

**CITY OF ESPAÑOLA CITY COUNCIL MEETING
THURSDAY, DECEMBER 20, 2007 6:00 P.M.
CITY HALL COUNCIL CHAMBERS
405 N. PASEO DE OÑATE, ESPAÑOLA NM**

The meeting was called to order at 6:09 with the following present:

Mayor	Joseph M. Maestas (absent)
Mayor Pro Tem	Alice D. Lucero
Councilors	Danielle Duran (absent)
	Rosario "Chayo" Garcia
	Alfred Herrera
	Helen Kain Salazar
	Cecilia Lujan
	Eddie Maestas (absent)
	Dennis Tim Salazar

City Manager	Gustavo Cordova
City Attorney	Angela Rosalina Pacheco
City Clerk	Veronica Martinez
	Lucas Gauthier

Staff Ted Garcia, Russell Naranjo, Larry Valdez, Cyrus Samii

Mayor Pro Tem Lucero led the Pledge of Allegiance and Invocation.

APPROVAL OF AGENDA:

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND INVOCATION

APPROVAL OF AGENDA

APPROVAL OF CONSENT AGENDA

1. Minutes of November 14, 2007 Special City Council Meeting
2. Minutes of November 19, 2007 City Council Workshop
3. Minutes of November 27, 2007 City Council Meeting
4. Request for Easement through City Property off Fairview Lane – Gallegos
5. JPA Between Forestry Division (EMNRD) and the City for Wildland Fire Protection and Suppression
6. Request from Mainstreet for City to Serve as Fiscal Agent
7. Resolution 2007-69 A Resolution In Support of Removal of Nuclear Waste at Los Alamos National Laboratory
8. Resolution 2007-70 In Support of NMDOT Allocation of \$2.2M for Mainstreet Improvements
9. Resolution 2007-71 In Support of the Development of Keep Española Beautiful Program
10. Budget Adjustment Request for FY 07-08 (DFA Resolution #5-BOR-02-FC-40-6010 - \$401,661.75 DFA Resolution #6-Operation DWI - \$19,775.00, DFA Resolution #7-Operation Buckle Down - \$5,000.00, DFA Resolution #8-DWI Program Enforcement Officer - \$45,738)
11. Request for Support of Fiesta Activities
12. Award of Contract to Integrity Networking for Phase II of the Wireless Mesh System for Public Safety

PUBLIC COMMENTS

COUNCILOR COMMENTS

STAFF REPORTS

13. Finance Report

ITEMS PROPOSED FOR COUNCIL CONSIDERATION

14. Resolution 2007-73 In Support of the Consideration of Policy and Administrative Alternatives to Incarceration

**ANNOUNCEMENTS
ADJOURNMENT**

The minutes of November 19 were removed and moved to the January agenda.

Councilor Salazar made a motion to approve the agenda as amended, seconded by Councilor Kain-Salazar.

There was discussion about the change of the title regarding Mainstreet, as the “Mainstreet” is trademarked. The issue warranted further discussion and was moved from the consent agenda.

Motion passed 6/0.

APPROVAL OF CONSENT AGENDA

Councilor Garcia asked to pull from Consent #'s 6 and 8 and make them item #15 as there were items regarding them to be discussed.

Motion to approve the consent agenda was made by Councilor Garcia and seconded by Councilor Herrera; motion passed 6/0.

PUBLIC COMMENTS

None

COUNCILOR COMMENTS

For the record Councilor Herrera stated that the traffic light issue at Industrial and Fairview was still a problem even though he had asked that it be looked into.

STAFF REPORTS

Finance Report - Councilor Herrera stated that he knew there was a plan to work on a revised format for the report, but in the current report there were different numbers presented for GRT revenues and expenditures and needed to be reconciled. He suggested that a small committee work with the new CFO to come up with a financial report before the next meeting.

Items for Consideration

Resolution 2007-73 In Support of the Consideration of Policy and Administrative Alternatives to Incarceration

Councilor Herrera presented this item, stating that the purpose of the resolution was because for months the Public Safety committee had discussions about considerations for cost containment measures for the care of prisoners. Many ideas had been tossed around, then had some visits with the Judge, the Chief; the resolution requests that the Public Safety Committee along with the City Manager, Judge, and Detention Director, get together to talk about the alternatives both in policy and administrative perspectives to look at both short and long term alternatives. He pointed out that there had been a 49% increase in two fiscal years, and that was an eye opener. He stated that it was important to try to figure out if there is something we should and could be looking at. He stated that he had presented previously some ideas, from bondsman to having them pay a part of the cost – and all that the resolution asked was to get together to consider the alternatives and bring a report to the council in January.

Councilor Salazar asked for input from the Judge and Detention Director Ted Garcia. Judge Salazar stated that he had not seen the resolution, but that he was not opposed to other alternatives to incarceration and was always open to working with Governing Body

and has been conscious of the cost when sentencing someone. He stated that a lot are repeat offenders and are high risks and are not candidates for house arrest or bracelets – the city would have to have a very strong enforcement program, including a compliance officer that has the authority of an officer. He stated that he had met once with Councilor Herrera and Councilor Salazar and was open to any ideas.

Councilor Herrera supported and emphasized the Judge's comments and certainly appreciated his presence for the resolution and his willingness to talk about issues, explore possibilities.

Councilor Salazar made a motion to approve the resolution, seconded by Councilor Herrera.

Under discussion, Ted Garcia, Detention Director was asked if he had any ideas for cost saving measures. He stated that he had researched a bracelet system and that it was \$400 per system and required the hiring of a compliance officer that would cost \$2000 per month; he reported that right now housing in McKinley County costs \$1600 per month. He stated he was willing to sit down and explore other alternatives.

Councilor Salazar agreed. He stated that Public Safety committee could meet as requested, to come up with good solid solutions to save the city money without compromising any public safety.

Councilor Kain-Salazar asked the City Attorney if she had any comments. Angela Pacheco stated that when she was with the City of Santa Fe they had ankle monitoring and had one compliance officer. She stated that they had to enact an escape ordinance to make escape from monitoring a crime. She reported that it was all done electronically, if not where supposed to be they were in violation; the down side was the offender had to have a land line and some could not afford that ; the program wouldn't work in that case. She stated that Santa Fe had a favorable experience. She said it was a good idea to get together and talk about alternatives. Mayor Pro Tem Lucero asked about the \$400 fee and whether it could be charged to the offender. Ms. Pacheco reported that in Santa Fe it was based on sliding income scale.

Motion passed 6/0.

Request for city to serve as fiscal agent for Mainstreet

Discussion was held about changing the name of "Mainstreet" to avoid problems with the "Mainstreet" title. Mr. Cordova suggested they remand it back to the organization to see what their title is, as the council should not change what they submitted. Mayor Pro Tem Lucero suggested that they go ahead with approval of acting as fiscal agent and ask the new organization to make the change and let us know.

Mr. Samii stated that through the legislative process the money would likely be designated for "improvements to the theater," and should not be an issue with the trademarked "Mainstreet" name.

Ms. Pacheco asked if they were a non-profit organization, and thought maybe they had just picked up the name because it was convenient. It was reported that they had tried to be a Mainstreet community, but were not approved. Ms. Pacheco stated that was not good to approve something for an organization that does not exist. Mr. Cordova agreed, that they should wait until they let us know because they may go through another 503-C organization. Councilor Herrera suggested another alternative to approve with a qualifier to serve as a fiscal agent if they qualify for appropriation. Ms. Pacheco stated that was too complicated, and not recommended. Her recommendation was to wait until we have a clear organization request.

Councilor Herrera made a motion to postpone action on the request from Mianstreet for the city to serve as fiscal agent until January meeting, seconded by Councilor Garcia. Motion passed 6/0.

Councilor Garcia made a motion to approve Resolution 2007-70, seconded by Councilor Kain-Salazar and Councilor Lujan. Motion passed 6/0.

ANNOUNCEMENTS

The Judge announced an open house at the court from 8-11 on the 21st. Mayor Pro Tem Lucero also invited as it was to be a Chamber Event.

Ms. Pacheco made an announcement on behalf of the employees how grateful for the holiday week off; it was a very positive move for the employees as they felt validated and feel better.

There being no further business before the Governing Body, the meeting adjourned at 6:48 p.m.

Passed approved and adopted this 22nd day of January 2008.

Electronic copy – signatures on file

Transcribed by Veronica Martinez