

**REGULAR CITY COUNCIL MEETING**

**October 17, 2016**

**6:00 p.m.**

Mayor Jerah Cordova called the Regular Meeting of the Belen City council to order at 6:00 p.m. Roll Call taken by Leona Vigil, City Manager.

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

**CITY MANAGER:** Leona Vigil

**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 asked for a motion to approve the agenda. Two requested changes. Move Item 8) a Catholic Daughters Proclamation before Item 7)a Executive Session. Also remove Item 11)b, Governors Executive Order Discussion. Councilor Ortega motions. Second from Councilor Gallegos.

Roll Call Vote:

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

**APPROVAL OF MINUTES**

Mayor Jerah Cordova asked for an approval of the October 3, 2016 minutes Councilor Gallegos motioned to approve the October 3, 2016 minutes. Mayor Cordova asked for a second. Councilor Aragon seconds the motion.

Roll Call Vote:

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

**PUBLIC COMMENTS**

**Ms. Rita Viex**-Member of the Senior Group that plays Pinochle at the Belen Senior Center on Mondays and Fridays. Playing for 6 years. We are assigned a room there next to the former director's office. Last week the current director started moving furniture from the LL Courthouse and stored in that room. This morning when we went down there to

play that room if full of furniture. The table and chairs that we normally use were located somewhere else across the hall. This room is designated for Senior Citizens, not storage. I don't know why the county has to store items of furniture owned by the City of Belen.

**Mr. David Mintz:** Complaint regarding a slump property at 1212 W Reinken Ave, Code Enforcement Officer Pena has ignored all the photographic evidence that I have sent him. Owner of the property is Adelina Baldonado, who lives here in Belen. Who is running code enforcement, Mr. Pena or her? Why is there so much effort into NOT cleaning up that property? Mr. Pena does not exit his vehicle when he drives by the area, a lot of lose debris and pallets and lose fence that can be seen from the street are ignored. Suggest that the City Council and Manager get the house in order. Tomorrow I will file a formal complaint against Mr. Pena with the Police Department, including all pictures and emails.

**Mr. Mike Moreno:** Live on 7<sup>th</sup> Street. Today I received an email from the City in regards to a Workshop on Wednesday, on Community Development. I sent a courteous email back requesting information. Person never responded. Sent an email to Leona, again with no clear communication on what the Community Development was. I am requesting clear communication as a tax payer and citizen of what the council is hearing and working on. Puts City Manager and Council in a negative light. Extend a common courtesy explaining what the issue is, when asked what the issue is. Thanks for painting Harvey House.

Mayor Cordova commented on the need for more specificity regarding messages and text, and that he had the same issue.

Manager- Steve to send another one out, none went out correctly

**Mr. Kevin Winner:** Broadband Network of NM. Over 11 years, deployed signal services for Broadband, wireless services. Largest held, privately held public Utility company. Discussion held regarding services offered. Would like to develop low cost, hi band connectivity for City of Belen. It is a necessary infrastructure to have to connectivity in cars and phones. Cluster design for optimal performance., state of the art material. Proposing to erect the pole inside Baca Street, narrow construction of the pole. We are working to improve wireless connection in the area.

**Mr. Manuel Quintana:** Government/Community Manager for PNM. I am here to assist the governing body with any needs you may have. PNM will be celebrating 100 years of service in 2017. We are looking to extend additional funding for some of the Main St. Project, and grants for non-profits. Invested over 125 million in infrastructure, solar plants in Valencia county to help with the tax base. We highly support the solar industry, looking to build more of them. We offer generous rebates for residential and commercial, if you make investments in your property to reduce your bill. Even though we are going through a rate increase, these other measures will help reduce the bill. We will honor some businesses next month at the Belen Chamber of Commerce where they saved thousands. Email me for anything. Thank-you.

**Mr. Steven Furguson:** I was here two weeks ago asking if the Council could send a letter to BNSF about the quiet zone on Jarales Road, and Rio Road. Was there any action, or letter sent? There were some improvements after my last visit. I would like to submit some dates and times of excessive horn blowing letter given to Manager Leona Vigil.

Mayor Cordova advised no letter sent, just conversation.

## **PRESENTATION**

Catholic Daughters Proclamation read by Jerah Cordova CDA Sunday, October 16, 2016, presented to Connie Baca.

Connie Baca-Thank-you for recognition, here since 1944. 1 Charter member, Sandy Romero, Lily Tabet(103 yrs Old) We try to give as much to the community.

## **EXECUTIVE SESSION:**

An Executive Session to discuss the ongoing hospital litigation, and the second is the discussion of disposal of the property on Aragon as allowed per the Open Meetings Act Section 10-15-1(H-7).

Mayor Jerah Cordova asked for a motion to enter into executive session. Councilor Gallegos so moved. Mayor Jerah Cordova asked for a second Councilor Ortega seconds the motion. Roll Call Vote:

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

Mayor Jerah Cordova asked for a motion to re-enter into an open meeting from a closed Meeting. Councilor Gallegos so moved. Councilor Ortega seconds the motion. Roll Call Vote:

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

Mayor Jerah Cordova asked for attestation that discussion was limited to discussion of the ongoing hospital litigation as allowed per the Open Meetings Act Section 10-15—1 (H-7) and no action was taken. Councilor Ortega so moved. Councilor Gallegos seconds the motion. Roll Call Vote:

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

### **PUBLIC HEARING WITH POSSIBLE ACTION**

**Approval or Disapproval of the Bond Ordinance:** Katherine Creagon introduced John Archuleta from George K Baum, the City Financial Advisor to explain the pricing book. Explained the pricing book which is a summary of the transaction in the refinancing of the 2008 General Obligation Bond Issue. Received a AA+ rating instead of a AA-, which means the bond can be sold at a lower interest rate and saved a lot of money that way. Bonds sold without a cash reserve fund with this rating. Crazy market right now, Federal government possibly rate increases in November. Overall gross economic savings on this financing is about a million-five, or \$90,000 a year. Received a letter from DFA approving the transaction. Katherine Creagon discussed the Bond ordinance approving \$5,725,000 in GRT refunding bonds. Payable solely from State Gross Receipts Tax and ½ % of Municipal Gross Receipts Tax. Bonds were written under Robert D. Baird, Bond Purchase agreement handed out to council. The proceeds of the bonds are going to be used to redeem or defeat the 2008 Bonds that are outstanding. The proceeds from these bonds will be put in an escrow account with Bank of Albuquerque and will accrue interest and will be used to purchase federal securities, so that on June 1, 2018 those funds will be used to redeem all of the outstanding 2008 bonds. In conjunction with the redemption of the 2008 bonds in section 36 of the ordinance there is also the approval to use cash on hand with the City to cash redeem the outstanding 2005 GRT bonds, there is one maturity at this point left outstanding. That will occur, prior to the closing of these bonds. None of the proceeds will be used to fund the reserve funds, so long as the revenues associated with the State GRT and the ½% Municipal GRT provide twice the coverage that you will not need to fund the reserve fund.

Mayor Cordova opened up the Meeting for Public Hearing. No one had comments. Mayor Cordova closed the Public Hearing.

Mayor Jerah Cordova asked for a motion to approve the Bond Ordinance. Councilor Gallegos so moved. Mayor Jerah Cordova asked for a second Councilor Ortega seconds the motion. Roll Call Vote:

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

**DISCUSSION WITH POSSIBLE ACTION**

**Approval or Disapproval of the MOA with Valencia County for the Storm water MS4 Advisory Group. John Best**

EPA is going to reissue the National Discharge Elimination System General Permit for small Municipal separate storm systems in New Mexico, called the MS4. Consolidated to seven in the area, DOT Peralta, Bosque Farms, Los Lunas, Belen, Rico Communities and the County. Group set up to put the information together to issue the permit. Hoss Foster, Code Enforcement with the County will be the lead of the group after 180 days will enforce the permit. We and other entities have to test for affluent and influent E.coli and water temperatures and control sediment into the river and the ditch banks. Further discussion/comments held from Councilor Ortega and Councilor Gallegos.

Mayor Jerah Cordova asked for a motion to approve the MOA. Councilor Gallegos so moved. Mayor Jerah Cordova asked for a second Councilor Aragon seconds the motion. Roll Call Vote:

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

**Approval or Disapproval of the MOU between the City of Belen and Valencia County. Transfer Station Use. Lina Benavidez, VC Public Works Director.**

The agreement has always held, just a renewal of the contract.

Councilor Gallegos commented that there is sometimes more than 3 truckloads coming out but we have worked on the rate fees for the County, in City and out of City residents and the different/updated rates a couple of dollars. Mayor Cordova comments on a minor typographical error. Roman number III, item c, should be section 7 not 10.

Lina to correct and send to Leona, read a thank-you from the Board of County Commissioners.

Mayor Jerah Cordova asked for a motion to approve the MOU. Councilor Gallegos so moved. Mayor Jerah Cordova asked for a second Councilor Aragon seconds the motion. Roll Call vote:

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

**Approval or Disapproval of the Resolution for the Well No 5. Roseann Peralta**

Follow process with all our other loans, must adopt a lengthy resolution, giving them authority to execute the loan payment paperwork. Authorization. Through the New Mexico Finance Authority, the Water Trust Board. WE applied for the monies, they used to be 100% grant but the past couple years they have gone to a grant/loan combo. Well No 5 to get funded, grant loan approval. Funds will be dispersed out of the grant and the loan at the same time until grant is

suspended and then whatever is remaining will come from the loan. When the project is complete, one year after complete is when the first loan payment is due. Paid out of the water fund.

Mayor Jerah Cordova asked for a motion to approve the Resolution. Councilor Ortega so moved. Mayor Jerah Cordova asked for a second Councilor Aragon seconds the motion. Roll Call vote:

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

**Approval or Disapproval of the Special Appropriation Project, Signature Authorization Resolution. Leona**

This was already acted and heard on this, was Resolution-22. NM Environment kicked it back, said they needed me on the Resolution as an alternate signature. Charlotte added and re-drafted the Resolution to fulfill this request. Resolution 2016-26 now.

Mayor Jerah Cordova asked for a motion to approve the Resolution. Councilor Gallegos so moved. Mayor Jerah Cordova asked for a second Councilor Aragon seconds the motion. Roll Call vote:

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

**Discussion**

**Land Trust with Belen Schools and Terra Patre Dahl Sheep Farms. Donald Chavez**

School board met a week ago regarding the three-way trust between my family, school board and the City of Belen. We would put the farm that supports the sheep into a perpetual trust, something similar to an Indian reservation with the Federal trust. Would work with a board of directors, a lot of volunteers and a trust. These sheep have been recognized by the State, Bernalillo County Commission. Meeting went positive. I would like to express my gratitude to the council and school board. I have a small piece of property on River Rd, 1/10 of an acre to place a monument, wanted to offer that up as well. Gave brief history of the sheep and eating them and shearing them. State historian called, doing a story on the sheep for Edible magazine.

Mayor Cordova further explained that this issue was discussed before and council decided to send to the Schools for the educational component to the project. Schools do want to be a partner, they will take the lead in terms of care for the particular farm and ensuring the well-being of the sheep, as well as introducing an educational component. Action that the School board wanted us to carry forward was to engage the City Attorney so that she can meet with the school and they can put together that final agreement that we would bring to the various parties. Almost there.

**Communications from the City Council**

**City Manager Report**

On October 5<sup>th</sup>- Sign/Water ordinance workshop. Sign sent to P/Z they made one change. I am unaware of the one change they want. Water ordinance- meet with water rates committee meeting on the 21<sup>st</sup> at 9a.m. to go over that. Councilor Carter, Steve Etheridge met with MRGC re: Willie Chavez River Park reopening soon. Matanza meeting with Abenicio Sisneros he will fill out a service form to see what he wants. Go from there. Sewer/Animal Control Ordinance Workshop. Sewer we didn't get anywhere. Tuesday the 18<sup>th</sup> we have Sidewalk at 1:00 p.m. 20<sup>th</sup> Air force opening at 3p.m. Vacation on 10/24-10/28. Not sure if it will be a trick or a treat when I come back on Halloween.

**Councilor Gallegos:** 5<sup>th</sup> luncheon at the Business Center, Groundbreaking, Sign/Water Ordinance Workshop, Requested an inventory from Etheridge on the inventory of generators, etc. Dale assures that the company that works on the waste water plant will look at the generators. Please check on that if any PO's have been issued. The chipper, did it get fixed. (Leona answers yes it is running) Are we hiring someone to help get that pile down (Leona comments yes, but unsure of any requisition that has been filled out) We need to get this pushed through. ED was here, this is a high importance. Attended school board meeting. 14<sup>th</sup> reviews policy at the Senior Center, sponsored a Senior Oldies Dance, today sponsored a pool tournament. Day to day operations are run by the County, not the City. Offer another place for the Seniors to play pinochle at the Recreation Center? Further discussion regarding Seniors and RSVP.

**Councilor Ortega:** Veterans Memorial was nice, further discussion again on this topic. Luncheon was nice. (In audible discussion) Thanks to Roseann, finances always done well. Thanks to Rosemary for food. Gave soccer balls to DCE students who helped with that.

**Councilor Aragon:** Chamber luncheon, fabulous. Veterans Memorial, awesome job to New Bulletin for covering that, Sign and Water Ordinance. Meeting a lot for fashion show on November 4<sup>th</sup> at the Business Center. F/E pending, supposed to close soon. Much further discussion on F/E Plaza and preservation.

Mayor Cordova: Attended Veterans memorial, proud to be a part of that. Sign ordinance, Steve Etheridge participated in that with us, we haven't allowed our businesses to promote themselves properly with the size of the signs on the interstate. Attended School Board meeting, to give soccer balls to kids and for the Dahl Sheep presentation. Met with the Hispano Chamber regarding Matazna, to see if Eagle Park is ready. Meeting with Judge J. Chavez regarding Magistrate Court exciting things coming before the council the next few years. Quick trip to DC, missed workshops, constituent meeting on Saturday. Only complaint was High Schooler's driving too fast after school, if we could figure that out, that would be great.

#### ADJOURNMENT

Mayor Jerah Cordova asked for a motion to adjourn tonight's Regular Council Meeting. Councilor Frank Aragon motioned to adjourn. Councilor Gallegos seconds the motion. Roll Call Vote:

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

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Jerah Cordova, Mayor

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Leona Vigil, City Manager, CMC

