



CITY COUNCIL WORKSHOP/MEETING
MONDAY, NOVEMBER 28, 2011 5:00 PM
CITY HALL COUNCIL CHAMBERS
405 N. PASEO DE OÑATE ESPAÑOLA, NM

A. CALL TO ORDER

Mayor Lucero called the meeting to order at 5:00 p.m.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilor Salazar.

C. MOMENT OF MEDITATION/ INVOCATION

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

D. ROLL CALL/ DETERMINATION OF QUORUM

The following Governing Body members were in attendance:

Mayor:	Alice A. Lucero
Mayor Pro-Tem:	Cecilia Lujan
Councilors:	Robert Seeds
	Pedro Valdez
	Helen Kain-Salazar
	Dennis Tim Salazar
	Rosario "Chayo" Garcia
	Greg Ortega
	Cory Lewis

E. APPROVAL OF AGENDA

Mayor Lucero presented the following 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. REDISTRICTING WORKSHOP**
 - 1. Redistricting Proposals
 - 2. Number of Councilors per District
- G. MATTERS FROM THE MAYOR**
 - 3. Employee of the Month- Lucy Peña
 - 4. Appointment of Fiesta Council Officers
- H. CONSENT AGENDA**

5. Approval of Minutes
 - a. October 17, 2011 City Council Workshop Minutes
 - b. October 25, 2011 City Council Meeting Minutes

I. ITEMS PROPOSED FOR COUNCIL CONSIDERATION/DISCUSSION ITEMS

6. Crisis Center of Northern New Mexico Lease Agreement
7. Budget Proposal by City Manager
8. 2011 Holiday Closure

J. EXECUTIVE SESSION

Pursuant to New Mexico Open Meetings Act Section 10-15-1 (H) Subsection (2) limited 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.

K. ANNOUNCEMENTS

L. 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 to approve agenda by Councilor Valdez; seconded by Councilor Salazar.

Motion carried 8-0.

F. REDISTRICTING WORKSHOP

1. Redistricting Proposals

Mayor Lucero stated that the districting process in 2007 had cost between \$80,000 and \$100,000. She stated that City Manager Lujan and City Attorney Coppler had researched several different companies for the purpose of redistricting based on the 2010 census. Mayor Lucero announced that Architectural Research Consultants had been the lowest bidder. In addition, there were several positive recommendations provided by their prior clients. Mayor Lucero stated that the process had been completed for approximately \$3,400.

Ms. Dolores Anderson of Architectural Research Consultants thanked the council for being present to speak. Mr. Steve Burstein of Architectural Research Consultants explained that redistricting was the process of changing the geographic boundaries. He stated that this was typically done with some variance; however, there was a requirement that each district be within +/- 5% of the others. He stated that the redistricting process was usually done after the census and the Census Bureau had issued a new set of data that would assist with redistricting. Mr. Burstein cited the 1965 Voting Rights Act which protects against the discrimination of minority groups.

Mr. Burstein advised the Governing Body that census blocks had been the main variable that they had worked with for this redistricting. He went over the demographic changes from 2000 to 2010.

Ms. Anderson added that Santa Fe County had too many people to keep it as a whole district on its own. She stated that under option 3, the most variance was 2.8%.

Discussion

Councilor Valdez stated that he had originally chosen Option 2 because he thought that if the El Llano area was incorporated, the option would allow additions to Districts 3 and 4.

Councilor Valdez stated that in his district, many people did not go out to vote. Councilor Kain-Salazar stated that she had also been concerned about who voted and who did not. She stated she had received calls from the constituents of other districts and had responded without discrimination.

Councilor Seeds asked for clarification as to where District 2 would end and District 4 would begin. Ms. Anderson replied that it would occur at Chacoma Vista Street; however, the street would remain in District 4.

Mr. Burstein commented on Councilor Valdez' earlier point regarding the possibility of future expansion. He stated that the law required that balance be made with 2010 numbers yet preparing for the future was always a good idea.

City Attorney Coppler stated that nothing prohibited the City from redistricting again if Councilor Valdez' theory came to pass prior to the next census.

Motion by Greg Ortega to take Option 1 to full Council Vote; seconded by Mayor Pro-Tem Lujan .

Councilor Ortega stated that this option did not change a lot and would make the process easier.

Motion carried 8-0.

2. Number of Councilors per District

Councilor Valdez proposed having voters decide between a four (4) member Governing Body, six (6) member Governing Body, and an eight (8) member Governing Body during the March Election .

City Attorney Coppler advised that this could be done. Councilor Valdez explained that the changes would be made for the 2014 Election. City Attorney Coppler clarified that if the six (6) Governing Body member alternative was chosen by voters, the districts would have to be redone in anticipation of the 2014 election. Councilor Valdez amended his suggestion stating that it would be best for voters to decide between eight (8) and four (4) council members.

City Attorney Coppler stated that this would also require the addition of a paragraph to the Election Resolution stating that that if the voters selected a four (4) member council, the new members would be required to draw straws to determine who would run for re-election in two (2) years in order to maintain staggered terms.

Mr. Burstein referred to his PowerPoint presentation which included a map of the current council districts. Ms. Anderson reviewed the demographics of the current council districts and explained that a 5% variation was equal to 128 persons in the City of Española. She stated that placing to all non-Hispanics into one district would only result in a 51% majority in that district.

Ms. Anderson presented Option 1 to the Governing Body.

She stated that the reassignment of area from District 3 to District 2 had been difficult. Mayor Lucero pointed out that Option 1 did not affect any of the current City Councilors. City Attorney Coppler clarified that no councilor residences would end up in a different district under this option.

Ms. Anderson explained that this option would require the least amount of change and she had been proud to be able to get all districts within 1% variance. She reiterated that all incumbent councilors would retain their districts.

Mayor Lucero commented on the fact that this option affected Rio Arriba County the least. She stated that most of the changes lay within Santa Fe County who had better software for this purpose. City Attorney Coppler stated that as long as minority voting strength was not diluted, communities of interest remained within the 5% variance threshold and there were no instances of gerrymandering, incumbency was a valid consideration. He specified that incumbency could be considered only as long as the other criteria were complied with. He stated that Option 1 was the option which did not set councilors in opposition of each other.

City Attorney Coppler explained that the New Mexico State Legislature attempted to get the least amount of incumbents facing each other in election.

Ms. Anderson presented Option 2 to the Governing Body.

She stated that with this option, they attempted to utilize main roads as substantial boundaries.

City Attorney Coppler stated that under this option, Mayor Pro-Tem Lujan's district would change from four (4) to two (2). He explained that it may create an argument from constituents who were unable to vote for Cecilia during her election and ended up being represented by her. Mayor Lucero stated that this option would also create a situation where two (2) councilors had to run for one (1) seat in March.

Ms. Anderson presented Option 3 to the Governing Body.

Ms. Anderson stated that she had attempted to get everyone on the Westside of the river into one district.

Mayor Lucero expressed her concern that a change this drastic would affect several councilors and confuse the public.

Motion by Councilor Valdez to place a question on the ballot requesting that voters choose between an eight (8) and four (4) member City Council and to place the language in the Election Resolution requiring a drawing by lot regarding the term for newly elected City Councilors upon the approval of the question; seconded by Councilor Kain-Salazar.

Motion carried 8-0.

Mayor Lucero announced that there would only be one (1) meeting in December. She explained that the law required the Election Resolution be adopted by December 13th so the meeting would be held on December 12th.

Meeting was recessed at 5:34 p.m. to allow for the set-up of KDCE Radio which would broadcast the regular City Council meeting agenda.

Meeting was called back to order at 5:55 p.m.

Mayor Lucero welcomed the listeners on KDCE radio. She explained that the Governing Body had conducted a workshop beginning at 5:00 p.m. and they would continue with the agenda.

G. MATTERS FROM THE MAYOR

3. Appointment of Fiesta Council Officers

Ms. Lucy Peña was not yet present so Mayor Lucero began with the appointment of the Fiesta Council Officers and additional members. Mayor Lucero appointed the following members:

OFFICERS

President:	Judy Martinez
Vice-President:	Kelly Duran
Secretary:	Kimberly Lucero
Dep. Secretary:	Severito Garcia
Treasurer:	Rebecca Money

Members:

Leroy Martinez
Tomas Garcia
Gloria Garcia
Annette Martinez
Steven Jaramillo
Richard Garcia
Jimmy Espinoza
Maria Smith
John Ramon Vigil
Derrick Quintana
Carol Ann Salazar
Crystal Trujillo

Esperanza Garcia
Chayo Garcia
Josephine Velasquez
Greg Barbee
Justin Espinoza
Len Cata
Peggy Suazo
Juan Candelaria

Motion by Councilor Valdez to approve the fiesta council member appointments; seconded by Councilor Kain-Salazar.

Councilor Ortega stated that he had been very involved with the fiesta council in the 1980s and acknowledged that it could be a thankless job. He commended and thanked the council for the work they had agreed to do.

Councilor Garcia stated that if anyone else wished to join the fiesta council, they were welcome to contact her, the Mayor, or the City Clerk. Mayor Lucero stated that she would then appoint them at another meeting.

Councilor Seeds congratulated the old fiesta council on their work and wished the new council luck.

Mayor Lucero stated that she was pleased with the people who had stepped up to the plate and especially thanked Judy Martinez. She stated that they had the council's confidence and trust.

Motion carried 8-0.

4. Employee of the Month- Lucy Peña

Mayor Lucero called on Ms. Lucy Peña and Librarian Teddie Riehl. Ms. Riehl stated that Ms. Peña had been a permanent employee for about a year. She stated that people had fallen in love with her from the first day she worked there. Ms. Riehl read the nomination letter.

Ms. Riehl mentioned Ms. Peña lived in La Madera and had never been late for work.

Mayor Lucero read the certificate.

H. CONSENT AGENDA

5. Approval of Minutes
- a. October 17, 2011 City Council Workshop Minutes
 - b. October 25, 2011 City Council Meeting Minutes

Motion to approve consent agenda made by Councilor Valdez; seconded by Councilor Ortega.

Motion carried 8-0.

I. ITEMS PROPOSED FOR COUNCIL CONSIDERATION/DISCUSSION ITEMS

6. Crisis Center of Northern New Mexico Lease Agreement

City Manager Lujan stated that this agreement had been modified from the ordinance form. He stated that they changed it to a 3 year contract which would expire on December 1, 2014. He added that there would be a reduction in the rent amount. City Manager Lujan recommended council approval. He stated that he would begin to receive reports regarding the individuals who were served by the Crisis Center in order for him to monitor the statistics.

Mayor Pro-Tem Lujan asked if this lease involved the variance off of Fairview Lane.

City Manager Lujan replied that it did not.

Councilor Seeds asked City Manager Lujan for clarification regarding the oversight of the statistics. City Manager Lujan stated that he would ensure that they were serving citizens of the City.

Councilor Seeds asked City Attorney Coppler why, on page 2, there was a requirement regarding the Lessee agreement to quit and deliver the Premises to Lessor peaceably and quietly.

Mr. Coppler replied that this was standard lease terminology.

Motion to approve the Crisis Center of Northern New Mexico lease agreement; seconded by Councilor Seeds.

Motion carried 7-1; Councilor Kain-Salazar voting in the negative.

7. Budget Proposal by City Manager

City Manager Lujan stated that he and Administrative Services Director Sandoval had worked the numbers and there had been a 9% increase in revenue. He proposed doing away with furloughs for the month of December.

Motion to approve the removal of the December furlough day made by Mayor-ProTem Lujan; seconded by Councilor Kain-Salazar.

Councilor Seeds stated he was glad that City Manager Lujan had re-evaluated the situation, as promised during the budget process.

Motion carried 8-0.

8. 2011 Holiday Closure

City Manager Lujan stated that he would like to provide administrative leave from December 27th- December 30th to the employees who have been required to take furloughs. He added that this would result in the conservation of energy in city offices. City Manager Lujan specified that employees may be subject to recall in case of emergency or inclement weather. Mayor Lucero

stated that the administrative staff of the Public Safety department would be included in this leave.

Motion by Councilor Valdez to approve; seconded by Councilor Ortega.

Councilor Valdez clarified that this leave would be with pay. Councilor Seeds stated that this administrative leave was a standard thing that the council had approved in prior years. Mayor Lucero stated that this would allow employees to spend time with their families and commented that it was nice to see the employees in attendance smiling.

Motion carried 8-0.

J. EXECUTIVE SESSION

Motion to go into Executive session made by Councilor Ortega; seconded by Councilor Seeds.

ROLL CALL:

Mayor Pro-Tem:	Cecilia Lujan	In Favor
Councilors:	Robert Seeds	In Favor
	Pedro Valdez	In Favor
	Helen Kain-Salazar	In Favor
	Dennis Tim Salazar	In Favor
	Rosario "Chayo" Garcia	In Favor
	Greg Ortega	In Favor
	Cory Lewis	In Favor

Motion carried 8-0.

Executive Session began at 6:18 p.m.

Mayor Pro-Tem Lujan exited at approximately 6:45 p.m.

Motion to exit Executive Session by Councilor Valdez; seconded by Councilor Garcia.

ROLL CALL:

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

Motion carried 8-0.

Executive Session ended at 7:02 p.m.

K. ANNOUNCEMENTS

Mayor Lucero reminded the Governing Body about the ribbon-cutting the following day at 1:30 p.m. for the installation of new playground equipment at Ranchitos Park. She also stated that the Electric Light Parade would be held on December 10th.

L. ADJOURNMENT

Motion to adjourn by Councilor Ortega; seconded Councilor Valdez.

Motion carried 8-0.

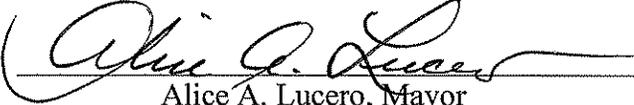
Meeting ended at approximately 7:02 p.m.

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

APPROVED AND ADOPTED THIS 12th DAY OF December, 2011.



Tessa Jo Mascareñas, City Clerk



Alice A. Lucero, Mayor