



AGENDA  
CITY COUNCIL MEETING  
SEPTEMBER 27TH, 2016, 6PM  
CITY HALL COUNCIL CHAMBERS  
405 N. PASEO DE OÑATE ESPAÑOLA, NM

- 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

Please turn off cell phones  
or set to silent mode

**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.*

- F. COUNCILOR COMMENTS/ ANNOUNCEMENTS

**G. MATTERS FROM THE MAYOR**

- 1. Certificate of Appreciation Acknowledging Chief Financial Officer Joyce Sandoval
- 2. Proclamation Honoring City of Española Public Safety Department and First Responders

**H. CONSENT AGENDA**

- 3. 9.13.16 City Council Meeting Minutes

**I. CITY MANAGER REPORT**

- 4. Department Reports - Review by City Manager Mark Trujillo

**J. PUBLIC HEARING (ACTION ITEM)**

- 5. **Liquor License Application;** Consideration of application No.1010086, MHB, LLC d/b/a/ Pizza 9; request for location approval of a beer and wine license, on premise consumption only. Applicant requesting a waiver of the restriction against locating a liquor establishment within 300 ft. of a church. Proposed location is: 819 North Riverside Drive. Española, NM 87532.

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

- 6. **Approval of Co-Sponsorship of the Annual October Fall Clean-Up;** Coordinated by Municipal Court Municipal Court Judge Stephen Salazar & Outreach Coordinator Richard Marquez
- 7. **Approval of Co-Sponsorship of the Northern New Mexico Youth & Families Against Drugs “2017 Walk Against Drugs”** - Municipal Court Judge Stephen Salazar & Outreach Coordinator Richard Marquez
- 8. **Approval of Resolution 2016-23;** A resolution requesting contract time extension for the 2015-16 COOP improvement funding grant awarded through the New Mexico Department of Transportation (NMDOT).  
- Grant & Finance Manager Diahann Jacquez
- 9. **Approval of Budget Adjustment (BAR) Resolution 2016-24;** A resolution approving a budget adjustment request, increasing expenditures in the amount of \$25,000 grant funding acquired from the Bureau Of Reclamation (BOR) - Grant & Finance Manager Diahann Jacquez
- 10. **Consideration of Approval for Out of State Travel** in the amount of \$4,021.31 for the purpose of Cassel Training for Finance Department Officials; training to be held in Las Vegas Nevada.  
- Grant & Finance Manager Diahann Jacquez
- 11. **Approval of Amendment to the Premise Lease Agreement between the City of Española and Siete del Norte, CDC,** pertaining to city property located at; Hunter Building located at; 505 Paseo de Oñate, Española, New Mexico 87532. - City Attorney Frank Coppler

## **L. MATTERS FROM THE CITY ATTORNEY**

### **12. EXECUTIVE SESSION** – *City Attorney Frank Coppler*

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

(7) Meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become participant; City of Española et al V. County of Santa Fe, et al Case NO. D-101-CV-2015-01396 Challenge to County Ordinance imposing hold harmless gross receipts tax in Española.

(8) Meetings for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body. Property acquisition adjacent to Valdez Park

## **M. ADJOURNMENT**

### **STATE LAW**

An Executive Session may be called at any time during the meeting. Pursuant to New Mexico Open Meetings Act Section 10-15-1 (H) Subsections;

(1) Meetings pertaining g to issuance, suspension, renewal or revocation of a license, except that a hearing at which evidence is offered or rebutted shall be open. All final actions on the issuance, suspension, renewal or revocation of a license shall be taken at an open meeting;

(2) Limited personnel matters; provided that for purposes of the Open Meetings Act, "limited personnel matters" means the discussion of hiring, promotion, demotion, dismissal, assignment or resignation of or the investigation or consideration of complaints or charges against any individual public employee; provided further that this paragraph is not to be construed as to exempt final actions on personnel from being taken at open public meetings, nor does it preclude an aggrieved public employee from demanding a public hearing. Judicial candidates interviewed by any commission shall have the right to demand an open interview;

(3) Deliberations by a public body in connection with an administrative adjudicatory proceedings For purposes of this paragraph, "administrative adjudicatory proceeding" means a proceeding brought by or against a person before a public body in which individual legal rights, duties or privileges are required by law to be determined by the public body after an opportunity for a trial-type hearing. Except as otherwise provided in this section, the actual administrative adjudicatory proceeding at which evidence is offered or rebutted and any final action taken as a result of the proceeding shall occur in an open meeting;

(4) The discussion of personally identifiable information about any individual student, unless the student or the student's parent or guardian requests otherwise;

(5) Meetings for the discussion of bargaining strategy preliminary to collective bargaining negotiations between the policymaking body and a bargaining unit representing the employees of that policymaking body and collective bargaining sessions at which the policymaking body and the representatives of the collective bargaining unit are present;

(6) that portion of meetings at which a decision concerning purchases in an amount exceeding two thousand five hundred dollars (\$2,500) that can be made only from one source is discussed and that portion of meetings at which the contents of competitive sealed proposals solicited pursuant to the Procurement Code are discussed during the contract negotiation process.

(7) Meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become participant;

(8) Meetings for the discussion of the purchase, acquisition or disposal of real property or water rights by the public body.

### **DISABILITY**

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; (505)747-6019 at least three days prior to the meeting.