

**CITY OF ESPANOLA
SPECIAL CITY COUNCIL MEETING
WEDNESDAY JUNE 10, 2009
CITY HALL COUNCIL CHAMBERS
405 PASEO DE ONATE, ESPANOLA, NEW MEXICO**

Meeting was called to order at 6:06pm, with the following in attendance:

Mayor: Joseph M Maestas
Mayor Pro Tem: Alice Lucero (by phone)
Councilors: Danielle Duran(Absent)
Alfred Herrera
Cecilia Lujan
Helen Kain-Salazar
Edward Maestas
Rosario "Chayo" Garcia
Dennis Tim Salazar (Absent)
City Manager: Veronica Albin
City Attorney: Paula Maynes
City Clerk:
Staff: Andrew Perkins-Finance Director, Andrew Herrera-Plaza Director,
Jessica Martinez-Executive Assistant, Marvin Martinez-Water
Supervisor, Judge Stephen Salazar, Jolene Miera-Court Clerk, Carlos
Rodriquez-Waste Water, Chief Julian Gonzales

Councilor Garcia led pledge and presented agenda for approval.

CALL TO ORDER
APPROVAL OF AGENDA
PUBLIC COMMENTS
COUNCILOR COMMENTS
CONSENT AGENDA
1. Resolution 2009-19 National Heritage
PUBLIC HEARINGS
2. Cell Phone Ordinance – 2009-03
3. Utility Rate Structure
4. Public Info on 2009-2010 Budget
ITEMS PROPOSED FOR COUNCIL CONSIDERATION
5. Resolution 2009-20 to Accept WTB 2
ANNOUNCEMENTS
EXECUTIVE SESSION
6. Limited Personnel Matter 10-15-1 H (2)
ADJOURNMENT

Councilor Maestas made motion to approve agenda, seconded by Councilor Kain-Salazar.

Ms. Veronica Albin, City Manager asked that item 5 be removed, until Water Trust Board staff got us proper Resolution.

Councilor Kain-Salazar made motion to approve as amended, seconded by Councilor Herrera.

Motion Carried 6/0

PUBLIC COMMENTS

None

COUNCILOR COMMENTS

None

Resolution National Heritage

Mayor Pro Tem Alice Lucero presented. Stated Jose Villa presented at another meeting. 10k

Mayor Pro Tem Alice Lucero made motion seconded by Councilor Herrera

Motion carried 6/0

PUBLIC HEARING

Cell phone ordinance

City Manager Veronica Albin presented amendment to Traffic Code brought from Public Safety Committee that did not allow cell phone use while driving, but allowed for hands free devices to be used.

Councilor Lujan stated she was elated to finally bring this ordinance. She stated she was sick and tired of seeing people talking on phones.

Councilor Kain-Salazar agreed it had to be done, too many deaths and accidents occurred because of people talking on their phones.

Mayor Pro Tem Alice Lucero asked that Councilor Garcia open public hearing.

Councilor Garcia stated there were no members of public present.

Mayor Pro Tem Alice Lucero stated that many other cities had passed this ordinance, and she thought we needed to do so as well.

Councilor Herrera stated he had reviewed the Ordinance, but noticed it came directly from Public Safety Committee. He asked if this was this proper process. City Attorney Paula Maynes stated she was not aware of it needing to come directly from Governing Body. As long as it has been posted.

Councilor Kain-Salazar stated she understood this meeting was called to address this issue.

City Attorney Paula Maynes stated yes it was, as well as other issues.

Chief Gonzales stated it did include a ban on text messaging, which followed the State Law banning texting.

Councilor Herrera asked regardless if it was passed we would still need to not text.

Chief Gonzales stated that was correct but it was added to the Ordinance to follow State Law.

Councilor Lujan made motion to approve, seconded by Councilor Herrera.

roll call vote

passed unanimously.

Councilor Garcia asked when it would start. City Manager Veronica Albin stated the Ordinance would be published and go into effect 5 days after publication.

Councilor Garcia asked how fines were set. Chief Gonzales stated that texting was set by state statute and he thought that was 100 dollars.

Councilor Kain-Salazar asked about signs entering into city. City Manager Veronica Albin stated she did speak with Leroy Archuleta, Public Works got quote on signs and they would be posted at all entrances.

Utility Rate Structure

City Manager Veronica Albin presented on this item. She stated the whole point of this hearing was for public to come and get information. She handed out a brochure to the Governing Body and stated they would be available to the Public at the front utility desk.

Councilor Herrera stated that he was in favor of rate structure. He asked if this was the same as what was previously presented to council. He also asked if both Water and Waste Water would be operating in the black now. City Manager Veronica Albin stated yes. Councilor Herrera asked if there was going to be more public meetings. City Manager Veronica Albin answered yes, it was originally going to be approved at June 23 meeting but we would need to have a special meeting on June 29.

Mayor Pro Tem Alice Lucero asked if there was something other than what was on packet link. Councilor Garcia stated yes there was a brochure. Mayor Pro Tem Alice Lucero asked that it be emailed to her. City Manager Veronica Albin stated she would email brochure after the meeting.

Councilor Kain-Salazar asked what about Commercial. City Manager Veronica Albin stated there were different classes of Commercial but she would add in something for Commercial. Councilor Lujan asked about online payment option, was that a done deal. City Manager Veronica Albin stated it was not a done deal, but she was working on getting that done. Councilor Garcia stated next meeting she hopes Commercial users come in, because they would be paying over 1000 dollars a month.

Public Information on Budget

City Manager Veronica Albin stated this was also an opportunity for public to get information on budget. She stated that the Governing Body had all seen the budget, all were sent justifications of departments' increase of line items.

Councilor Herrera stated that North Central Solid Waste Authority was the same; he thought it was going to be decreased. City Manager Veronica Albin stated it was still the same in the budget, was still working on decreasing figures.

ANNOUNCEMENTS

City Manager Veronica Albin stated there would be a Special City Council Meeting on June 29. She also stated that this month's Workshop would be changed from the 15th to the 16th. Councilor Herrera asked what was the time frame for the Utility Ordinance itself. City Manager Veronica Albin stated it would be prepared and up for adoption at the Special Meeting. Mayor Pro Tem Alice Lucero asked if the Governing Body would be able to see a draft before than. City Manager Veronica Albin stated yes.

City Manager Veronica Albin stated that Employee Appreciation Day was a big success. She stated the employees had a good time. She also stated there was a good response from the community and businesses. Councilor Kain-Salazar stated it was a nice day.

Mayor Maestas entered at 6:30pm.

EXECUTIVE SESSION

Councilor Lujan made motion to enter Executive Session, seconded by Councilor Kain-Salazar.

Roll Call vote

Passed unanimously

Entered into Executive Session @6:33pm.

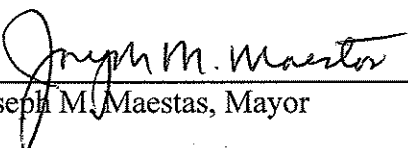
**Councilor Lujan made motion to exit Executive Session, seconded by Councilor Garcia
Motion carried 6/0**

Out of Executive Session at 7:58pm

**Councilor Lujan made motion to adjourn, seconded by Councilor Garcia.
Motion carried 6/0**

Adjourned at 8:00pm

APPROVED AND ADOPTED ON JULY 28, 2009



Joseph M. Maestas, Mayor

Attest:



Heather E. Velasquez, City Clerk

