process. City Clerk Mascareñas stated that there is a provision

in the election code which would allow alternate(s) to preside in the capacity questioned.

Motion amended by Councilor Valdez to approve the appointment of Precinct Board Members and Translators omitting Lisa Gurule; seconded by Councilor Hernandez.

City Clerk Mascareñas stated that she wanted to clear up any further confusion. She stated that she would be replacing Presiding Judge Lisa Gurule with Election Judge Pressiliano Garcia and would later determine an alternate to fill his position. She reported that Pressiliano Garcia has served as Presiding Judge in a previous election.

Councilor Seeds asked City Clerk Mascareñas if Janette Beesley would assist during the 2014 Election process with early voting and Election Day. City Clerk Mascareñas replied in the affirmative and added that Ms. Beesley filling the roles was both legal and appropriate.

Motion Carried 6-0.

#5 Resolution 2014-02: Providing for Regional Collaboration in Support of Maintaining and Increasing Local Federal Institutions' Procurements through Local Businesses

Mayor Lucero stated that Resolution 2014-02 was a topic of recent discussion during a Regional Coalition of LANL Communities Board Meeting. Rio Arriba County Director of Economic Development Chris Madrid stated that much of the information supporting the regional collaborative was drafted by Regional Development Corporation (RDC) Representative Eric Vasquez. He further stated that National Nuclear Security Administration (NNSA) oversaw LANL and utilized the out of state Supply Chain Management Center (SCMC) for commodity purchases, thereby bypassing the traditional RFP process and driving LANL purchases away from local contractors and businesses. Mr. Madrid stressed that out of state contractors through the SCMC did not employ Northern New Mexican residents, nor did they pay gross receipts tax to local communities. He concluded his statement by stating that the utilization of SCMC at LANL was likely to result in a loss of jobs in Northern New Mexico and an overall loss to the regional economy.

Mayor Lucero stated that a group from the Regional Coalitional of LANL Communities would be presenting the resolution in Washington D.C in the later part of February 2014. She urged Council to support LANL Major Subcontractors' Consortium in an effort to study the possible impact and mitigate the effects of NNSA's effort to utilize the Supply Chain Management Center (SCMC).

Councilor Hernandez detailed his understanding of the effect that the Supply Chain Management Center (SCMC) may have on LANL Subcontractors' Consortium.

Motion by Councilor Martinez to approve Resolution 2014-02; seconded by Councilor Valdez.

Motion Carried 6-0.

#6 Resolution 2014-03: A Resolution to Indicate the City of Española's Intent to Apply for the Bureau of Reclamation Funding Opportunity R14AS00003 in the Amount of \$25,000.00 for the Creation of a Water Conservation Plan.

Grants Administrator Diahann Jacquez stated that she and Water Supervisor Adrian Martinez were requesting Council's approval to seek a Bureau of Reclamation Grant in the amount of \$25,000.00. She explained that the City of Española was in need of assistance to fund the creation of the Water Conservation Plan. Grants Administrator Jacquez reported that the initial Water Conservation Plan must be active in order to work towards

the creation of a Water Master Plan. She stipulated that by adopting the resolution, the City of Española would be responsible for the matching funds that were in dollar amounts, in-kind hours or a combination of the two. She stated that the City of Española would also be responsible for regular reports as required by a federal grant contract.

Water Supervisor Martinez echoed the comments of Grants Administrator Jacquez and stressed the importance of obtaining a Water Master Plan. Operations Supervisor Adrian Martinez clarified that the figure considered to be matching funds would equate to \$12,500.00.

Motion by Councilor Valdez to approve Resolution 2014-03; seconded by Councilor Seeds.

Councilor Valdez stated that he was in favor of approving the resolution supporting the initial Water Conservation Plan. He further stated that provisions could be made towards work on the Water Master Plan.

Interim City Manager Duran stressed the high importance of having a Water Master Plan. He explained that it would enable the City to fully understand and remedy infrastructure challenges by determining the safest and most cost effective course of action. He stated that he believed an initial Water Conservation Plan was a true step towards economic development and sustainability.

Motion Carried 6-0.

#7 Resolution 2014-04: Request That The New Mexico PRC Uphold the Validity of the Protest Filed by the Jemez Rural Electric Cooperative & Maintain Proper Oversight Over Tri-State Generation & Transmission Association Electric Rates.

City Attorney Frank Coppler stated that that the issue was initially brought up during the State of New Mexico Second Session of the 51st Legislature. He further stated that an Act relating to utilities and amending a section of the Public Utility Act as to provide for fees paid to a governmental authority by a public utility or a distribution cooperative utility would be discussed by the New Mexico Public Regulation Commission (PRC). He explained that the PRC ruled on December 28, 2012 to suspend the 2013 rate increase filed by Tri-State Generation & Transmission Association, Inc. (Tri-State) and, on March 13, 2013, denied a subsequent request by Tri-State to implement an interim rate increase.

Councilor Valdez stated that the New Mexico Public Regulation Commission (NMPRC) would be having a meeting on January 29, 2014 to hear arguments on the suspension of the proposed rate increase by Tri-State Generation and Transmission Association. He stated that the meeting would take place at the PERA Building across from the Rotunda in Santa Fe at 9:30am. He urged the entire governing body to attend and then proceeded to distribute an informative leaflet regarding the issue of discussion. Councilor Valdez thanked and encouraged Chamber of Commerce Executive Director Kelly Duran for his diligent efforts towards the argument on the suspension of the proposed rate increase.

Motion by Councilor Valdez to approve Resolution 2014-04; seconded by Mayor Pro-Tem Salazar.

Motion Carried 6-0.

#8 Approval of Co-Sponsorship of American Cancer Society Relay for Life Event

American Cancer Society Specialist Manuel Luna thanked the Governing Body for their time and consideration of the co-sponsorship. City of Española Addressor Desirae Medina announced that she had been asked by the American Cancer Society to Chair the Relay for Life Espanola event in 2013-2014. She stated that she was a cancer survivor. Relay for Life Sponsorship Chair Joaquin Maestas stated that his father was suffering from lung

cancer.

American Cancer Society Specialist Luna stated that although fatal statistics were never comforting, with a survival rate of only 67%, there was still hope. He stated that 1/3 of all cancer deaths were caused by tobacco and could be prevented. He added that 1/3 of all cancer deaths were related to nutrition, physical activity, obesity and other lifestyle factors and could be prevented. He reported that the American Cancer Society had spent more than \$3.8 billion on cancer research to date and was involved in many of the major breakthroughs of the century. He finalized his testimony by explaining that Relay for Life raises money to promote research, education, advocacy and service. He encouraged everyone to participate in this year's event if the decision was reached to co-sponsor.

Ms. Medina provided information regarding online sign-up. She stated that residents from the Greater Española Valley & Rio Arriba County could sign up as a team or participate as individuals fighting against cancer. She stated that if the Relay for Life event were to be co-sponsored by the City of Española, it would allow for the use of stage equipment during the event and the use of the Senior Center for fundraising purposes. Ms. Medina further stated that the event would be taking place at the Española Valley High School football field on June 6, 2014 and end on June 7, 2014 beginning at 6PM and end at 6AM the following morning. She explained that teams of people camped out at a local venue suitable for running and walking. She stated that each team was asked to have representatives on the track at all times during the event because cancer never sleeps. Ms. Medina added that the Relay for Life event committee met every month to discuss fundraising ideas and team fundraising activity.

Mayor Lucero stated that she believed everyone had been touched by cancer in some form or another. She stated that the illness did not discriminate and came in many forms. She added that she was in support of the Relay for Life event on a personal level and encouraged the Council to support the cause.

Councilor Martinez stated that her mother had suffered and died from cancer. She stated she was in favor of the Relay for Life event and thanked all members of the American Cancer Society & Relay for Life for participating in the event. She expressed gratitude for their time, goodwill and advocacy.

Motion by Councilor Martinez to approve co-sponsorship of the 2014 American Cancer Society Relay for Life event; seconded by Councilor Herrera.

Motion Carried 6-0.

#9 Approval of Co-Sponsorship of McCurdy High School Girls Softball Tournament Fundraiser

Interim City Manager Duran stated that the item was brought to his attention by Councilor Radosevich during the last Community Services meeting which was held on January 22, 2014. He stated that Councilor Radosevich had been contacted by Nathan and Liza Velasquez. Interim City Manager Duran explained that the consideration of the co-sponsorship was passed to full council during the meeting.

He stated that when McCurdy decided to become a Charter school, they did not allocate any funds for sports in the application to the state. Interim City Manager Duran stated that due to the oversight, each program at McCurdy Charter School had been left to raise money needed for team supplies and activities. He reported that the McCurdy Girls Softball program would like to have a tournament to raise funds for the program and be permitted use of the Ranchito's field, lights and concession from February 28, 2014- March 2, 2014. Interim City Manager Duran commented that events such as these bring in crowds that help to boost the economy.

Councilor Seeds stated that he was in favor of the event and in support of the program. He echoed the sentiments of Interim City Manager Duran. He further expressed that it would be a good way to jumpstart the softball season. Councilor Seeds asked if Interim City Manager Duran had made any attempts at having the graffiti covered on the concession stand. Interim City Manager Duran stated that he reported the concern to the Graffiti Officer and it

would be taken care of.

Motion by Councilor Seeds to approve the Co-Sponsorship of McCurdy High School Girls Softball Tournament Fundraiser; seconded by Mayor Pro-Tem Salazar.

Motion Carried 6-0.

#10 Consideration of Rio Arriba County Acting as Fiscal Agent for the City of Española for Area Agency on Aging Grant.

Mayor Lucero asked that the Item #10 be removed from the agenda because the New Mexico Department of Finance and Administration had made a decision to allow the City of Española to use the Area Agency on Aging funds and release a notice of reimbursement. She explained that the City would no longer need the County to act as fiscal agent for the grant.

#11 Approval of Lease Agreement with Cuatro Villas for Water

Mukiar Khalsa, President of Cuatro Villa Mutual Domestic Water Users Association, stated that the last time he and Mr. Marvin Martinez, of Souder, Miller & Associates were in front of Council was during the August 8, 2013 City Council meeting where the temporary lease agreement was discussed and passed but ended on December 31, 2013.

Mr. Martinez stated that he and Mukiar Khalsa were prepared to lease up to 380 acre feet of San Juan Project Water for payback of over diversion. Mr. Martinez explained that the problem was an overabundance of water which was encountered due to the diversion. He further explained that in the greater scope, Cuarto Villas has an abundance of water from the diversion and the City of Española had an overabundance of water rights and the lease agreement would be a win-win situation.

City Attorney Coppler stated that he had been in contact with the Attorneys of Stein and Brockman for the initial draft of the lease agreement and any final amendments. He stated that Stein & Brockman had proven to be experts in water law. City Attorney Coppler stated that the lease was a lease of "wet" water rather than a lease to own water based on paper water rights. He clarified that the way the lease agreement was drafted would allow for about 50% of the San Juan Project Water to be used in excess of the City's needs.

Motion by Councilor Valdez to approve the Lease Agreement with Cuatro Villas; seconded by Councilor Martinez.

Councilor Valdez asked if the figure under item nine (9) should read \$55 or \$52. He asked if subsequent leases meant they had to come back to City Council. City Attorney Coppler replied in the affirmative to both questions. He reinstated that the figure(s) depended on the availability of wet water. He also stated that amount was subject to the environmental assessment charge which could equate to a yearly agreement of \$19,250 as opposed to the initial \$5,250 per year lease agreement. He added that the lease agreement stated the same information as the Rio de Chama Acequia Association with the exception of water storage.

Mr. Khalsa stated that Cuatro Villas was building a water distribution system which would provide a source to the areas of Sombrillo, Cuarteles, La Puebla and Arroyo Seco. He expressed that Cuatro Villas had encountered stumbling blocks toward their effort in finding funding. Mr. Khalsa added that a water diversion problem in La Puebla led to non-compliance with the Water Trust Board and OFC standards. He explained that funding was denied due to the lack of compliance with the OFC regulations. Mr. Khalsa continued that the City was in jeopardy of losing water rights if they were not historically exercised. He added that the benefit to the City was to maintain the water rights while helping surrounding areas benefit with an alternative source to water. This would

enable Cuatro Villa to omit the over diversion markdown with the Office of State Engineers and fall into compliance with the OFC. Mr. Khalsa stated that the City of Española could then hold testimony to the fact that they were a regional partner in developing water systems. He commented that State entities looked at this type of mutual cooperation and development favorably when considering funding.

Motion Carried 6-0.

#12 Approval of Lease Agreement with Rio de Chama Acequia Association for Water and Water Storage

Mr. Fred Vigil recognized other members who contributed to the effort of maintaining acequias including: Mr. Joseph M. Salazar from the Hernandez Ditch Association, Ms. Cheryl Macias-Abeyta of the Trujillo Acequia Association, Mr. Alfonso Martinez of the Barranco Ditch Association, Mr. Lucas Cordova of the Tierra Azul & Chili Ditch Association, Mr. Samuel Martinez of the Tierra Azul Ditch Association, and Mr. Fernando Bayardo of the Mariano Ditch Association. He stated that he was before the Council seeking approval of Lease Agreement with the Rio de Chama Acequia Association for Water and Water Storage. He explained that the water would be stored via the Albuquerque Water Authority (AWA).

City Attorney Coppler stated that the lease was a lease of "wet" water rather than a lease to own water based on paper water rights. He further clarified that the way the lease agreement was drafted would allow for about 50% of the San Juan Project Water to be used in excess of the City's needs and was defined within the lease agreement as the "City's Excess San Juan Chama Project Water Not To Exceed 100 acre feet in 2014 if not available." City Attorney Coppler further stated that the current lease agreement did not meet the request of Rio de Chama Acequia Association but could be revisited to accommodate both Cuatro Villas and the Rio Chama Acequia Association for Water and Water storage.

Motion by councilor Valdez to approve the Lease Agreement with Rio de Chama Acequia Association for Water and Water Storage; seconded by Councilor Martinez.

Motion carried 6-0.

Mayor Alice A. Lucero stated that there was no reason to enter into executive session.

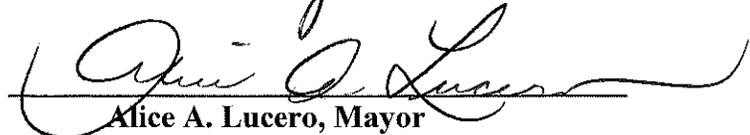
L. ADJOURNMENT

Motion by Councilor Martinez to adjourn; seconded by Councilor Valdez.

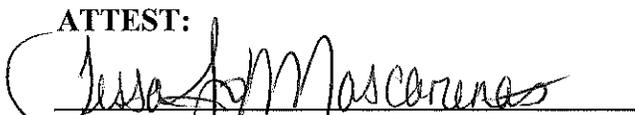
Motion carried 6-0.

The meeting adjourned at 7:32pm.

APPROVED AND ADOPTED THIS 25th DAY OF February, 2013.


Alice A. Lucero, Mayor

ATTEST:


Tessa Jo Mascareñas, City Clerk