

**CITY COUNCIL WORKSHOP
MONDAY, MARCH 17, 2008 6:00 P.M.
CITY HALL COUNCIL CHAMBERS
405 N. PASEO DE OÑATE, ESPAÑOLA, NM**

The meeting was called to order at 6:13 p.m. with the following attendance:

Mayor: Joseph Maestas
Mayor Pro Tem: Alice Lucero
Councilors: Danielle Duran (absent)
Rosario "Chayo" Garcia
Alfred Herrera
Cecelia Lujan
Eddie Maestas
Helen Kain-Salazar
Dennis Tim Salazar

City Manager: Gus Cordova

City Clerk: Veronica Martinez
Lucas Gauthier

City Attorney: Angela Pacheco

Mayor Maestas lead the Pledge of Allegiance and invocation.

APPROVAL OF AGENDA:

Mayor Maestas presented the agenda for approval.

CALL TO ORDER

APPROVAL OF AGENDA

PUBLIC COMMENTS

COUNCILOR COMMENTS

STAFF REPORTS

1. Council Questions of Department Staff Reports
2. Financial Report [Elias Martinez]
3. Mid-Year Budget Review/Grant Status [Elias Martinez]

ACTION ITEMS

4. Designation of Representatives for the NMML District 2 Meeting [Mayor Maestas]

ITEMS PROPOSED FOR COUNCIL CONSIDERATION

5. Memorandum of Understanding with Weed & Seed Coalition for City to Serve as Fiscal Agent for FY 08-09 [Julian Gonzales]
6. Approval of General Contractor for Senior Center Remodel [Barbara Roensch, Molzen-Corbin & Associates]
7. Resolution 2008-04 Keep Española Beautiful: Adopt a Median & Neighborhood Clean Up Program [Cyrus Samii]
8. Co-Sponsorship of *Every Fifteen Minutes* Program [Leroy Garcia]
9. Co-Sponsorship of Corvette Club of Española Rally at Plaza de Española [Leroy Garcia]
10. Lease Agreement and Professional Services for Rio Grande National Heritage Area [Leroy Garcia]
11. Budget Adjustment Request (DFA Resolution No. 16) for 100 Days 100 Nights Grant and (DFA Resolution No. 17) for Click it or Ticket Grant [Lupita DeHerrera]
12. Ordinance 2008-03 Imposition of ¼% Gross Receipts Tax [Gus Cordova]
13. Award of RFP 2008-01 Final Phase – Mobile Mesh [Bernadine Martinez]
14. Award of RFP 2008-02 Janitorial Services [Elias Martinez]
15. Award of RFP 2007-10 IT Services [Elisa Martinez]

16. Resolution 2008-05 Open Meetings Resolution [Veronica Martinez]
17. Resolution 2008-06 Authorizing the Destruction of Certain Public Records [Veronica Martinez]

EXECUTIVE SESSION

18. Pursuant to Section 10-15-1(H)(2) of the Open Meetings Act to discuss personnel matters

ANNOUNCEMENTS

ADJOURNMENT

Mayor Maestas stated that the meeting would be held until 8:00 p.m., and then stand in recess until 6:00 p.m. March 18, as several councilors had to leave and there would no longer be a quorum.

Mayor Maestas asked to add a resolution titled *A Resolution Declaring A Vital Need For A Regional Detention And Detoxification Facility In The Española Valley And Authorizing Emerald Prison Development, LLC to Conduct A Feasibility Study* as the last item to agenda as well as deletion of item 5.

Councilor Salazar made a motion to approve the agenda as amended, seconded by Councilor Kain-Salazar; motion passed 6/0. (Councilor Maestas out of chambers)

PUBLIC COMMENTS:

None.

COUNCILOR COMMENTS:

Mayor Pro Tem Lucero announced that she had received notice from the Scorpions Hockey Team that they were having a city promotion to give tickets for Friday's game and suggested that recreation may want to take youth or YTC, or that employees may want to take advantage.

STAFF REPORTS:

No questions or comments.

FINANCIAL REPORT:

Elias Martinez presented his report, stating that the FY 06-07 audit had been submitted and should be reviewed and reported by early April. Utilities department had been updated to a new Casselle Version, the latest of financial software. Mayor Maestas stated that he had been approached by constituents, asking if they could pay utility bills online, and the council had already instructed the City Manager to have the necessary module installed. Mr. Martinez stated that he did forward the request and that the IT Administrator was in contact with Casselle, but the city must purchase "Clarity" and that was a \$15,000 module for the online payment system. Councilor Lujan stated that if it was not feasible, they should at least convey that to the customers by newsletter.

Mr. Martinez stated that Utility Billing had implemented the new rate for garbage to match the NCSWA rate. Councilor Herrera asked about the preschool issue and whether the billing software provided an exception report regarding highs and lows. He stated that the preschool bill should have been caught on the billing side before it went out so the customers could be alerted to a potential problem and not incur unnecessary costs. Mr. Martinez stated he had been stressing a more strict review by billing staff before bills go out.

Mr. Martinez reported that with \$5 million of general bank account money, the city purchased a 120-day \$2.5 million CD at 3.8% interest; it is 100% collateralized. The

remaining amount was invested in the Local Government investment pool, which carried a variable rate.

With regard to the budget, he requested a special finance board meeting, which was set for March 26 at 6:00 p.m. He reported that a notice from taxation and revenue had been received regarding Prince Ranch property taxes that had not been paid. He reported that the matter had been taken care of, and the tax and penalties of \$38 had been paid.

Mid-year budget review

Mr. Martinez stated that the Special Finance Board Meeting would address the grant status and mid-year adjustments as well as a model accounting practices first draft for asset disposal.

ACTION ITEMS

Mayor Maestas stated that the NMML District 2 meeting would be held March 24 in Los Alamos and the city needed to designate a voting delegate. Councilor Kain-Salazar volunteered.

Councilor Herrera made a motion to designate Councilor Kain Salazar as the voting delegate, seconded by Councilor Maestas. Motion passed 7/0.

ITEMS PROPOSED FOR COUNCIL CONSIDERATION

General Contractor for Senior Center Remodel

John Pate of Molzen Corbin & Associates (MCA) presented on this item. He stated that the project was under budget; there were four bids received and opened on February 19. He reported that the low bid was 4-A Construction of Peñasco. He stated that the contractor was reviewed by MCA and met all requirements; he recommended the award of low bid of \$170,595 plus tax to 4-A Construction.

Councilor Herrera asked Mr. Pate if any of the plans changed in the scope of work. Mr. Pate stated it was pretty much the same. He stated that MCA's estimate was higher, but 4-A was mid-range of the bids received. He stated that they had budgeted for other contingencies and were still within about \$70,000. He suggested that the city could do new lighting with the extra money and that was the most logical next expenditure. Councilor Herrera asked Elias Martinez to give an overall view of the senior center appropriations at the finance meeting.

Councilor Kain-Salazar made a motion to put on consent agenda, second by Councilor Maestas; motion passed 7/0.

Keep Española Beautiful

Cyrus Samii presented this item. He stated that it was dear to many councilors to keep Española beautiful. He stated that the planning department had come up with a program to do that; a 2-pronged approach – scheduled clean ups throughout the city in neighborhoods in partnership with NCSW, civics groups, and neighborhoods; and an Adopt-A-Median plan.

He stated that they had encountered difficulty in cleaning up the problem areas in the city; junk cars, trash in yards, etc. He explained the process of the scheduled clean ups: staff would identify an area and canvass it; during this week, resources such as on-site dumpsters would be provided, and information would be provided about tow away and

curb-side service. The concept was to provide the resources to people to enable them to clean up their own back yards.

The implementation plan was to do two neighborhoods per month with a 20 week schedule. They would list the highest priority neighborhoods and address those in the first year. He asked that the community roll up their sleeves and that the council work the plan in their districts.

With regard to the Adopt-A-Median program, Mr. Samii explained that it was essentially landscaping treatment and suggested a look to Sunport who showed what was possible with xeriscape. He stated that the reason to give people to adopt was to advertise, and to express community pride. The progress to date on the project was an inventory of medians, photos and measurements, and a simple contract stating the adopters will put in the improvements and maintain them. He stated that there would be some need to meet criteria regarding safety, maintenance and the city would provide an "Adopted by..." sign.

Mr. Samii reported that city gateway treatments were looked into but were not met with a lot of enthusiasm. He stated that they would like to work with community members, art classes through schools to celebrate the traditions, history, and culture of the valley and create a sense of community in the entry ways into the city so that people know they have arrived.

Councilor Lujan commented on the excellent work done and encouraged all to get their rake and shovel ready!

Councilor Garcia made a motion to put on consent agenda, seconded by Councilor Lujan; motion passed 7/0.

Co-Sponsorship of *Every 15 Minutes* Program

Leroy presented on this item. He stated that he felt this program to be held April 8-9 at EVHS would be a very vital program to deter the use of alcohol and drugs by kids. Marcella Sandoval was present and described the program, which was a 2 day event with nationwide participation; students were nominated by faculty or by peer groups. The program created a staged accident in conjunction with EPD and FD in which there was a simulated death, and a drunk driver is arrested; every 15 minutes a student would be taken out and be isolated and given drug and alcohol education and would also be taken to the mortuary for a tour of the mortuary. She was asking the city to host them overnight at the Lucero Center; 911 center was donating cots, and there would be chaperones and strict rules.

Mayor Maestas thanked her for the presentation, stating it was a great initiative. Leroy Garcia reported that Weed & Seed would be providing overtime funds for PD and FD involved.

Councilor Garcia expressed thanks to Marcella for her efforts, as did Councilor Salazar

Motion to place on consent agenda was made by Councilor Garcia and seconded by Councilor Lujan; motion passed 7,0.

Co-Sponsorship for Corvette Club at the Plaza

A presentation was made about this group who wants to promote the Valley and would be holding a rally May 31-June 1. They would be hosting a group from Las Vegas, Nevada and would tour the Misión, the plaza, and would have a barbeque. They requested the use of the plaza and co-sponsorship.

Leroy suggested that there be no cars allowed inside the original square, and only in the Southwest corner. Mayor Pro Tem Lucero stated she wanted to see activities every weekend at the plaza and was excited about such events.

Motion to put on consent made by Councilor Lujan, seconded by Mayor Pro Tem Lucero. Motion passed 7/0.

Lease Agreement National Heritage Area

Jose Villa presented at the last meeting and was approved tentatively pending the Lease and the Professional Services Agreement. The NHA wanted to move forward with an April 1 occupancy.

Motion for consent agenda made by Councilor Garcia, second by Councilor Lujan. Passed 7/0.

Budget Adjustment Requests

Elias Martinez presented this item, stating that they proposed to increase the budget to account for the *100 Days and Nights in Summer* grant and establish a fund and budget for grant funds for the *Click It and Ticket* grant. DFA Resolution #16 – 100 Days and Nights in Summer – Grant #08-PT-DS-033 - \$6,000 and DFA Resolution #17 – Click It or Ticket – Grant #08-OP-CT-033 - \$2,499. He stated that a budget increase must be established to account for the revenues and expenditures which will be accounted for in this fiscal year.

Motion for consent made by Councilor Herrera, second by Councilor Salazar. Passed 7/0.

Imposition of ¼ % Gross Receipts Tax

Elias Martinez gave an overview of the plan, explaining that this was a new authorization that could be used for general purposes. He stated that it must be adopted by the end of March to be effective July 1, and the city would receive the first monies in September. He stated that if adopted after April 1, it wouldn't be effective until Jan 2009. He stated that the fiscal impact to the consumer would be one penny for every \$400 spent. He reported that the city would realize \$800,000-\$900,000 per year and would budget it as a separate fund to account for every dollar generated.

The plan for use by the city would be 1/3 in the police department for fleet replacement, hiring of more staff, retention of staff and equipment replacement and enhancement.

Street improvements would be allocated 1/3 toward street improvements, paving, pot hole repair, and striping throughout the city and may allow them to work on North McCurdy. He also stated that it could be used for needed match funds.

A third use would be an allocation of 1/16 for recreation. The plan was to upgrade the ball fields; exercise equipment at the Lucero Center such as treadmills, and enable the city operate at a level to keep up with somewhat state-of-the art equipment; provide better services for the community in the fields, library, recreation.

The fourth portion was proposed for 1/16 toward building improvements, which currently had a budget of \$100,000. We have 23 buildings to maintain in the city; which was only \$4,000 per year per building.

Councilor Garcia stated that while this wouldn't be the answer for all of our needs, she felt that we should still do this to improve our services. Councilor Kain-Salazar stated

that people weren't spending money, and didn't think we'd see the money. She stated that we were a poor community, and a poor county. Councilor Salazar stated that in the past revenue had been overestimated in the past and the city had been shortchanged. He asked if it had been evaluated that this would indeed be \$800,000-\$900,000 per year. Mr. Martinez stated that these were their best projections, and were still modest projections and were such a small impact to people, but a large impact to the city.

Mayor Maestas asked what the statistics were regarding how many citizens actually pay the tax since so many people come from outside the city to purchase goods and services. Mr. Martinez stated he believed it to be in excess of 30%, perhaps more.

Councilor Herrera agreed with Councilor Garcia that this was not enough and revenues were not coming in the way they should be; he still wanted to see aggressive cost containment measures; are we operating as efficiently as we could be? His hope was that the HRganics group was assessing our staffing and our efficiency of services, as that still needed to be considered. He stated that all taxes are minimal and people don't consider the full impact; he was glad to hear it in dollars and cents.

Mayor Pro Tem Lucero made a motion to hold a public hearing regarding the tax on March 25, seconded by Councilor Lujan; motion passed 7/0.

Councilor Lujan and Councilor Garcia left at 7:59 p.m.

Final Phase Mobile Mesh

Ray and Greg Ortiz reported that Phase I had been deployed, but that the links were not yet running. They reported that a design change had been made and equipment had been ordered. They reported that their recommendation for Phase III was to reject all bids with the exception of the purchase of the equipment. Mr. Ortiz stated that none of the bidders met their criteria; however, they were asking to approve the funding of \$869 per unit of the equipment expenditure once the protest period expires; a total of \$88,650.15 for 18 units to be outfitted.

Mayor Pro Tem Lucero made a motion to place the recommendation on the consent agenda, seconded by Councilor Herrera; passed 5/0.

Motion to recess meeting until 6:00 p.m. March 18, 2008, at City Hall Council Chambers was made by Mayor Pro Tem Lucero, seconded Councilor Kain-Salazar; motion passed 5/0.

Meeting recessed at 8:07 p.m.

The meeting resumed on March 18, 2008 at 6:07 p.m. with the following attendance:

Mayor:	Joseph Maestas (absent)
Mayor Pro Tem:	Alice Lucero
Councilors:	Danielle Duran
	Rosario "Chayo" Garcia
	Alfred Herrera
	Cecelia Lujan
	Eddie Maestas
	Helen Kain-Salazar
	Dennis Tim Salazar (absent)
City Manager:	Gus Cordova
City Clerk:	Veronica Martinez
	Lucas Gauthier

Award of RFP 2008-02 Janitorial Services

Elias Martinez presented on this item. He stated that based on the committee's evaluation of the proposals, they were recommending the award to Bertha Galvan. Others who submitted were: Crystal Clear Maintenance, Inc, PMI, Presidential Cleaning Services, SMI Facility Services. The committee was comprised of Lucas Gauthier, Isabel Martinez, Leroy Archuleta, Bernadine Martinez and Lupita DeHerrera. The proposal was at a rate of \$1,200 per month. Mr. Martinez asked to have the award placed on the consent agenda.

Councilor Lujan made a motion to put on consent agenda, seconded by Mayor Pro Tem Lucero. Motion passed 7/0.

Mayor Maestas arrived at 6:11 p.m.

Award of RFP 2007-10 IT Services

Mr. Martinez reported that there were five proposals received: CAM-NET, Computer Assets, E-finity, Ortiz Systems Integration and Tech Dude. The committee was comprised of Elias Martinez, Lucas Gauthier, Veronica Martinez, Lupita DeHerrera and Joe Duran. The top three were invited to do oral presentation as well. The committee recommended Ortiz System Integration. They proposed no monthly charge for basic support services, only for actual work performed.

Mayor Pro Tem Lucero moved to place on consent, seconded by Councilor Herrera.

Councilor Duran asked why Joaquin Maestas was not on the evaluation committee. Mr. Martinez stated that Mr. Maestas was kept informed and was allowed to provide input through Mr. Martinez, his manager.

Motion passed 7/0.

Resolution 2008-05 Open Meetings Resolution

City Clerk Veronica Martinez presented this item, stating that this annual resolution outlined the requirements of meeting the Open Meetings Act with regard to meeting notice, and asked that it be placed on the consent agenda.

Motion to place on consent agenda was made by Councilor Garcia, seconded by Councilor Kain-Salazar. Motion passed 7/0.

Resolution 2008-06 Authorizing Destruction of records

City Clerk Veronica Martinez presented this item, stating that these were approximately 20 boxes of election materials from 1998-2006, which were all eligible for destruction; she asked that this be placed on the consent agenda.

Mayor Pro Tem Lucero made a motion to place on the consent agenda, seconded by Councilors Duran and Garcia. Motion passed 7/0.

Resolution Regarding Detention Facility Feasibility Study

Mayor Maestas stated that this resolution declares the need for a regional detention facility and initiates the process of analysis of the area for a facility. He stated that the Emerald Group was willing to pay for the study and were willing to present to council next week to explain their role. Councilor Herrera thanked the Mayor for his efforts to move this item forward, and that a feasibility analysis did need to take place and was a step in the right direction. Mayor Pro Tem Lucero stated that the other stakeholders

needed to be included from the beginning. Councilor Duran stated that she opposed the privatization of jail services but was willing to listen.

A Special Workshop was scheduled for April 22, 2008, to include Rio Arriba County, Santa Fe County, Okay Owingeh, and Santa Clara to focus on Regional Detention Facility.

ANNOUNCEMENTS

Mayor Pro Tem Lucero announced a Special Public Utilities Meeting on April 16.

Mr. Cordova shared the concept plans for improvements to city hall, starting with the Council Chambers.

EXECUTIVE SESSION

Motion to go into executive session was made by Councilor Garcia pursuant to section 10-15-1 to discuss personnel matters, seconded by Councilor Lujan and Councilor Kain-Salazar.

A voice vote was taken and the motion passed unanimously. The council convened in executive session at 7:02 p.m.

Councilor Garcia made a motion to return to regular session, seconded by Mayor Pro Tem Lucero. A voice vote was taken and the motion passed unanimously. The council returned to regular open session at 9:04 p.m.

There being no further business, the meeting adjourned at 9:05 p.m.

Passed, approved and adopted on April 29, 2008.

Electronic copy – signatures on file

Transcribed by Veronica Martinez