CITY COUNCIL MEETING
DECEMBER 09, 2014, 6PM
CITY HALL COUNCIL CHAMBERS
405 N. PASEO DE OÑATE ESPAÑOLA, NM

A. CALL TO ORDER
The meeting was called to order at 6:03 pm by Mayor Alice A. Lucero

B. PLEDGE OF ALLEGIANCE
Mayor Alice A. Lucero led the Pledge of Allegiance.

C. MOMENT OF MEDITATION/INVOCATION
Councilor John Hernandez led the Moment of Meditation/Invocation.

D. ROLL CALL/DETERMINATION OF QUORUM
The following in attendance:

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

E. APPROVAL OF AGENDA
Agenda as presented:

---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

PLEASE SIGN IN: *Print* first name and last including affiliation and or address if applicable. Please keep comments to a five (5) minute time frame. Public Comment Log Sheet located upon south east entry near the City Clerk. Thank You.

G. COUNCILOR COMMENTS/ ANNOUNCEMENTS

H. MATTERS FROM THE MAYOR (ACTION ITEMS)

1. Appointment of Fiesta Council President, Vice President and Fiesta Council Executive Committee
2. Appointment of City Clerk

I. STAFF REPORTS

J. CONSENT AGENDA

3. 10-21-14 Work Session Meeting Minutes

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

4. Consideration of Lodger's Tax Board Appropriation Recommendations – Interim City Clerk Anna Squires
   - **a.** 2015 NM Hispano Music Awards- $2,500
   - **b.** 18th Annual Electric Light Parade- $3,000

5. Resolution 2014-17: A Resolution to Request a Contractual Time Extension for the 2013-2014 COOP Improvement Funding Grant Awarded Through the New Mexico Department of Transportation (NMOT). Grants Administrator Diahann Jacquez

L. EXECUTIVE SESSION

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.

M. 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 made by Councilor Cory Lewis to approve Item letter E. Approval of the CCM Agenda as is; 2nd by Councilor Peggy Sue Martinez

Motion Carried 7-0

Mayor Alice A. Lucero stated that Interim City Clerk Anna Squires implemented a sign-in sheet to the item of Public Comment as other municipalities have exercise within their Public Meeting(s). She asked that anyone wanted to speak during the segment of the meeting; Public Comment, were required to print their name and contact information on the sign-in sheet. Mayor Lucero stated that comment(s) would be limited to five (5) minutes.

F. PUBLIC COMMENT

Jose Gonzales of the local organization entitled *Somos' Española* stated his name and organizational affiliation for the record. Mr. Gonzales began to explain his experience of being detained by Police Officials and detained without the opportunity of legal counsel or representation for three (3) months. Mr. Gonzales further stated that *Somos' Española* wanted to bridge further communication with Public Safety officials and agencies. Jose Gonzales stated that the priority of Somos' was to decrease deportations and work with local Department of Public Safety Agencies Commission to change jail police and prevent undocumented immigrants from being detained beyond their release date for immigration. Jose Gonzales stated that changes to Rio Arriba County policy were successfully implemented at the end of September 2014.

Mr. Jose Gonzales stated that the announcement of President Barack Obama granting work permits to undocumented parents of U.S. born and legal permanent children was a big development. He further stated that Somos' members have been working to pass comprehensive immigration reform for over 13 years. He expressed gratitude toward Councilor Michelle R. Martinez for supporting humane immigration policy that protects human rights.

Elsa Lopez Community Organizer of Somos Un Pueblo Unido Santa Fe, NM, stated her name and title for the record. She explained that Somos' was on the cusp of organizing a local education forum, in an effort to educate immigrant families about requirement(s) and begin preparation for the application process scheduled for May 2015. Ms. Elsa Lopez *Community Organizer of Somos Un Pueblo Unido,* stated that she wanted to work collaboratively with the City of Española. She further

expressed a philosophy stating that *"if"* immigrants began surfacing from the underground economy it would allow for more taxes to be paid into the justice systems and raise the bar of equality.

Former City of Española Councilor Chris Roybal stated his name for the record. Mr. Royal stated that he was a proud business owner of a residential and business cleaning service entitled; *Presidential Cleaning Service*. He further stated that he felt it was an unfair advantage to allow the vending of private goods and items to be sold by merchants alongside Riverside Drive in Española.

Former City of Española Councilor Chris Roybal stated that he felt it posed potential liabilities for the City. He stated that he and other business owners of the community adhered to the standards administered by the State of New Mexico Taxation and Revenue Department in order to obtain a Combined Reporting System number (CRS#) which allowed for the registration of a business within City limits. Mr. Roybal stated that he believed the City supported vendors who do not have to adhere to the same standards of the local business owner and who also do not pay into the local Gross Receipts Tax (GRT's) infrastructure.

Mayor Lucero asked that former Councilor Chris Roybal remain for the following Work Session Meeting where permit fees and the regulation process of public vending would be discussed. Mr. Chris Roybal replied in the affirmative.

Ms. Mary Lou Apodaca, President of the Valley Estates Mutual Water & Sewer Association, Incorporated stated her name and title for the record. Valley Estates Mutual Water & Sewer Association, Incorporated Member at Large Andrew Medina stated his name and affiliation.

Ms. Mary Lou Apodaca, President of the Valley Estates Mutual Water & Sewer Association, Incorporated stated her name and affiliation for the record. Mr. Andrew Medina Valley Estates Mutual Water & Sewer Association, Incorporated Member at Large stated his name and affiliation for the record. Ms. Mary Lou Apodaca stated that a letter dated for December 2nd 2014 was mailed to Mayor Alice A. Lucero and the City Council. She further stated that the letter informed the Governing Body of the misinformation which Mrs. Janette Salazar and her husband Joe Salazar provided during a recent City Council meeting. Ms. Apodaca stated that the couple made false statements regarding the quality of water provided by the Valley Estates Mutual Water & Sewer Association, Incorporated. Ms. Mary Lou Apodaca stated that both Ms. Janette Salazar and her husband Joe Salazar were residents of Valley Estates Housing Community but were not members of the association and she did not appreciate their false representation on behalf of the association.

Mr. Andrew Medina Valley Estates Mutual Water & Sewer Association, Incorporated Member at Large stated that members of the board would like to come before the Governing Body and be placed on the next City Council agenda to address the issues and concerns of the Valley Estates Mutual Water & Sewer Association, Incorporated. Ms. Mary Lou Apodaca further stated that she had been in the process of acquiring documents which in her opinion solidify agreements that were made by previous administration of the City of Española.

G. COUNCILOR COMMENTS/ ANNOUNCEMENTS

Councilor M.R. Martinez announced that Movie Night would be showcasing the Nativity Story. She further stated that Movie Night would be taking place Friday December 19th, 2014 at the Community

Arts Education Center. Councilor Michelle R. Martinez stated that she had corresponded with officials of the National Institute for Newly Elected Officials (NALEO) questioning immigration reform and timelines pertaining to President Barack Obama Executive Order. Councilor M.R. Martinez stated that she would be looking forward to any response and communicates the information. She thanked all City Department(s) for their hard work and dedication.

Mayor Pro-Tem Pedro Valdez announced that the 18th Annual Española Electric Light Parade would be held December 13th 2014 beginning at approximately 6:30pm. He encouraged all to attend.

H. Matters From The Mayor

1. Appointment of Fiesta Council President, Vice President and Fiesta Council Executive Committee

Mayor Alice A. Lucero stated that she interviewed two individuals whom she believed where both strong candidates for Fiesta Council President. Mayor Lucero stated that the person she had chosen to represent the Fiestas de Española in the capacity of President was Mr. Jeremy Maestas. She further stated that her choice of Ms. Bernadette Jaramillo would serve in the capacity of Vice President. Mayor Alice A. Lucero then announced the 2015 Fiesta Council recommendations. Executive Members included; Frances Archuleta-Secretary, Nicole Garcia-Treasurer, Esperanza Martinez-Deputy Secretary and Council Members included: Patricia Chacon, Bridget Archuleta, Bryanna Ellis-Alire, Linda Padilla, Leo Marquez, Eppie Martinez, Chris Duran, Caroline Jaramillo, Ronald Gallegos, Mario Amparan, Mavi Tafoya, April Montoya, Daniel Maestas, Janessa Chavez, John Ramon Vigil, Joel Chacon and Jeanette Ramos.

Councilor Cory Lewis recommended John Ramon Vigil as Chair to the Vendor Committee and Parade Committee. He further stated that Mr. John Ramon Vigil possessed good leadership skills and was also a senior member.

Motion by Councilor Peggy Sue Martinez to ratify the appointment of Fiesta Council President, Vice President and Fiesta Council Executive Committee; 2nd by Councilor Lewis.

Motion Carried 7-0.

2. Appointment of City Clerk

Mayor Lucero stated that she had worked closely with Interim City Clerk Anna Squires and appreciated her ability to communicate affectively and honestly. Mayor Lucero stated that given the time she had served as Deputy Clerk, she felt that Ms. Anna Squires possessed the adequate skills to adhere to the requirements and demands placed on the City Clerk. Mayor Lucero stated that she would like to appoint Interim City Clerk Anna Squires as City Clerk for the City of Española.

Mayor Lucero clarified that the City Clerk's position was not to be mistaken for a secretarial position but was a managerial position. Mayor Lucero expressed gratitude for the public service and dedication shown by Interim City Clerk Anna Squires.

Motion by Councilor Peggy Sue Martinez to ratify the appointment of Anna Squires as City Clerk; seconded by Councilor Lewis.

Motion Carried 7-0.

Councilor Peggy Sue Martinez expressed sincere gratitude towards City Clerk Anna Squires for her hard work and dedication. Sentiments were echoed by Councilor Michelle R. Martinez, Councilor Adrianna Ortiz, Councilor Dennis Tim Salazar and Councilor John Hernandez. City Clerk Anna Squires stated that she was grateful and humbled by the appointment. She thanked all members of the Governing Body for the opportunity to serve her community as City Clerk.

I. STAFF REPORTS

City Manager Kelly Duran stated that staff reports were provided within the Council Packet. He then stood open for any questions or concerns from the Governing Body. No questions were addressed from the Governing Body.

J. CONSENT AGENDA

3. 10.21.14 City Council Work Session Minutes

Motion made by Councilor Cory Lewis to approve the Consent Agenda; 2nd by Councilor Michelle R. Martinez

Motion Carried 7-0

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

4. Consideration of Lodger's Tax Board Appropriation Recommendations
   a. 2015 NM Hispano Music Awards- $2,500
   b. 18th Annual Electric Light Parade- $3,000

City Clerk Anna Squires stated that the Lodgers Tax Advisory Board met December 3rd 2014, at the El Paragua Restaurant at 11:00am to hear request(s) from; A. the 2015 NM Hispano Music Awards and B. 18th Annual Electric Light Parade. City Clerk Squires stated that upon deliberation it was determined that the recommendation allowed to the 2015 New Mexico Hispano Music Awards would be in the amount of $2,500.00 dollars. She further stated that the amount recommended by the Lodgers Tax Advisory Board for the 18th Annual Electric Light Parade was in the amount of $3,000.00 dollars.

Motion made by Councilor Lewis in favor to approve the appropriated recommendations of Lodger's Tax Board; Motion 2nd by Mayor Pro-Tem Pedro Valdez.

Motion Carried 7-0

5. Resolution 2014-17: A Resolution to Request a Contractual Time Extension for the 2013-2014 COOP Improvement Funding Grant Awarded Through the New Mexico Department of Transportation (NMOT).

Grants Administrator Diahann Jacquez stated the City of Española had the legal authority to apply receive and administer state and federal funds. She further stated that the City was awarded NMDOT Cooperative Agreement funds in the amount of $57,762.00, consisting of the NMDOT share of $43,321 along with the City's matching portion of $14,441. Grants Administrator Diahann Jacquez explained that due to unfeasible weather conditions, the ability to complete the project as dictated in the agreement by the contract deadline of December 31, 2014 was not foreseeable.

GA Diahann Jacquez further explained that the City of Española officially requested from the NMDOT a six-month time extension to complete the mentioned project and would diligently ensure that the project complies with all terms and any amendments. GA Diahann Jacquez stated that the City of Española assured NMDOT that it can provide the funds listed and anticipated cost(s) of the project, should the project cost exceed the provided funds.

Motion by Councilor Peggy Sue Martinez to approve Resolution 2014-17: A Resolution to Request a Contractual Time Extension for the 2013-2014 COOP Improvement Funding Grant Awarded Through the New Mexico Department of Transportation (NMOT).; 2nd by Mayor Pro-Tem Pedro Valdez.

Motion Carried 7-0

L. EXECUTIVE SESSION

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.

Mayor Lucero stated that there was no need to go into Executive Session.

M. ADJOURNMENT

Motion to adjourn made by Councilor Cory Lewis; Motion 2nd by Mayor Pro-Tem Valdez.

Motion Carried 7-0

Meeting Adjourned at 7:02 pm

SIGNED, ADOPTED AND APPROVED THIS 13TH DAY OF JANUARY, 2015

Alice A. Lucero, Mayor

ATTEST

Anna Squires, City Clerk

CITY OF ESPAÑOLA SEAL NEW MEXICO