

CITY COUNCIL MEETING

July 17, 2017

6:00 p.m.

Mayor Jerah Cordova called the Regular Meeting of the Belen City council to order at 6:01 p.m. Roll Call taken by Leona Vigil, City Manager.

PRESENT: Councilor David Carter
Mayor Pro-Tem Frank Ortega
Mayor Jerah Cordova
Councilor Darlene Aragon
Councilor Wayne Gallegos

CITY MANAGER: Leona Vigil

DEPUTY CITY CLERK: Brian McBain

REPORTER: Clara Garcia, VC News Bulletin

OTHERS: See attached Sign-in Sheet

PLEDGE OF ALLEGIANCE

Mayor Cordova led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Cordova asked for a motion to approve the agenda. Councilor Gallegos made a motion. Mayor Cordova asked for a second. Councilor Aragon seconded the motion.

Roll Call Vote:

| | | |
|--------------------------|-----|----------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Yes | |
| Councilor David Carter | Yes | Motion Carried |

APPROVAL OF MINUTES

Mayor Cordova asked for a motion to approve the minutes dated July 3, 2017 as presented. Councilor Ortega made a motion. Mayor Cordova asked for a second. Councilor Aragon seconded the motion.

Roll Call Vote:

| | | |
|--------------------------|---------|----------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Abstain | |
| Councilor David Carter | Yes | Motion Carried |

PUBIC COMMENTS

Mayor Cordova asked if there was anyone with a public comment.

There were no public comments and this portion of the meeting was closed.

PRESENTATIONS

A) DEPUTY CLERK OATH OF OFFICE

Brian McBain, Deputy City Clerk for Belen, took his oath of office while swearing on a family Bible held by his wife, Johnnie Ann McBain, as read by Leona Vigil, Belen City Manager. The oath of office was then signed and notarized by Lashae Latasha, City of Belen Human Resources Director.

DISCUSSION WITH POSSIBLE ACTION

APPROVAL/DISAPPROVAL OF A RESOLUTION TO CONDEMN A DILAPIDATED BUILDING LOCATED AT 711 BERNARD AVE. BASED ON NMSA, ARTICLE 18, SECTION 3-18-5: DANGEROUS BUILDINGS.

Steve Tomita presented information, mapping and pictures of the property in question. If this resolution is approved, then the property owners will be advised and have 30 days to present a plan of action to the City of how they will resolve the issues, if contact is not made then the city will have to foreclose on the property, which will then lead to demolishing the structure and later selling the property to recover the expenses. Chief Scott Conner also stated that there have been many calls to the property for suspicious activity. Steve Tomita also stated that ideally we would want to work with the owner and have them take care of this issue, which would allow them to cover the costs. Mayor Cordova stated that a list had been created of homes that needed to be demolished, and that these properties must be followed up on.

Mayor Cordova asked for a motion. Councilor Carter made a motion to approve. Mayor Cordova asked for a second. Councilor Aragon seconded the motion. Roll Call Vote:

| | | |
|--------------------------|-----|----------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Yes | |
| Councilor David Carter | Yes | Motion Carried |

****Resolution Number 2017-18****

APPROVAL/DISAPPROVAL OF A RESOLUTION TO CONDEMN A DILAPIDATED BUILDING LOCATED AT 709 SANCHEZ DR. BASED ON NMSA, ARTICLE 18, SECTION 3-18-5: DANGEROUS BUILDINGS.

Steve Tomita presented information, mapping and pictures of the property in question. If this resolution is approved, then the property owners will be advised and have 30 days to present a plan of action to the City of how they will resolve the issues, if contact is not made then the city will have to foreclose on the property, which will then lead to demolishing the structure and later selling the property to recover the expenses. Councilor Ortega was concerned about the cost and that by passing this resolution, the city would be liable if anything happened. Councilor Carter stated that given the city is already aware of the problem, we may already be liable, he also stated that the city needs to start recovering the costs of pervious demolished homes. Councilor Gallegos stated that this resolution must be passed in order for the city to move forward in the process.

Mayor Cordova asked for a motion. Councilor Carter made a motion to approve. Mayor Cordova asked for a second. Councilor Aragon seconded the motion. Roll Call Vote:

| | | |
|--------------------------|-----|----------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Yes | |
| Councilor David Carter | Yes | Motion Carried |

****Resolution Number 2017-19****

APPROVAL/DISAPPROVAL OF THE LETTER OF SUPPORT FOR MCA-VC

Mayor Cordova presented the redrafted letter, based on the presentation from the last Council meeting given by MCA-VC. This is asking Valencia County to please move forward with the hospital after the resolution of the lawsuits that are currently ongoing. Belen has been working for a hospital for a very long time, and we have an interest in making sure that this gets done within Valencia County. Mayor Cordova thanked MCA-VC for their work in this project and for keeping this issue alive right now. The letter serves to show that Belen is in support of moving forward to ensure talks about this process are happening, and the fact that the public is fully involved in this process and getting what they have already voted for. Councilor Carter understood that an advisory would be created using the residents of Valencia County themselves, however, he is not in support of having County Attorneys on this Board, but instead would recommend

having a private attorney advise on this Board. Councilor Carter suggested that we strike the County Attorneys from the selection committee from the first bullet point within the letter, and also felt that this letter seems that we are throwing in the towel. Mayor Cordova advised on where the process is at, ensuring we are not giving up on this hospital, stating that we could learn of some type of summary judgement by this Fall, however, this could also continue on and we would learn an outcome until after trial scheduled for February 2018. Councilor Carter also stated that the Village of Los Lunas and the City of Belen are doing all they can for this hospital, the County Commission is delaying further action on this hospital, they have been mandated by the citizens, however, are unwilling to follow through and cannot make a decision. Mike Jones stated that they have not presented this information to the County Commission yet, however, they will once all the municipalities have pledged their support, and also stated that they are willing to have a private advisory attorney present for the advisory board. Councilor Ortega has stated that we have already done all that we possibly can to bring this into reality, it was unfortunate that the County has not been able to make a decision, which is why I am hesitant to move forward with this, it seems that this means we are just going to talk more, and instead we really need action. Mayor Cordova said that this letter only states that no matter the decision, we are in support of the process to get a hospital built in Valencia County now. For the record, Mike Jones stated that the MCA-VC stands for Medical Care Advocates with Valencia County.

Mayor Cordova asked for a motion. Councilor Carter made a motion to approve as amended. Mayor Cordova asked for a second. Councilor Aragon seconded the motion. Roll Call Vote:

| | | |
|--------------------------|-----|----------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Yes | |
| Councilor David Carter | Yes | Motion Carried |

APPROVAL/DISAPPROVAL OF THE MEMORANDUM OF AGREEMENT FOR THE ESTABLISHMENT OF OPERATIONS OF THE MID-REGION METROPOLITAN PLANNING ORGANIZATION. (MRCOG)

Steve Tomita presented information about the Council of Government, we are voting members of the Metropolitan Transportation Board, and these are their rules of operation that they are asking to be adopted so that they can maintain their own standards of operation. David Pennella present information on this Memorandum of Agreement, stating that this process is federally mandated, and support is required from all municipalities that are members of MRCOG. Mr. Pennella stated that this agreement establishes the Mid-Region Metropolitan Planning Organization as a division of MRCOG, and this also establishes standards of operations, while concreting the functions of an MPO as mandated by federal law, if Belen approves this tonight, they will be the twelfth which will then make this effective.

Mayor Cordova asked for a motion. Councilor Ortega made a motion to approve. Mayor Cordova asked for a second. Councilor Gallegos seconded the motion. Roll Call Vote:

| | | |
|--------------------------|-----|----------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Yes | |
| Councilor David Carter | Yes | Motion Carried |

APPROVAL/DISAPPROVAL OF TO RETURN THE GRANT FUND TO CDBG AND SELF-FUND THE SAN LORENZO/LA LUZ PROJECT.

Steve Tomita presented the information and concerns of the discussions that took place at our Special Meeting that took place on July 14, 2014. The constraints of the Community Development Block Grant (CDBG) would put this project over budget by fair, which is something that we cannot move forward with. However, we have found a way to self-fund this project and we then can move forward with this process, DFA is not in objection of returning the funds and commends us on being proactive in this process. Mr. Tomita asked for approval from the Council to return the CDBG funds to DFA, and then commit to self-funding this project currently. Councilor Carter asked for clarification on why we could not meet federal requirements for this project, Mr. Tomita explained that the infrastructure has substantial costs that would be needed, and the right of ways could not be put into compliance without homeowners losing part of their own property and driveways. Councilor Ortega wanted to ensure the public/residents understood that we are not abandoning the project we are still going to self-fund the project and take care of the issues in this area, he also commended Steve and the City manager for taking care of this so it will not affect our grant funds in the future our Public Works Director is already in the process of working up this plan. Councilor Aragon said that we need to get the infrastructure taken care of, so when

this is done it will be a complete project. Mayor Cordova stated that by this winter the engineering for the project should be done, it will then be funded in January, the project should be underway by the spring.

Mayor Cordova asked for a motion. Councilor Aragon made a motion to approve. Mayor Cordova asked for a second. Councilor Ortega seconded the motion. Roll Call Vote:

| | | |
|--------------------------|-----|----------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Yes | |
| Councilor David Carter | Yes | Motion Carried |

APPROVAL/DISAPPROVAL OF A RESOLUTION GRANTING PERMISSION FOR THE CITY MANAGER TO EXECUTE A QUIT CLAIM DEED ON BEHALF OF THE CITY OF BELEN.

Steve Tomita presented this resolution and the portion of the alley, owned by the City of Belen at 325 W. Reinken, is the property in question, originally this main alleyway was abandoned in 2001, however this very little piece of property was not added to the original abandonment, the current property owner has their business sign on this property and needs this to be completed for the real estate closure process, there is no value to this property.

Mayor Cordova asked for a motion. Councilor Carter made a motion to approve. Mayor Cordova asked for a second. Councilor Ortega seconded the motion. Roll Call Vote:

| | | |
|--------------------------|-----|----------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Yes | |
| Councilor David Carter | Yes | Motion Carried |

****Resolution Number 2017-20****

APPROVAL/DISAPPROVAL OF THE 2016/2017 FINAL QUARTERLY REPORT RESOLUTION.

Roseann Peralta presented the final quarterly report, stating that GRT funds came in a little lower than budgeted, the other lower number was due to department fees, court fines and library fines that have not been collected, the final numbers themselves are good, not the best, but still good, the total for the report is \$5.5 million. Councilor Ortega wanted to ensure that we have money for the new fire department station and hydrants. Councilor Carter also ensured that we are meeting our budget requirements to ensure that funds are available for all current and future public works projects.

Mayor Cordova asked for a motion. Councilor Gallegos made a motion to approve. Mayor Cordova asked for a second. Councilor Carter seconded the motion. Roll Call Vote:

| | | |
|--------------------------|-----|----------------|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |
| Councilor Wayne Gallegos | Yes | |
| Councilor David Carter | Yes | Motion Carried |

****Resolution Number 2017-21****

APPROVAL/DISAPPROVAL OF THE 2017/2018 FISCAL YEAR FINAL BUDGET.

Roseann Peralta described and detailed the budget for FY18, ensuring that all funds are allocated correctly for projects and purchases for the year. Councilor Carter wanted the public to understand that the tax payer money sitting in these accounts is being utilized on infrastructure for streets and other public works projects in the City for this fiscal year. Councilor Gallegos wanted to ensure that the bottom line and emergency funds are always taken care of, making it a future Financial Policy to ensure future Councils maintain the correct amounts, ensuring that the Citizens of Belen will always have the services they require.

Mayor Cordova asked for a motion. Councilor Gallegos made a motion to approve. Mayor Cordova asked for a second. Councilor Carter seconded the motion. Roll Call Vote:

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|--------------------------|-----|--|
| Councilor Frank Ortega | Yes | |
| Councilor Darleen Aragon | Yes | |

Councilor Wayne Gallegos Yes
Councilor David Carter Yes Motion Carried

****Resolution Number 2017-22****

CITY MANAGER'S REPORT

Leona Vigil stated that she received a letter from BNSF asking us to assist them in vacating some of our right of ways so that they can add some tracks to the Balboa and Garcia area, which will come before the Council soon. Ms. Vigil stated that Chief Conner, Roseann and herself will be out of town next week, planning on returning by August 2nd, during this time, Dale Tafoya will be stepping in to assist. The contract award for the ProTec, Airport, crash, fire and rescue will be meeting with Chief Garcia on Wednesday to develop some mutual assistance agreements to help with the firefighting at the airport. Ms. Vigil also stated that we had a significant Special Meeting on Friday 7/14/2017, which helped to clarify the ongoing projects, she also stated that she wanted to thank the staff for being well prepared for this meeting. Ms. Vigil also stated that the Hispano Chamber sent us a certificate of appreciation for letting them use Eagle Park for their Montanza Event, Belen Art League is interested in renewing their city lease for their current building. Clara Garica for the News Bulletin stated that Loves had made contact with them to voice their concerns of the black capped fire hydrant in the area, stating that they would like that fixed so they can use the water for construction. Hydrant replacement is underway and the first one to be replaced will be at 104 S. 10th street, the one across from the church, water will be shut down on 10th from Reinken to Didier, after this they will move to 601 Reinken, DeSoto and Orchard. Loves has paid their permit fees with the City to ensure that construction can start. Ms. Vigil will have coffee, on Saturday, with Congressman Pearce to get a Washington update. Ms. Vigil stated that a pre-bid will occur tomorrow for the green waste removal, the solid waste pre-bid will be on Thursday. Ms. Vigil stated that project B was a huge success and we thank Felecia Garcia for her work, Dale Tafoya will have an update on public works projects by Wednesday.

COMMUNICATIONS FROM THE CITY COUNCIL

Councilor Carter stated that Felicia Garcia did a great job in putting together an amazing event, it was great to see the community come together for the Clean Up of the B, she is an amazing young lady.

Councilor Ortega stated that the sewer line project will start on Tuesday with digging, the City ordinance for this is in the works and should be ready for presentation within 60 days. Councilor Ortega also stated that Saturday was great for the community, showing that Belen is one of the greatest places to live in, Felicia Garcia did an amazing job, totaling about 114 volunteers that day.

Councilor Aragon stated that it was unfortunate that she could not attend the Clean Up of the B, however, on Facebook, it got great reviews, showing that this was amazing. Councilor Aragon stated that one of the biggest deterrents to crime is street lights, we need people to report lights that are out so we can get this problem addressed. Mayor Cordova stated that it would also be great for the people to use their porch lights for security. Councilor Aragon stated that it she attended an invent in which Los Lunas stated all the great things that are coming, however, it seemed the public was concerned with resources and especially the traffic congestion this is bringing to the area, which shows you must be careful in how you develop in certain areas, she also feel that Belen is taking a responsible approach in how we are bringing jobs for the community.

Councilor Gallegos stated that Well #5 is underway which is a very important project, the street light at RSVP Park is being worked on, it has the pole and we are just waiting for a budget to put the light. Councilor Gallegos stated that he attended a 9/11 meeting on the 11th, met with the guard to plan logistics. Councilor Gallegos stated that Project B was amazing and a great success, however, he is very disappointed at the media attention that it got, seems that KRQE ran a story stating that this was done to clean up crime, but instead, he said the message itself was wrong, it was the community coming together to take pride in their area. Councilor Gallegos also stated that we may need a PIO, even looking at the fire hydrant story, the city is not in danger, the fire department has plans and is well prepared to fight fires in the city, instead the news is just scaring the people, we have this planned and ready.

Mayor Cordova stated that he had a meeting with Chief Conner on the 7th to speak about crime and strategize on an action plan, the special meeting on the 14th was great information. Mayor Cordova also stated that he had a meeting with the Art League about their lease issue and audit findings, and they are willing to stay, while we are willing to work with them.

Mayor Cordova stated that the Project B clean-up was great, it was amazing to see everyone out there. Mayor Cordova also stated that on Sunday he had a meeting with a representatives from UMASS and Hampshire College, who will be working with an anthropology group, and will be excavating the foundation of the historic church in Plaza Vieja, however, this was preliminary and they will be announcing this at a later time, hopefully at or after the fiestas.

EXECUTIVE SESSION

APPROVAL/DISAPPROVAL TO ENTER INTO EXECUTIVE SESSION FOR THE DISCUSSION OF LIMITED PERSONNEL MATTERS REFERENCING THE POLICE DEPARTMENT INTERNAL INVESTIGATION FINDINGS, AS ALLOWED PER THE OPEN MEETINGS ACT 10-15-1 (H-7)

Mayor Cordova asked for a motion. Councilor Gallegos made a motion to enter into Executive Session. Mayor Cordova asked for a second. Councilor Carter seconded the motion. Roll Call Vote:

Councilor Frank Ortega Yes
Councilor Darleen Aragon Yes
Councilor Wayne Gallegos Yes
Councilor David Carter Yes Motion Carried

The Council went into Closed Session at 7:55 pm

Mayor Cordova asked for a motion. Councilor Carter made a motion to re-enter into Open Session. Mayor Cordova asked for a second. Councilor Aragon seconded the motion. Roll Call Vote:

Councilor Frank Ortega Yes
Councilor Darleen Aragon Yes
Councilor Wayne Gallegos Yes
Councilor David Carter Yes Motion Carried

The Council returned to Open Session at 8:17 pm

Mayor Cordova asked for a motion to advise that the matters discussed in the closed meeting were limited only to those specified in the motion for closure, and no actions were taken. Councilor Gallegos made the motion. Mayor Cordova asked for a second. Councilor Aragon seconded the motion. Roll Call Vote:

Councilor Frank Ortega Yes
Councilor Darleen Aragon Yes
Councilor Wayne Gallegos Yes
Councilor David Carter Yes Motion Carried

ADJOURNMENT:

Mayor Cordova asked for a motion to adjourn tonight's Regular Council Meeting. Councilor Aragon made a motion to adjourn. Councilor Ortega seconded the motion. Roll Call Vote:

Councilor Frank Ortega Yes
Councilor Darleen Aragon Yes
Councilor Wayne Gallegos Yes
Councilor David Carter Yes Motion Carried



Brian McBain, Deputy City Clerk



Jerah Cordova, Mayor