

**SPECIAL CITY COUNCIL MEETING MINUTES  
MONDAY, NOVEMBER 20, 2006, 4:30 P.M.  
CITY HALL COUNCIL CHAMBERS  
405 PASEO DE OÑATE, ESPAÑOLA, NEW MEXICO**

The meeting was called to order at 4:32 pm. with the following present:

Mayor	Joseph M. Maestas
Mayor Pro Tem	Alice Lucero
Councilors	Helen Kain-Salazar Eddie Maestas Alfred Herrera (absent) Danielle Duran Cecilia Lujan Dennis Tim Salazar Rosario “Chayo” Garcia
City Manager	Chris Rainwater (Absent)
City Attorney	Angela “Spence” Pacheco
City Clerk	Veronica Martinez

**Mayor Pro Tem Lucero made a motion to approve the agenda, seconded by Councilor Lujan, the motion passed with a 7/0 vote.**

Mayor Maestas asked the City Attorney to address the first item regarding statement of closed meeting of November 18, 2006. Ms. Pacheco stated that the Governing Body had convened in a closed meeting to discuss the possible resignation of the City Manager, and a proposed severance package. She stated that no action took place at that meeting.

Mayor Maestas stated that the discussion item on the agenda was not necessary, and that they would address the action item of the City Manager Position.

Angela Pacheco stated she had received Chris Rainwater’s resignation letter, and for the Governing Body’s consideration, a settlement and release document. The settlement proposal was a cash payout of \$30,000 and that the City pay COBRA insurance for up to 6 months, all accrued annual leave and his regular bi-weekly pay for the pay period ending November 17. The document also releases the City of Española for past, present and future claims he may have.

Council members asked to see the letter, and Ms. Pacheco gave the letter to Mayor Maestas, and he read the letter into the record. Mayor Maestas asked if there were questions regarding the severance package.

*Councilor Herrera arrived at 4:37 p.m.*

**Motion to ratify the severance package was made by Mayor Pro Tem Lucero, seconded by Councilor Kain-Salazar.**

Under discussion, Councilor Duran asked if they must accept resignation as well. Mayor Pro Tem Lucero amended motion to accept resignation and to approve the severance package to include all terms; Councilor Kain-Salazar agreed to the amendment.

**A roll call vote was taken: Councilor Kain-Salazar for the motion, Councilor Garcia for the motion, Councilor Maestas against the motion, Mayor Pro Tem Lucero for the motion, Councilor Herrera against the motion, Councilor Durán against the motion, Councilor Lujan for the motion, Councilor Salazar for the motion. The motion carried 5/3.**

**Councilor Maestas moved to adjourn, seconded by Councilor Herrera. The motion passed with an 8/0 vote.**

**PASSED, APPROVED AND ADOPTED this 11<sup>th</sup> day of December 2006.**

*Electronic copy – Signatures on file*