

SPECIAL CITY COUNCIL MEETING

November 6, 2015

2:00 P.M.

Mayor Jerah Cordova called the Special Meeting of the Belen City Council to order at 2:00 P.M. Roll call taken by Leona Vigil, City Clerk.

PRESENT: Councilor Darleen Aragon
Mayor Pro-Tem Wayne Gallegos
Mayor Jerah Cordova
Councilor Frank Ortega

ABSENT: Councilor David Carter

CITY MANAGER: Jay Ruybalid

ABSENT Leona Vigil, City Clerk

REPORTER: Clara Garcia, VC News Bulletin

OTHERS: See attached sign-in sheet

PLEDGE OF ALLEGIANCE

Mayor Jerah Cordova led the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Jerah Cordova advised the Council that he was asked to add public comment to the agenda. With that, Mayor Cordova asked for a motion. Councilor Frank Ortega motioned to approve the agenda with public comment. Mayor Jerah Cordova asked for a second. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Wayne Gallegos	Yes	
Councilor Darleen Aragon	Yes	Motioned Carried

PUBLIC COMMENTS

Mayor Jerah Cordova asked if there was anyone with public comments.

Elizabeth Asherry: She was at the meeting to state that she is opposed to wildlife killing contests. She stated that there is going to be one happening in Belen tomorrow. "They are commercial events and they have nothing to do with hunting". "These are unregulated events not covered by NM Game and Fish". She would like the Council to adopt a Resolution that Valencia County put forward in 2013 for the opposition of killing contest. She apprised the Council that the Senate voted, 27 to 11 to band coyote contests, but unfortunately didn't pass the House.

Mayor Cordova asked if there was anyone else with a public comment. There were no more public comments and Mayor Cordova closed this portion of the meeting.

PRESENTATIONS

FIRST QUARTERLY REPORT: Roseann Peralta, Finance Director

Roseann informed the Council that the first quarter ended September 30th. She went over her report; a copy of which is attached hereto. Roseann advised the Council that the projects fund is a little low and that is because she is waiting on reimbursement. She reported the Enterprise Funds are doing well. She reminded the Council that she budgets money for emergencies, and so far this year they have had 5 water breaks, a sewer line break, and a lift station down with a total of \$65,000 in water and 90 in sewer. She reported that they are still within the budgeted amount, but stressed that we are only 4 months in. She stated that she will have to look at that budget at midyear to cover the emergencies. Councilor Wayne Gallegos asked about the attorney and engineer budget. Roseann answered that the engineer is within the retainer and the legal services have cut down a bit; we are a little high at 39%. Jay added that the budget is on track with both retainers. Councilor noticed that the GRTs had an increase. Roseann replied; yes, there has been an increase. Jay reminded the Council that Roseann paid off the ARP loan and that will save the City \$331,000.

DOWNTOWN METROPOLITAN REDEVELOPMENT PLAN: Steve Tomita, P & Z Director

Steve advised the Council that this is a presentation of the plan, plus the discussion of the designation of the Metropolitan Redevelopment District Area. He explained that both will have to be adopted by ordinance and are due in December. He reported that the plan has been through several public participation activities and he is here today with a recommendation for approval. He turned over the presentation to Phyllis Taylor with Sites Southwest. She informed the Council that the purpose of the plan has to do with improving the City's image and taking advantage of the historic resources that Belen has. One of the components of the plan is designation of a metropolitan redevelopment area in downtown Belen by resolution. An MRA will help local governments make donations to projects and get around that anti-donation clause. The MRA will help in leasing the Old City Hall at below market rate. The project area is mostly on the west side of the railroad tracks. The plan includes an inventory of downtown's assets and a vision and physical master plan with guidelines. She advised the Council that she presented this plan to P & Z in September. P & Z recommends the approval of the document. Belen's downtown assets include historic buildings, banking, government, employment, existing restaurants and arts activities. Phyllis mentioned that people wanted to see the neighborhoods maintained, better access to the Railrunner, supporting small businesses, provide gathering spaces and streetscapes. The plan has several recommendations on how to reach these goals; a copy of plan is attached hereto and made an integral part of these minutes by reference. Councilor Gallegos asked if there were any funding mechanisms behind all this to incorporate the plan. Phyllis answered that MainStreet has been working well with Belen, and it does have some dollars behind it. MainStreet will want to see a plan to know where their dollars go. Steve added that the plan will open up many opportunities for businesses to get grants and low interest loans.

DISCUSSION WITH POSSIBLE ACTION

APPROVAL OR DISAPPROVAL OF THE GO BOND RESOLUTION: John Archuleta, George K.

Baum

John Archuleta informed the Council that Jay Ruybalid suggested to him earlier that the fire station amount be round up to 4 million dollars. John stated that that would give the City more flexibility in case there are over runs. Jay informed the Council that the recommendation came from a conversation he had with John Pate and Chief Garcia. The resolution will allow Modrall Sperling to proceed with the election in March of 2016. John reported that the cost for the fire station bond will be \$2.70 per thousand, and the sidewalks would be .85 cents per thousand. John explained that once the bonds are sold, they will be set at the particular amount and interest rates at that time. Councilor Ortega recommends going with the 4 million because of some of the issues that have already come up with the drainage. John Pate with Molzen & Corbin informed the Council that the drainage was included in the last cost estimate he sent to Jay, along with additional paving. John also informed the Council that there is a design contingency, since we are in the early phases of the design process. John Archuleta advised the Council that he and Chief Garcia are putting together a pre-election brochure that will give all the details of the transaction. Jay advised the Council that the property owner wants about 80,000 for that piece of property behind the fire station. Mike Moreno, volunteer with the City, had a concern with the Food Bank; people park all along the block on distribution day. Katherine Cregan with Modrall Law Firm went over the resolution. A copy of the resolution is attached hereto and made an integral part of these minutes by reference. Katherine stated that the question, as requested, would go up to 4 million on the fire station and

the sidewalks would go to 1,165,000. John Archuleta advised the Council that the costs of issuance which includes the attorney fees, financial advisory fees, legal publication and moody's ratings is about \$75,000. Jay recommends keeping the fire station at 4 million dollars.

Mayor Jerah Cordova asked for a motion. Councilor Wayne Gallegos motioned to approve the recommendation of the City Manager. Mayor Jerah Cordova stated that he has a motion to approve the resolution with the recommendation of the City Manager of the 4 million dollars for the fire station and 1.165 on sidewalks. Councilor Frank Ortega seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Wayne Gallegos	Yes	
Councilor Darleen Aragon	Yes	Motioned Carried

APPROVAL OR DISAPPROVAL OF THE OUT OF STATE TRAVEL FOR THE POLICE DEPARTMENT: Dan Robb, Police Chief

Chief Robb is requesting out of state travel for himself and Lt. Miller to attend training in Las Vegas, Nevada. The training is for internal affairs investigations. He mentioned that this is certification training. The estimated cost is attached hereto and made an integral part of these minutes by reference. Councilor Gallegos asked the Chief if he had the monies available in his budget. Chief Robb answered, yes.

Mayor Jerah Cordova asked for a motion. Councilor Frank Ortega motioned to approve. Mayor Jerah Cordova asked for a second. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Wayne Gallegos	Yes	
Councilor Darleen Aragon	Yes	Motioned Carried

APPROVAL OR DISAPPROVAL OF THE DRINKING WATER STATE REVOLVING FUND (DWSRF) COMMITMENT LETTER: Jay Ruybalid, City Manager

Jay reported that DWSRF allocated 1.3 million dollars to the City in a grant/loan. The Council approved the application in July for the electronic water meter reader. The loan is interest free for the first 600,000.00 then 1.55 % interest rate on the 700,000.00 for 22 years. Jay informed the Council that the first part of the process to accept the grant/loan is to accept the commitment letter for 1.3 million dollars. Mayor Cordova asked how soon this project would get underway. Jay answered by April of next year.

Mayor Jerah Cordova asked for a motion. Councilor Wayne Gallegos motioned to approve the DWSRF Commitment Letter. Mayor Jerah Cordova asked for a second. Councilor Frank Ortega seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Wayne Gallegos	Yes	
Councilor Darleen Aragon	Yes	Motioned Carried

APPROVAL OR DISAPPROVAL OF THE MOA BETWEEN THE CITY OF BELEN, MUSEUM FRIENDS AND MAINSTREET: Leona Vigil, City Clerk

Leona advised the Council that she put together an MOA between the City, Museum Friends and MainStreet. She reminded the Council that last year there were questions as to where the revenues from the Bugg Light display went. Members from the Harvey House, MainStreet and Leona met and worked on a MOA. Mike reported that during the Bugg Light Display there are 13 community groups that volunteer to help with the event. On the night that each community group volunteers, they get to keep half of the proceeds. Jay advised the Council that there is a MOA with MainStreet, but it did not include details of the Bugg Light Display. Jay

reported that last year \$10,000 was gathered from the Display and 50% went to the groups that collected the money; the other \$5,000 went towards the Harvey House. Jay reiterated that there were questions as to how the money was tracked last year. He informed the Council that he met with Heidi Greene from MainStreet and she showed Jay the ledger and bank statements. The \$5,000 that went to the Harvey House was disseminated by virtue of checks sent directly to contractors for roof repairs, sidewalks and landscaping. Jay reiterated that the MOA will now have the Bugg Light Display process and percentages. Mike added that revenues from the store are also included in the MOA. Councilor Aragon reported that MainStreet will now have more over-site over the Bugg Light monies. Leona went over the MOA; a copy of the MOA is attached hereto and made an integral part of these minutes by reference. Councilor Gallegos suggested that the language for the 40% be, *shall be accounted for and disbursed by the Friends for exhibits and events*, and leave out maintenance; everyone concurred with the suggestion. Mayor Cordova recommended adding a termination clause; *termination by either party with a thirty day notice*. Mayor Cordova suggested combining this stand alone agreement with the other MainStreet agreement in January.

Mayor Jerah Cordova asked for a motion. Councilor Wayne Gallegos motioned to approve with changes. Mayor Jerah Cordova asked for a second. Councilor Frank Ortega seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Wayne Gallegos	Yes	
Councilor Darleen Aragon	Abstained	Motioned Carried

EXECUTIVE SESSION

An Executive Session to discuss pending or threatened litigation referencing the City of Belen Police Department and the Hospital, as allow per the 10-15-1 (H-7) of the Open Meetings Act.

Mayor Jerah Cordova asked for a motion to enter into an executive session from an open meeting. Councilor Frank Ortega so moved. Mayor Jerah Cordova stated that he has a motion from Councilor Ortega and asked for a second. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Wayne Gallegos	Yes	
Councilor Darleen Aragon	Yes	Motioned Carried

Mayor Jerah Cordova asked for a motion to reenter an open meeting from a closed meeting. Councilor Darleen made the motion. Mayor Cordova asked for a second. Councilor Wayne Gallegos seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Wayne Gallegos	Yes	
Councilor Darleen Aragon	Yes	Motioned Carried

Mayor Jerah Cordova asked for a motion to state that executive session discussion was limited to pending and threatened litigation referencing City of Belen Police Department and the hospital and that no action was taken. Councilor Wayne Gallegos so moved. Mayor Cordova asked for a second. Councilor Darleen Aragon seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor Wayne Gallegos	Yes	
Councilor Darleen Aragon	Yes	Motioned Carried

ADJOURNMENT:

Mayor Jerah Cordova asked for a motion to adjourn the Special City Council Meeting. Councilor Darleen Aragon motioned to adjourn. Councilor Frank Ortega seconds the motion. Roll Call Vote:

Councilor Frank Ortega	Yes	
Councilor David Carter	Yes	
Councilor Darleen Aragon	Yes	
Councilor Jerah Cordova	Yes	Motion Carried

/s/ _____
Jerah Cordova, Mayor

/s/ _____
Leona Vigil, City Clerk, CMC