

**CITY COUNCIL MEETING  
DECEMBER 9<sup>th</sup> 2013, 6PM  
CITY HALL COUNCIL CHAMBERS  
105 PASEO DE OÑATE, ESPAÑOLA**

**A. CALL TO ORDER**

The meeting was called to order at 5:58 pm by Mayor Lucero

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

Mayor Lucero led the Pledge of Allegiance & Moment of Meditation/Invocation. She honored recently departed local business owner Joe Becker of Becker's Department Store. She then paid tribute to the recently deceased President of South Africa Nelson Mandela. She stated that President Mandela was a humble man who stood for peace, freedom and reconciliation.

**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:	Robert Seeds
	Pedro Valdez
	Peggy Sue Martinez
	John Hernandez
	Cory Lewis
	Elaine Herrera

Absent: Eric Radosevich (*out due to a family emergency*)

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 (ACTION ITEMS)**
  - 1. Proclamation JHR Elementary "Future City" Team (Mayor Pro-Tem Salazar)
  - 2. Proclamation- Española Valley High School Choir (Mayor Pro-Tem Salazar)
- H. REPORTS**

3. Council Committees (Public Works)
4. Staff Reports

a.

**I. CONSENT AGENDA**

5. 9-30-13 Finance Board Meeting Minutes;
6. 10-11-13 City Council Meeting Minutes;
7. 10-24-13 City Council/County Commission Joint Work Session Minutes

**I. ITEMS PROPOSED FOR COUNCILL CONSIDERATION AND/OR DISCUSSION/ACTION**

8. Consideration of Lodger's Tax Board appropriation Recommendations;
  - a. 2013 NM Hispano Music Awards - \$4,500;
  - b. 17<sup>th</sup> Annual Electric Light Parade - \$2,500;
9. Consideration of Annual Conservation Leave;
10. Resolution 2013-23; 2014 Election Resolution;
11. Resolution 2013-24; 2014 Holiday Schedule;
12. Consideration of RFP 2013-005- Artificial Turf for Softball Turf;
13. Consideration of Change Ordeer Proposal #1- Softball Field Lighting;
14. Request for Co-Sponsorship of 3<sup>rd</sup> Annual Main Street de Española Car Show;
15. Private Property on North McCurdy road owned by Sisto Garcia Appraisal & Survey (Councilor Seeds)

**J. EXECUTIVE SESSION**

**K. ADJOURNMENT**

---End---

**D. APPROVAL OF AGENDA**

Mayor Lucero stated that due to the absence of Councilor Radosevich, Agenda Items #12 & #13 would be removed from the agenda until the next council meeting. Councilor Seeds asked that Item #14 be moved to the beginning of Items Proposed for Council Consideration and/or discussion.

*Motion by Councilor Martinez to approve the agenda as amended, 2<sup>nd</sup> by Councilor Robert Seeds.*

*Motion Carried 7-0.*

**E. PUBLIC COMMENT**

Mayor Pro-Tem Salazar recognized Ms. Vanessa Gonzales from the Rio Arriba County DWI program. Ms. Vanessa Gonzales further clarified that the organization had recently changed their name to the Rio Arriba County S.T.O.P. Program. She explained that the letters represented Substance, Treatment, Outreach and Prevention.

Ms. Gonzales announced that the Rio Arriba County S.T.O.P. Program was in the process of planning the 2<sup>nd</sup> Annual 6-PAC event (6<sup>th</sup> Graders Promoting Alternative Choices). She stated that according to Youth Risk Resiliency Survey (YRRS Data), Rio Arriba County ranked second in the state for youth experimenting with marijuana before the age of thirteen (13) as well as youth drinking alcohol on school property. She stated that the organization aimed to provide age appropriate activities that raised awareness of underage drinking and substance use as well as living a healthy lifestyle through exercise

and healthy food choices. She further stated that presentations included testimonials of people who spoke of the negative effects of drug or alcohol abuse and the impact it had taken on their lives.

Ms. Gonzales stated that the target date for the event was January 23, 2014 from 9:00am until 1:00pm with an hour lunch break. She stated that she was seeking co-sponsorship of the event and would like to be placed on the next City Council agenda for consideration. She further stated that the organization was seeking funding in the amount of \$3,500 dollars. Ms. Gonzales stated that the amount was comparable to what was asked of the City in the year prior. She reported that currently the program had approximately five hundred and twenty five (525) 6<sup>th</sup> grade youth, primarily from the Española Public School District that were wanting to participate.

Mayor Lucero stated that the next City Council meeting would be taking place on January 14, 2014. She asked that the Rio Arriba County S.T.O.P. Program provide a proposal/submittal to the City Clerk's Department so that it may be placed on the agenda for Council consideration and/or approval during the next City Council Meeting. She thanked Ms. Gonzales for her time and efforts.

Councilor Martinez stated that she was looking forward to the future Rio Arriba County S.T.O.P. Program Presentation. She applauded the efforts of the organization and requested that the Finance Department look into the feasibility of funding for co-sponsorship of the event prior to the next meeting as a precautionary measure.

#### **F. COUNCILOR COMMENTS/ANNOUNCEMENTS**

Mayor Pro-Tem Salazar acknowledged Española Public School District Superintendent Dr. Danny Trujillo. He thanked Dr. Trujillo for attending.

Councilor Seeds reported that the City of Española Recreation Department along with City of Española Public Library held the Annual Toy Drive on December 7, 2013. He stated that the event had been well attended and the children had enjoyed themselves. He thanked all City employees who helped to make the event possible, specifically Recreation Coordinator Andrew Herrera.

Councilor Martinez stated that she wanted to thank the Española Valley Chamber of Commerce and Valley National Bank for their assistance with the Food Drive. She thanked both entities for their efforts and participation with the Soup Kitchen.

#### **G. MATTERS FROM THE MAYOR**

Mayor Lucero stated that there were going to be two proclamations that evening, one of them being a proclamation presented to the students and mentors of James H. Rodriguez Elementary "Future City" Team and the other for the Española Valley High School Choir. She thanked Mayor Pro-Tem Salazar for sponsoring the proclamations and making the initial contact. She thanked all of the youth participating in the presentation as

well as the parents who were present.

Mayor Pro-Tem Salazar thanked the City Clerk's Department for aiding with both proclamations. He also thanked Interim City Manager Joe Duran for participating in an informative presentation. Mayor Pro-Tem Salazar asked that the mentors and youth participants of the "Future City" Team of James H. Rodriguez Elementary stand to be recognized. He then read the proclamation. Mayor Pro-Tem Salazar thanked the parents and all those whom supported the efforts of the youth.

Mayor Pro-Tem Salazar asked that the Española Valley High School (EVHS) Choir Director Brian E. Wingard along with the EVHS Choir stand to be recognized. He read the proclamation honoring EVHS Choir and Choir Director. The EVHS Choir sang Silent Night.

Mr. Wingard expressed that he was very proud to live in Española and thanked the students of the EVHS Choir for their hard work. He also thanked Mayor Pro-Tem Salazar for sponsoring the proclamation as well as the entire Governing Body for acknowledging the choir and their accomplishments.

Mayor Pro-Tem Salazar asked Ms. Janelle Vigil-Maestas, an employee and representative from Los Alamos National Laboratory (LANL), to stand and be recognized for her support of the "Future City" Team.

Ms. Vigil-Maestas congratulated Mr. Lara on the project and encouraged the students to do their best and continue to apply themselves. She stated that Los Alamos National Laboratory was in full support of the "Future City" Team and urged the students to continue their positive and progressive thinking.

## **H. REPORTS**

Councilor Valdez stated that during the last Public Works meeting, the sewer line on Calle Flores had been discussed. He reported that that it was concluded that the area in question was out of City Limits and the discussion would be revisited at a later time.

Councilor Valdez further stated that two (2) right of way easements on Monterrey Lane had been signed. He added that an approximate six-hundred (600) new polycart trash containers would be issued to customers who did not have one. Councilor Valdez stated that the City Street Light Survey was distributed to all members of the Governing Body and he urged all to read the informative documentation.

## **STAFF REPORTS**

Interim City Manager Duran announced that that the Waste Water Treatment Plant (WWTP) had received the Good Housekeeping Award. He stated that employees of the WWTP would be receiving an award in late January 2014 at the Annual Short School in Las Cruces N.M. Interim City Manager Duran stated that sampling for bio-solids was

underway and should be completed by the end of the month. He also stated that manholes were discussed during the Public Works Meeting on November 12, 2013 and had since been raised to street grade. He congratulated Waste Water Treatment Plant Superintendent Perry Vigil on his accomplishments.

Interim City Manager Duran announced that Librarian Sherry Aragon had recently taken the State Library Grade II exam and passed. He announced that Ms. Aragon was certified as a Grade II Librarian as a result. Interim City Manager Duran congratulated Ms. Aragon on her diligent efforts. He stated that the "STEM to Read" program was designed to help literacy instructors enhance their teaching ability with a focus on science, technology, math and engineering concepts. He added that the library had received the GO Bond Grant in the amount of \$28,384.68 dollars and was able to purchase new furniture.

### **I. CONSENT AGENDA**

*Motion by Councilor Valdez to approve the consent agenda; seconded by Councilor Lewis.*

*Motion Carried 7-0.*

### **J. ITEMS PROPOSED FOR COUNCIL CONSIDERATION AND/OR DISCUSSION-ACTION**

Co-Sponsorship of the 3<sup>rd</sup> Annual Main Street de Española Car Show 2014

Mr. Thomas Martinez of Cultura Promotions stated that he was present to request co-sponsorship from the City of Española for the 3<sup>rd</sup> Annual Main Street de Española Car Show. He stated that he and Mr. Juan Montoya wanted to present all members of the Governing Body with an award as well as the City Manager, Chief of Police, Española Police Department, Española Fire Department, and Streets Department. Mr. Martinez stated that the award paid tribute to the 2<sup>nd</sup> Annual Main Street de Española Car Show.

Mr. Martinez reported that the 1<sup>st</sup> Annual Main Street de Española Car Show drew a crowd of approximately five thousand (5,000) spectators and the second had drawn crowd of approximately eight thousand (8,000). He commented that the event had helped to promote the City in a positive, creative manner. He further expressed that the last show was featured in Low Rider Magazine with a six (6) page spread. Mr. Martinez reported that the event allowed for good exposure and promoted spending within the City which contributed to the Gross Receipts Tax (GRT) as well as Lodgers Tax Funds. He stated that both events were well monitored and very few incidents had occurred.

Mayor Lucero thanked both Thomas Martinez and Juan Montoya of Cultura Promotions for their time, effort and hard work.

***Motion by Councilor Lewis to approve co-sponsorship of the 3<sup>rd</sup> Annual Main Street de Española Car Show; seconded by Mayor Pro-Tem Salazar.***

***Motion Carried 7-0.***

**ITEM 9.**

Mayor Lucero stated that the next item proposed for Council consideration was requested by Councilor Robert Seeds. She explained that the item was regarding private property on North McCurdy Road which was owned by Mr. Sisto Garcia and was requested to be appraised and surveyed by Councilor Seeds.

Councilor Seeds stated that, at the end of North McCurdy Road where it met El Llano Road, Mr. Garcia owned property with approximately forty (40) feet running through the middle of the shared road. He explained that on a section of Mr. Garcia's land, a City fire hydrant and fencing had been put into place.

Mr. Garcia stated that he was willing to work with the City so that his land was not compromised. He offered to sell the portion of his property where the fire hydrant was placed.

Councilor Seeds stated that he had informed Interim City Manager Duran of the problematic situation and would like to see the matter resolved in order to avoid lawsuits against the City. He further stated that he felt it was in the best interest of the City to survey, appraise and develop a cost estimate for the small piece of property where the City fire hydrant resided and then make financial arrangement(s) to purchase the small section of property from Mr. Garcia.

***Motion by Councilor Martinez to appraise and survey the portion of property belonging to Mr. Sisto Garcia; seconded by Councilor Lewis.***

Councilor Valdez explained that he wanted to qualify his vote. He stated that he strongly believed that the issue should have been discussed in Executive Session and not in open session. He further stated that the issue was never brought to a Public Works Committee meeting.

***Motion Carried 6-1, with Councilor Valdez voting in the negative.***

***Councilor Peggy Sue Martinez exited the meeting due to a family emergency at 6:51pm.***

***Councilor Robert Seeds exited at 6:52pm.***

**ITEM 10. Lodgers Tax Board Appropriation Recommendations**

City Clerk Tessa Jo Mascareñas stated that the Lodger's Tax Advisory Board had met on

November 26, 2013. She explained that the draft minutes reflected that the New Mexico Hispano Music Awards had been recommended for a mini-grant award in the amount of four thousand five hundred (\$4,500) dollars and the 17<sup>th</sup> Annual Electric Light Parade had been recommended for an award of four thousand five hundred (\$4,500) dollars.

***Motion by Councilor Valdez to approve both Lodger's Tax Advisory Board recommendations; seconded by Councilor Lewis.***

***Motion Carried 5-0.***

Mayor Lucero thanked Ms. Christine Bustos from the 17<sup>th</sup> Annual Electric Light Parade and Ms. Judy Lujan from the New Mexico Hispano Music Award Association for their time and efforts throughout the years. She stated that both events drew big crowds to the area. Mayor Lucero announced that the 17<sup>th</sup> Annual Electric Light Parade would take place on Saturday, December 14, 2013. She encouraged the public to attend.

**ITEM 11. Consideration of Annual Conservation Leave**

Interim City Manager Duran stated that in an effort to conserve energy during the holiday season, the City of Española considered a brief administrative leave for the Christmas and New Year holiday. He stated that he would recommend administrative leave on December 26<sup>th</sup>, 27<sup>th</sup>, 30<sup>th</sup>, and 31<sup>st</sup>. Interim City Manager Duran stated that employees would match the administrative leave by taking of four (4) days of their own leave. He added that the matter discussed would not affect emergency services.

***Motion by Mayor Pro-Tem Salazar to approve the Annual Conservation Leave recommendation made by Interim City Manager Duran; seconded by Councilor Lewis.***

***Motion Carried 5-0.***

***Councilor Seeds re-entered at 6:59pm.***

**ITEM 12. RESOLUTION 2013-23: 2014 ELECTION RESOLUTION**

City Clerk Mascareñas reported that State Law required a resolution by the Governing Body of the City of Española declaring an election of municipal officers to be held on March 4, 2014. She announced that the polls would open at 7:00am and close at 7:00pm. City Clerk Mascareñas stated that three (3) polling locations had been selected. She announced that voters in consolidated Rio Arriba precincts 7, 8, 9, 12, and 36 shall vote at the Beatrice V. Quintana- Martinez Senior Center, voters in consolidated Rio Arriba precincts 3, 4, 10, 11, and 40 shall vote at the Eutimio "Tim" Salazar Fairview Elementary Library and voters in consolidated Santa Fe Precincts 1, 58, 59, and 79 shall vote at the Santa Cruz de la Canada Gymnasium commonly referred to as the Holy Cross Gym. City Clerk Mascareñas finalized her presentation by stating that the Mayoral Election would be for a four (4) year term and one (1) councilor from each of the four districts would be up for re-election for a four (4) year term.

*Motion by Councilor Valdez to approve Resolution 2013-23: Election Resolution; seconded by Councilor Seeds.*

*Motion Carried 6-0.*

#### **ITEM 12. RESOLUTION 2013-24: 2014 HOLIDAY SCHEDULE**

City Clerk Mascareñas stated that the holiday schedule had not changed from the previous year. She further stated that by adopting a resolution, it would ensure a clear schedule of holidays for the next calendar year.

*Motion by Councilor Valdez to approve Resolution 2013-24: Holiday Schedule; seconded by Mayor Pro-Tem Salazar.*

*Motion Carried 6-0*

#### **K. EXECUTIVE SESSION**

Mayor Lucero stated that there was a need to enter into Executive Session to discuss potential litigation with the Pueblo of Santa Clara.

*Motion by Councilor Valdez to enter into Executive Session; seconded by Councilor Seeds.*

#### **Roll Call Vote:**

<b>Mayor Pro-Tem:</b>	Dennis Tim Salazar	In Favor
<b>Councilors:</b>	Elaine Herrera	In Favor
	Cory Lewis	In Favor
	John Hernandez	In Favor
	Pedro Valdez	In Favor
	Robert Seeds	In Favor

*Motion carried 6-0.*

*The Governing Body entered Executive Session at 7:02pm.*

*Motion by Councilor Herrera to exit Executive Session; seconded by Councilor Hernandez.*

#### **Roll Call Vote:**

<b>Mayor Pro-Tem:</b>	Dennis Tim Salazar	In Favor
<b>Councilors:</b>	Elaine Herrera	In Favor
	Cory Lewis	In Favor

John Hernandez	In Favor
Pedro Valdez	In Favor
Robert Seeds	In Favor

*Motion carried 6-0.*

*The Governing Body exited Executive Session at 7:28pm.*

Mayor Lucero stated that there was no action taken in Executive Session.

*Motion Carried 6-0.*

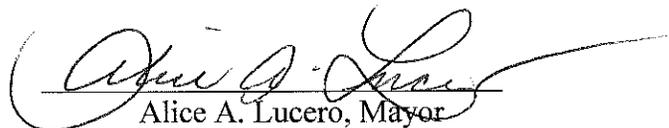
**L. ADJOURNMENT**

*Motion to adjourn by Councilor Lewis; seconded by Mayor Pro-Tem Salazar.*

*Motion carried 6-0.*

*The meeting was adjourned at 7:29pm.*

**PASSED, APPROVED and ADOPTED THIS 14<sup>th</sup> DAY OF JANUARY 2014.**

  
Alice A. Lucero, Mayor

  
*Tessa J. Mascarenas*  
Tessa J. Mascarenas, City Clerk