

ESPAÑOLA CITY COUNCIL & RIO ARriba COUNTY COMMISSION

JOINT WORK SESSION

AUGUST 19TH, 2015, 6PM

RIO ARriba COUNTY ANNEX

1122 INDSUTRIAL PARK ROAD ESPAÑOLA, N.M.

A. CALL TO ORDER

The meeting was called to order at 6:06 pm by Rio Arriba County Commission Chair Barney Trujillo. Commissioner Trujillo called attendance of the following Rio Arriba County Commissioners: RAC Commissioner Alex Naranjo and RAC Commissioner Danny Garcia were both residing.

Rio Arriba County Manager Tomas Campos III *-residing*

Rio Arriba County Deputy Manager David F. Trujillo *-residing*

Rio Arriba County Sheriff James Lujan *-residing*

Rio Arriba County Attorney Adán E. Trujillo *-residing*

Rio Arriba County Economic Development Director Christopher Madrid *-residing*

Rio Arriba County Health and Human Services Director Lauren Reichelt *-residing*

Rio Arriba County Director of Grants and Contracts /Building Rentals Jon Paul Romero *-residing*

E911 Dispatch Center Director Marti Griego *-residing*

NCSWA General Manager Gino Romero *-residing*

Santa Fe County Constituent Services Liaison Tessa Jo Mascareñas *-residing*

B. PLEDGE OF ALLEGIANCE/ MOMENT OF MEDITATION/ INVOCATION

C. ROLL CALL/ DETERMINATION OF CITY OF ESPAÑOLA GOVERNING BODY QUORUM

Mayor Alice A. Lucero stated that there was not a unified Joint Work Session Agenda as there was no unified approach by both parties to provide for packet materials. She further stated that the agenda presented and provided by the City Clerk's office was public record and was also subject to approval by the City of Española Governing Body. Mayor Lucero asked that the City Clerk call attendance of the residing members of the City of Española Governing Body.

The following were in attendance:

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

City of Española Manager Kelly Duran *-residing*

City of Española Clerk Anna Squires *-residing*

Department of Public Safety Director Richard Gallegos *-residing*

Department of Public Safety Deputy Chief Miguel Maez *-residing*

D. APPROVAL OF AGENDA

-Begin-

City of Española Joint Work Session Agenda as Presented:

ESPAÑOLA CITY COUNCIL & RIO ARriba COUNTY COMMISSION
JOINT WORK SESSION

Wednesday AUGUST 19TH, 2015, 6PM
 RIO ARRIBA COUNTY ANNEX: 1122 Industrial Park Road Española

- 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. Commissioner/ Councilor Comments
- G. Items Proposed for Discussion:
 - 1. Senior Citizens & Services
 - 2. 911 Emergency Services
 - 3. Solid Waste Services As It Pertains to NCSWA
 - 4. Annexation Possibilities from Santa Fe County to Rio Arriba County

H. Adjournment

The Public 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--

Mayor Alice A. Lucero called for the motion to approve the Joint Work Session Agenda as presented by the City of Española. Motion by Mayor Pro-Tem Pedro Valdez to approve the agenda as presented; 2nd by Councilor Peggy Sue Martinez

Motion Carried 8-0

E. PUBLIC COMMENTS

-None-

F. COMMISSIONER/ COUNCILOR COMMENTS

Councilor Michelle R. Martinez thanked Rio Arriba County Officials for hosting the Joint Work Session as well as graciously providing refreshments. Similar comments were echoed by Councilor John Hernandez and Councilor Tania Sanchez.

Commissioner Chair Barney Trujillo stated that he had viewed the City's Joint Meeting Agenda; he further concluded that that it was relatively the same as the County's Agenda. Commissioner Chair Barney Trujillo stated that he would proceed with the order of discussion points as presented as they reflected the same or similar order.

G. ITEMS PROPOSED FOR DISCUSSION

1. SENIOR CITIZENS & SERVICES

Rio Arriba County Deputy Manager David F. Trujillo stated that the total budget for RAC Senior Program for all programs county-wide for FY2016 was \$1,557,184.00 an approximate of \$689,884.00 dollars came from the N.M. Non-Metro Area Agencies on Aging grants and \$867,300.00 dollars came from Rio Arriba County (RAC).

Rio Arriba County Health and Human Services Director Lauren Reichelt stated that the Rio Arriba County Senior Program served approximately one hundred and sixty (160) people with congregate and home delivered meals in FY2015. She further stated that Rio Arriba County would serve an anticipated 185 clients through expanded programs in FY2016. Reichelt further sighted statistical data which revealed that the City of Española served approximately fifty (50) people in a congregate meal program in FY2015.

She further affirmed that the county program had received stable funding through the N.M. Non-Metro Area Agencies on Aging.

RAC Health and Human Services Director Reichelt stated that estimating real cost(s) for a senior program expansion to identify the real costs for handling the program expansion included costs for food, administrative costs, reporting requirements, transportation, managing the transition and additional staffing to cover the extra program. Reichelt explained that Consultant Ann Egan analysis revealed that it could potentially cost the City \$150,000.00 annually to merge the two facilities in Española. RAC HHS Director Reichelt stated that she conducted her own study and came up with an approximate cost of \$159,000.00 dollars annually.

Mayor Alice A. Lucero questioned the relevance and effectiveness of the study. RAC HHS Director Reichelt stated that the two-year goal, if approved by both sides, would turn the County senior facility on Hunter Street into a senior center and convert the City's current senior center into an adult-day care and stroke center facility.

RAC HHS Director Reichelt stated that although the Beatrice Martinez Senior Center had a commercial kitchen which the County found to be the best asset, the County could not start using the City's Senior center facility until it's brought up to code as it currently does not meet State Agency on Aging standards. Reichelt stated that she believed the merger could save the city between \$116,000.00 dollars and \$125,000.00 dollars as the City of Española currently spends about \$275,000.00 dollars providing services.

RAC HHS Director Reichelt stated that by providing an adult-day care facility would also generate Medicaid revenues. Reichelt explained that the development could take anywhere from about eighteen (18) months to two (2) years to develop as the merger plan relied heavily on access to Area Agency on aging funding.

RAC HHS Director Reichelt stated that policies which mandate the Counties AAA needs would essentially be implemented to maintain a certain ratio of employees to clients. Reichelt stated that the mentioned policies also command a certain amount of square footage per client.

RAC Commissioner Alex Naranjo questioned what would happen to the Beatrice Martinez Senior Center's five (5) employees. Commissioner Naranjo clarified and affirmed that he didn't believe it would be cost effective to have two (2) different pay scales, a City and a County. Commissioner Naranjo explained that according to the 2014 salaries of the head cooks for both the County's and City's Senior Program(s), the County would be the party that would have to raise their employees' salaries to meet that of the City. Commissioner Naranjo stated that he was more than willing to support the measure because of his strong ties to the area. He stated that he strongly believed both the County and the City needed to work hand-in-hand.

Mayor Alice A. Lucero stated that City employees, if they were not able to be retained within the program, would be transferred to other departments within the City once the budget was able to accommodate them. She further stated that positions over the years needed to be frozen because the City didn't have the budget. Mayor Alice A. Lucero stated that the City's head cook earned \$27,622.00 dollars. Mayor Lucero explained that facility on some days had more employees than diners. She further explained that without the move, she was not sure how long the Center could remain open as some days the Center only serves ten (10) people and other days may accommodate thirty (30) people.

Councilor Peggy Sue Martinez stated that she viewed the possible merger as a move that could have positive impact(s) on the entire community. Councilor Peggy Sue Martinez further stated that the initiative came about as a result of City Council and Finance Board meetings. She stressed that the City through the collaborative initiative was not being rescued by the County but rather enhanced through developed services which provided for all seniors within the community. Councilor Martinez stressed that she wholeheartedly believed in providing better services for seniors. Similar Comments were echoed by Mayor Pro-Tem Pedro Valdez.

Councilor Michelle R. Martinez stated that both parties had a common constituency and belief to enhance services for seniors. She recommended that the initiative develop given the statistical research and the need by both parties to allow for better services. Similar Comments were echoed by Mayor Pro-Tem Pedro Valdez.

RAC Commissioner Alex Naranjo recommended that County and City officials meet at a later date to work out the specifics and collaborative concerns. Similar comments were echoed by Commissioner Barney Trujillo and Commissioner Danny Garcia.

Commissioner Alex Naranjo out at 8:02pm, in at 8:03pm

2. 911 EMERGENCY SERVICES

Rio Arriba County Deputy Manager David F. Trujillo stated that the County contributed an approximate \$218,150.00 dollars each year for various emergency medical services across the County which was partially provided by from the 0.25% percent tax collected across the entire County.

Assistant County Manager David Trujillo stated that Gross Receipts Tax raised just slightly more than \$1 million for the 2014-2015 Fiscal Year. ACM David Trujillo stated that \$600,000.00 dollars from the tax had gone towards the 911- Emergency Services Center. ACM David Trujillo stated that the proposed funding formula was forty (40%) percent or \$418,000.00 dollars.

Rio Arriba County Manager Tomas Campos stated that according to the current agreement, the County and the City are both responsible for 43.5% percent of the calls while Ohkay Owingeh is responsible for 10% percent and the Jicarilla Apache Nation and the Village of Chama are responsible for 1.5% percent of the calls. Rio Arriba County Manager Tomas Campos stated that 60% percent of the County's GRT went toward funding the dispatch center and 40% percent went toward the emergency medical services.

Mayor Alice A. Lucero stated that the tax mandated the revenue and monies must be used for the Center or emergency medical services. Mayor Lucero stated that the proposed split could also violate the percentage of the collected revenue which a judgment decreed must go to the 911-Dispatch Center. Mayor Lucero sighted Rio Arriba County Ordinance 2005-01 a countywide emergency communications and emergency medical services tax ordinance. She explained that the tax imposed under the ordinance was pursuant to the County Local Option Gross Receipts Taxes Act. Mayor Lucero stated that the countywide emergency communications and emergency medical services tax was equal to a 5% percent of the gross receipts reported or required to be reported by individual taxpayers within the County.

Commissioner Naranjo stated that there were still more changes that the County had to make as 5% percent of \$510,000.00 dollars, was almost \$100,000 more than what was currently proposed. Commissioner Naranjo stated that the County had a deficit of \$300,000 dollars carried over from the last few years. He concluded that the County was currently paying for previous medical services out of their general fund.

Commissioner Naranjo stated that head officials from the Ohkay Owingeh and the Jicarilla Apache Nation had both requested meetings with him in his capacity as County Commissioner. Commissioner Naranjo stated Santa Clara Pueblo owed the Center over \$10,000 dollars for all of the calls for service the Center answered for Santa Clara Pueblo in 2014. He further stated that the bylaws were drafted in 1998 and were close to 20 years old.

Councilor Peggy Sue Martinez stated that she understood that funds collected from the Emergency 911 tax had been invested. She further stated that the amount exceeded half a million dollars and was close to \$600,000 dollars. Councilor Peggy Sue Martinez questioned why some of the funds couldn't be used to cover the deficit.

City Manager Kelly Duran stated that he believed the County would use a portion of the tax it collected to match the four percent (4%) \$410,000 dollars. City Manager Kelly Duran stated that the County's new proposed bylaws would allow for five percent (5%) collected from the tax for its own uses. CM K. Duran

further stated that the current budget did include \$45,000 dollars which Santa Fe County had previously agreed to contribute for the service provided. He further stated that the revised 2014 Joint Powers Agreement should allow for Chama and the Jicarilla Apache Nation to pay at least \$14,000 dollars each year for the dispatch services.

Rio Arriba County Sheriff James Lujan sighted jurisdictional issues the Sheriffs Department faced with tribal officers. He expressed further concerns regarding citation fees, lack of monies contributed to the County or City infrastructure once tribal officers infringe tribal citation penalties' within shared jurisdiction boundaries. Rio Arriba County Sheriff James Lujan stated that the tribal measures appear to be somewhat extortionate.

E911 Dispatch Center Director Marti Griego stated that the City of Española had historically been the fiscal agent for the E911 center since its inception over 25 years ago. E911 Director Griego stated that twenty-five (25) years ago the funding was based on a rough percentage. She explained that The City of Española and Rio Arriba County took on most of the cost, followed by Santa Fe County, then Santa Clara and Ohkay Owingeh pueblos. She further recalled that the process was burdensome on all the governments because it was a new expense with no counter revenue. E911 Director Marti Griego stated that although burdensome, it was needed and mandated by the federal government.

Mayor Pro-Tem Pedro Valdez sighted the current fifty-one cents (0.51) on the phone bill which helped to fund emergency telecommunications.

Mayor Alice A. Lucero stated that she had spoken to Santa Fe County officials who affirmed of allocated monies in the amount of \$45,000 dollars. She stated that the monies had already been approved through their FY budget as portions of the City of Española were within Santa Fe County. She further expressed that she felt it was only fair as residents of Santa Fe County within the City limits were not currently contributing to emergency telecommunications and were being provided services. Mayor Lucero stated that she understood monies were tight in every governmental budget, but contributing less than what a district judge ordered toward the E911 Dispatch Center was illegal and was also not in the best interest of its constituents.

Councilor Peggy Sue Martinez out at 9:15pm, in at 9:17pm

Mayor Alice A. Lucero stated that a FBI Crime Unit study in 2014 listed Española as the most dangerous city in New Mexico. Mayor Lucero stated that she believed the study was flawed because it was based on a population of 10,000 and should have been based on a larger population because of the people that came in from outlying communities. She further explained that eighty-five percent (85%) of crimes committed in town were by people who lived outside of town. Mayor Alice A. Lucero stated that the City was a small town with big city problems.

E911 Center Director Marti Griego stated that the budget was coming to a point where a lack of services could account for lives lost or a potential lawsuit as she affirmed her belief health and safety must come first.

City Manager Kelly Duran expressed that Rio Arriba County has not contributed any cost(s) for the E911 Dispatch Center out of their General fund yet the City of Española was currently paying \$30,000 dollars a year from its utilities General Fund. He further expressed that the City was also contributing Capital Outlay Funds to enlarge the E911 Dispatch Center and by adding a training/conference room.

RAC Commissioner Barney Trujillo recommended that County and City officials meet at a later date to further discuss the matter. Commissioner Alex Naranjo stated that the E911 Board would meet on September 2nd, 2015 to discuss the matter.

3. SOLID WASTE SERVICES AS IT PERTAINS TO NCSWA

NCSWA General Manager Romero stated that the County commissioners have vowed to take all the trash-

hauling equipment and pull-out of the Joint Powers Agreement. NCSWA General Manager Romero stated that there was also a \$1.2million dollar amount of uncollected trash debt County officials transferred to NCSWA during its formation.

Rio Arriba County Manager Tomas Campos stated that Rio Arriba County was developing an agreement which called for the County to split the \$50,000 planning costs by putting up 75% percent, or \$37,500 dollars compared to the State's 25% percent, or \$12,500 dollar match. He further stated that the monies would help to devise a detailed plan for the facility in accordance with the State's Solid Waste Act.

Rio Arriba County Manager Tomas Campos stated that the final comprehensive and integrated plan would give priority to landfill diversion, to address waste reduction, recycling, environmentally safe transformation and environmentally safe landfill disposal. He further commented that the plan would also include consideration of activities and priorities indicated by the State's Solid Waste Act. He further stated that the agreement and resolution would provide the ability to draw Grant funds from the Local Government Planning Fund as there is not enough financial support from the authorities' other members, which include City of Española and Ohkay Owingeh and Santa Clara pueblos.

NCSWA General Manager Romero stated that the resolution and planning grant was the result of disagreements. He explained that a *subsidy* was a considerable amount of monies from capital outlay for equipment and infrastructure that would have to be equitably distributed among the entities.

NCSWA General Manager Romero stated that Rio Arriba County Manager Tomas Campos previously designated some of the equipment as subsidies. Romero sighted that State law doesn't have provisions to make governments, sub-governments, institutions or individuals pay back subsidies. NCSWA General Manager Romero stated that he could only move forward if and when the commission addressed revising legal ordinance. He further stated that the authority could only do so much and encouraged the commissions to update antiquated ordinances addressing the NCSWA.

Mayor Pro-Tem Pedro Valdez stated that the NCSWA Board implemented several moves to help reduce cost(s). He stated that the measures included offering substantial discounts to those who self-haul, as well as a reduction in the number of punch cards. Mayor Pro-Tem Valdez sighted political interference with the authority and sourced the disagreement(s) were based due to the lack of finances.

Commission Chair Barney Trujillo replied in the affirmative stating that final judgments regarding funding resonated from political and legislative decision(s). He further stated that the punch cards allowed County residents to haul large items to area transfer stations without incurring extra costs. Commissioner Trujillo stated that the County had hopes of finding a private contractor to haul the trash from the County's less populated areas. Similar comments were echoed by Commissioner Danny Garcia.

Commission Chair Barney Trujillo stated that not all problems were caused by neighboring Pueblos or other communities within the County. Commission Trujillo sighted issue(s) looming over the City's head including past audit status, graffiti, unauthorized vending and nuisances plaguing the City. Mayor Pro-Tem Pedro Valdez replied in the affirmative stated that nuisances pertain to the County as well. He further stated that a good percentage of the City lied within the County.

Councilor Michelle R. Martinez requested that Mayor Pro-Tem Valdez as well as City Manager Kelly Duran obtain all meeting minutes from the E911 Board as well as the NCSWA Board and provide the Governing Body of the City of Española as both individuals sit on both respective boards. She stated that as there should be a course of record and conduct for their respective board(s) actions. She further concluded that the City Council the Governing Body at large needs to be informed of the discussion(s) and action(s) that prevail from all meetings that affect the City. CM K. Duran and Mayor Pro-Tem Valdez replied in the affirmative.

4. Annexation Possibilities from Santa Fe County to Rio Arriba County

Commission Chair Barney Trujillo stated that due to the extent and duration of the meeting, the current discussion of the Annexation Possibilities from Santa Fe County to Rio Arriba County would be *delayed* until the upcoming meeting date was determined. Commission Chair Barney Trujillo apologized to Rio Arriba County Economic Development Director Christopher Madrid as he was delayed from presentation.

By a majority of head nods (hands) COE & RAC Officials concurred to delay the discussion of Annexation Possibilities from Santa Fe County to Rio Arriba County till the next determined COE & RAC Joint Work Session Meeting.

Commission Chair Alex Naranjo stated that both City and County officials, present and not present government entities, representatives and stakeholders gather in an effort to facilitate direct communication and represent the individual mutual concerns and interests. He then suggested that both County and City Officials who were present within the meeting re-commence at the end of three (3) months to share positive developments and information that helps collectively address the issues pertaining to; Senior Citizens & Services, 911 Emergency Services, Solid Waste Services As It Pertains to NCSWA and the Annexation Possibilities from Santa Fe County to Rio Arriba County.

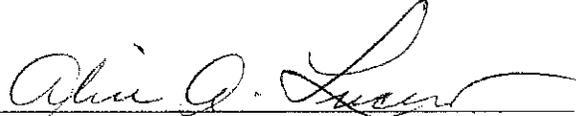
Thursday November 19th 2015 would reflect a three (3) month period of the discussed and delayed meeting.

H. ADJOURNMENT

The Public 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.

Commission Chair Barney Trujillo adjourned the meeting at 9:40 pm

ADOPTED AND APPROVED by the Governing Body of the City of Española this 22nd Day of September 2015.


The Honorable Alice Alarid Lucero
Mayor, City of Española

ATTEST:


Anna Squires, City Clerk
[SEAL]

