I. CALL TO ORDER BY MAYOR MARK L. GALLEGOS

Mayor Gallegos called the meeting to order at 6:05 pm.

II. ROLL CALL

Mayor Gallegos asked Village Clerk Renee Martinez to take roll.

Present:
Councilman John Anthony Ortega
Councilman Charlie I. Gonzales
Councilwoman Louise T. Gallegos
Councilman Brent P. Jaramillo

Also Present:
Administrator Nicholas Maestas
Village Clerk Renee Martinez
Finance Director Karen Shannon
Utilities Clerk Nadine Herrera
Administrative Assistant/CPO Dina Coleman
Attorney Lance Hough
Municipal Judge Michael Rael

III. PLEDGE OF ALLEGIANCE

Ms. Dina Coleman led the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Councilman Ortega requested that Item IX. E be moved down the agenda after the Executive Session item.

Councilman Jaramillo requested that a discussion item be added regarding a Governing Body retreat.

Motion: Councilman Ortega
Second: Councilman Jaramillo

In Favor: All
Opposed: None

To approve the agenda as amended. All voted yes. Motion carried.

V. APPROVAL OF MINUTES

- Regular Meeting, February 13, 2018
Motion: Councilman Gonzales – Stated that although he did not attend this meeting he will motion to approve the minutes in order to get them filed and on the record.

Second: Councilman Ortega

In Favor: All
Opposed: None

To approve the February 13, 2018 meeting minutes as presented. All voted yes. Motion carried.
  • Regular Meeting, February 27, 2018

Motion: Councilman Gonzales – Stated that the same motion applies to these minutes as the ones prior.
Second: Councilman Ortega

In Favor: All
Opposed: None

To approve the February 27, 2018 meeting minutes as presented. All voted yes. Motion carried.
  • Regular Meeting March 13, 2018

Motion: Councilwoman Gallegos
Second: Councilman Gonzales

Councilman Ortega stated that there was a typo on line 163.

In Favor: All
Opposed: None

To approve the March 13, 2018 meeting minutes as amended. All voted yes. Motion carried.

VI. **PUBLIC COMMENTS** - *(It is the policy of the Governing Body to accept public comment. Because your particular issue is not on the agenda the Governing Body cannot respond immediately, but may direct staff to address issues at a future Council Meeting. Public comments are limited to a maximum of three minutes.)*

Mr. Christian Isely – Economic Development Advisor, Chevron:
  • The annual economic development planning workshop will be held on April 17th and 18th in the evening. Many economic development topics will be covered and will be very informative.
  • Offered to meet with the new Councilmembers one on one to brief them on all of the economic development work that has been done over the past few years.
  • The Questa Land and Water Non-Profit Corporation - We are waiting on the QEDF and Village to finalize the Board make-up of this organization.

VII. **PRESENTATIONS** -
  A) Questa Economic Development Fund Board Update - Mr. Malaquias Rael, Board Chairman

Mr. Malaquias Rael stated that also representing the QEDF is Executive Consultant Ms. Lindsey Mapes. Mr. Rael updated on the following:

  • Lodging/Housing Project
  • QEDF role regarding the Business Park
• Resolana Light Post Project - Mr. Rael inquired if the Governing Body would consider entering into a possible agreement regarding the decorative lighting in town. Banners could be placed to highlight some events and the different seasons. He is aware that the Village does not have the resources to do this. They would like to assume the responsibility of the light posts to place a new type of banner. They would like to put some artist’s retablo type images as well as photographs onto a vinyl-like form and hang them as banners. Also, possibly purchase some brackets for the larger light posts.

Councilman Jaramillo inquired if there was another group also interested in taking over the banners. Mr. Rael stated that he has had some conversations with some private individuals but not with any particular group. Mr. Rael stated the individuals from the Questa Creative Council did offer their assistance.

Councilman Gonzales stated that these are all great ideas and asked how they would get around the anti-donation requirements regarding the Housing/Lodging Project idea. He stated that if the Village was to give funding or a match for this how would it work. Mayor Gallegos stated that the QEDF will have to go to Chevron to request the funding for loan capabilities for individuals. The funding would go through the QEDF fund. Mr. Rael stated that they really want to seek out funding and grants that would help carry this project as well as a revolving loan fund.

Councilwoman Gallegos stated that she is very excited about the light project and the banners. They will be welcoming to people who are driving into town. She also stated that she was in favor of the Housing/Lodging project.

Mayor Gallegos stated that the funding for the light posts will come out of the Resolana fund. He stated that the Village can research where the light posts and hardware were purchased.

Mr. Rael stated that he is not sure how we go about getting approval for this. Mayor Gallegos stated that he believes if the money is already budgeted through the QEDF, he does not see why the Governing Body would be opposed to moving forward. Mr. Rael asked if the MOU between the Village and the QEDF would be able to take care of this issue; possibly a correspondence letter from the Mayor with the agreement of the Council. The actual light and fixture would still be the responsibility of the Village. The post and banners would be the QEDF’s responsibility.

Councilman Ortega stated that we need to get together and resolve the Questa Land and Water Trust issue in regards to the members of the Board. Mr. Rael stated that he agrees that we need to have more discussion regarding this and move forward. Councilman Gonzales stated that he believes this is an item for a separate meeting.

Mr. Rael thanked the Governing Body and informed them that the QEDF has requested to be on the Village Agenda for updates at the 2nd meeting of every month.

B) Smart Procure Presentation (6:30pm)

A Webcast was presented by a Smart Procure representative.

**At this time, Mayor Gallegos requested the Council amend the Agenda to move up Item IX due to the weather conditions and Judge Rael needing to travel.

Motion: Councilman Gonzales
Second: Councilman Jaramillo

In Favor: All
Opposed: None

To amend the agenda, all voted yes. Motion carried.

**IX. ACTION ITEMS**

A) Discussion, Consideration & Decision regarding Judge Michael Rael’s appointment of Alternate Judge / Bailiff

Judge Michael Rael respectfully requested that the Council approve his recommendation of Ms. Dina Coleman to be appointed as the Questa Municipal Court Alternate Judge/Bailiff.

Councilman John Ortega asked if she will serve as both Alternate Judge and Bailiff. Judge Rael stated that how it will work is Ms. Coleman will serve as the Judge in his absence and serve as his bailiff when he is sitting on the bench. Judge Rael stated that he has budgeted for this appointment.

Councilwoman Gallegos asked if there are any specific skills or requirements needed. Judge Rael stated that Ms. Coleman will need to attend the Judge’s training conference in May. Councilwoman Gallegos asked Judge Rael if he foresees any conflict between Ms. Coleman’s position as the Alternate Judge and her current position. Judge Rael stated that he checked with the attorney at the Municipal League and they did not have a problem with the two positions. Councilwoman Gallegos stated as long as there are no conflicts that is good.

Councilman John Ortega asked what the procedure was in determining his appointment; was there an application process. Judge Rael stated that since he lost Mr. Bates, he has been asking people who might be interested; not many people want this type of job. You have to have a certain demeanor to be a judge and he believes Ms. Coleman has it and will do a great job.

Motion: Councilwoman Gallegos
Second: Councilman Gonzales

Roll Call:

Councilwoman Louise Gallegos: YES
Councilman Charlie Gonzales: YES
Councilman John Ortega: YES
Councilman Brent Jaramillo: YES

To approve Judge Rael’s appointment of Ms. Dina Coleman to the office of Alternate Judge / Bailiff. All voted yes. Motion carried.

1. Swear-In of Alternate Judge / Bailiff

Judge Michael Rael administered the Oath of Office to newly appointed Alternate Judge / Bailiff, Ms. Dina Coleman.

B) Discussion, Consideration & Decision regarding Memorandum of Understanding between NM Taxation & Revenue Department; Motor Vehicle Division and the Village of Questa

Mr. Maestas stated that the NM Taxation and Revenue Department has sent over this MOU. It had previously been a contract. MVD Supervisor Ms. Sara Trujillo has reviewed it as well as our legal counsel. They are now requiring a safety plan for the MVD office which Ms. Trujillo will work on along with Chief Lamendola.

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Motion: Councilman Ortega
Second: Councilman Jaramillo

Roll Call:

Councilwoman Louise Gallegos  YES
Councilman Charlie Gonzales  YES
Councilman Brent Jaramillo  YES
Councilman John Ortega  YES

To approve the Memorandum of Understanding between NM Taxation & Revenue Department; Motor Vehicle Division and the Village of Questa. All voted yes. Motion carried.

C) Discussion, Consideration & Decision regarding Village of Questa Open Meetings Resolution No. 2018-05

Mr. Maestas stated that this Resolution was discussed at the previous meeting in which the Council agreed upon holding our regular meetings at 6:00pm year round. This was the only change made to the previous Resolution.

Motion: Councilman Jaramillo
Second: Councilwoman Gallegos

Councilman Gonzales asked Ms. Martinez if this Resolution meets the needed criteria regarding the minutes. Ms. Martinez stated that she would like to see in the future an item regarding the audio of the meeting minutes.

Councilman Gonzales asked if the requirement is to destroy them after they are officially approved or if we need to keep them a certain number of days after. Mr. Maestas stated that there is no policy currently that addresses the audio version of the meeting minutes. He believes that this a good opportunity for us to look back at this Resolution during our upcoming retreat. Councilman Gonzales asked Attorney Lance Hough what his legal opinion was on this. Mr. Hough stated that he believes that from the Village’s standpoint he believes the audio should be kept for a time so that we can look back on them if needed. There should be some retention for a good length of time. There are some Municipalities that use the 3 year rule because of the statute of limitations.

Councilman Jaramillo stated that he thought this might have been included in the Governing Body Rules of Procedure. Ms. Martinez stated that she would look into that. Councilman Jaramillo stated that in the current Executive Session item it is a good thing that we still have the audio available.

Councilman Gonzales stated that legally these minutes can be subpoenaed by the courts. He suggested that we really think about the time limit. He suggested Mr. Hough meet with the Clerk and discuss what needs to be recorded on paper.

Councilman John Ortega stated that the better record we have,

It was decided that Mr. Hough check into if the audio should be a part of the Open Meetings Resolution or a separate policy and will follow up at a later time.

Roll Call:

Councilwoman Louise Gallegos  YES
Councilman Brent Jaramillo  YES
Councilman Charlie Gonzales  YES
Councilman John Ortega  YES

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To approve Village of Questa Open Meetings Resolution No. 2018-05, as presented. All voted yes. Motion carried.

D) Discussion, Consideration & Decision / Engineer Recommendation regarding Construction Bid Award for Cabresto Rd.

Mr. Maestas stated that the Village has gone through the procurement process with advertising, pre-bid meeting and bid opening. He stated that the low bid came from RL Leeder.

Councilman Ortega stated that he believed the paving was going to be from Cisneros Road to Llano Road; why did the scope of work change? Mr. Maestas stated that he did speak to Mr. Mario Juarez-Infante of Wilson & Co., and he stated that because of the work that had to be done and the funding we had; the project had to be scaled back. It is now from Cisneros Road to 800 ft. past North Kiowa. However, we are trying to do what we can to make the dollars go further. Councilman Ortega asked if we had the match for this project. Mr. Maestas stated that we do not have the match money right now. Councilman Ortega stated his concern is that we do not have the match on hand; how can we approve the project?

Councilman Jaramillo asked Mr. Hough if we award the bid and do not give the Notice to Proceed, how long will it lock in RL Leeder for the bid price. Mr. Hough stated that he would have to look at the bid contract. Councilman Jaramillo asked Mr. Maestas on the memo of May 27th states that the design is 30% complete; so we would still be waiting on the design to be completed. Ms. Claudia Diaz of Wilson & Co., stated that the goal is to pave all of Cabresto Road. All of the legwork and geotechnical work actually goes through that stretch; that is the 30% we are referring to as far as looking at the entire roadway. So if more project money is received from the NMDOT or other source, the Village has already paid for 30% of the design.

Councilman Gonzales suggested that maybe we can approve it pending the acquisition of the funding with a 90 or 120 day window to acquire that funding.

Councilman Jaramillo stated we still have to come up with $250,000.00. He is not sure how we got to this point as far as putting it out to bid without having the match.

A discussion was held where it was decided to table this item until we acquire monies for the match.

Councilman Ortega stated that we should reach out to the citizens on Cabresto Road and let them know of the delay. Ms. Diaz stated that when she went door to door to the residences and spoke to about 90% of the citizens, she let them know of the intent and told them it may be phased out. It all depended on the funding and how the bids came in.

Motion: Councilman Jaramillo – Table the recommendation regarding the bid award for Cabresto Road.

Second: Councilman Ortega

Roll Call:

Councilwoman Louise Gallegos       YES
Councilman Charlie Gonzales         YES
Councilman John Ortega              YES
Councilman Brent Jaramillo          YES

To table the recommendation regarding the construction bid award for Cabresto Rd. All voted yes. Motion carried.
E) Discussion, Consideration & Decision / Approval of Out of State Travel – 2018 NLC - City Summit Conference

Councilman Jaramillo stated that he requested this on the agenda. The current policy stated that all out of state travel needs to be approved by the Governing Body. His thought that it would be a good idea to start planning and take advantage of the early bird rates as well as flights and hotel reservations in order to save the Village money. The conference is in November 2018.

Motion: Councilman Gonzales
Second: Councilman Jaramillo

Roll Call:

Councilwoman Louise Gallegos  YES
Councilman Brent Jaramillo  YES
Councilman Charlie Gonzales  YES
Councilman John Ortega  YES

To approve the possible out of state travel to the 2018 NLC - City Summit Conference. All voted yes. Motion carried.

VIII. DISCUSSION ITEM
A) C.A. Cisneros Youth & Family Center Use / Rental

Mr. Hough stated that he did provide the memorandum to the Council with some options and ideas. A discussion was held regarding anti-donation and fair market value.

Councilman Ortega stated that the Vida Del Norte Group would like to use the facility and we should allow them to do so. Our facilities should be available to them for the services they provide. Councilman Jaramillo suggested the idea that Ms. Amber Benavidez from Vida Del Norte maybe be able to utilize the facility for her meetings as well as utilize the office space while other groups or individuals are also using it. A discussion was also held regarding a rental amount for parties and other events on the weekends as well as a daily use fee to bring revenue in.

It was decided that Mr. Maestas and the Attorney work together on a proposal to present to the Council.

B) Clean-Up Day

Mayor Gallegos stated that he would hope that we could decide on a day in April for the annual clean-up day hopefully before Memorial weekend and Graduation.

Councilwoman Gallegos suggested we do household goods in the spring and roadways in the fall. Councilman Ortega stated that we should look for an avenue for the disposal of tires. Also, we need to make sure the Fire Department is available.

C) Village Retreat

Councilor Jaramillo stated we need to plan on having a Governing Body retreat soon to discuss certain agenda topics such as the water system priorities a few other things. We should start getting some dates set before too much time passes. A discussion was held about when and where it can be held. Proposed dates will be decided on; possibly April 14th.
X. **MATTERS FROM ATTORNEY** – Lance Hough

Mr. Hough briefly updated the Council on the following:
- Contract for River Stewardship Program – Currently waiting on status of the property where the work will be conducted.
- Business Park – A contract for the administration of the EDA grant. Scope of services has been set out. This will be coming down to the Council soon.
- Pending Litigation – Will have an update for the Council at the next meeting in Executive Session.

XI. **MATTERS FROM ADMINISTRATOR** – Mr. Nicholas Maestas

A written report was submitted.

Mr. Maestas informed the Council on the following:
- The Village Easter Egg hunt will be held this Saturday at the Municipal Park.
- Met with Local Government Division regarding the CDBG for the Business Park.

XII. **MATTERS FROM MAYOR AND COUNCIL**

Councilman Gonzales stated that we need to begin working on the Healing Field. He spoke with Ms. Martinez about it and asked that anyone who is available to help to please let her know. Ms. Martinez stated that this is a Village event and would like to see more involvement from the employees and Governing Body. She would like to have a committee formed to assign people different tasks. Mr. Maestas stated that the EMS department has been going through the flags to see how many we have to replace. Councilman Gonzales stated that he wants to know what Ms. Martinez needs help with; it is a Village effort. Ms. Martinez stated we need to have a meeting very soon.

Councilman Ortega would like to get the corral work started; they are in need of some work. Also, since Lawrence Ortega is no longer on the Council, who will be taking over the administering of the corrals. Mr. Maestas stated that he has had all requests come to the Village. We will be developing a process internally. Councilman Ortega stated that he would be willing to take on that role if necessary. Also, would like to see an action item on the next agenda regarding the water bill and property issue for Mr. Dale Cisneros. Councilman Jaramillo stated that this needs to be addressed but he believes the next meeting is too soon for staff to gather the information. Councilman Ortega stated he is fine with that as long as it gets addressed. Mayor Gallegos stated that Mr. Cisneros was to come before the Council regarding the water bill. A discussion was held regarding the property issue. Councilman Gonzales stated that this issue has been going on for about 10 years and suggested Attorney Marcus Rael be present in any discussions regarding this since he was involved from the beginning.

Mayor Gallegos suggested planning a date for a Chevron Mining meeting that would include all Village and County officials including all legal and geo-tech staff.

XIII. **EXECUTIVE SESSION** - *(The Governing Body may convene into Executive Session at this time pursuant to the NM Open Meetings Act NMSA 1978 10-15-1)*

A) Pending or Threatening Litigation - *(§ 10-15-1(H)(7))* – Adame Construction

A motion to enter into Executive Session was made by Councilman Ortega, seconded by Councilman Gonzales.

Roll Call:
Councilman Brent Jaramillo YES
Councilman John Ortega  YES
Councilwoman Louise Gallegos  YES
Councilman Charlie Gonzales  YES

Mayor Gallegos stated that the Governing Body will go into Executive Session to discuss only the items listed. The Governing Body entered into Executive Session at 9:05pm.

A motion was made to reconvene from Executive Session at 9:42pm by Councilman Ortega, seconded by Councilman Gonzales.

Roll Call:

Councilwoman Louise Gallegos  YES
Councilman Charlie Gonzales  YES
Councilman John Ortega  YES
Councilman Brent Jaramillo  YES

Mayor Gallegos stated for the record that only the item listed was discussed during closed session. There was no action taken. Attorney Lance Hough concurred.

IX. ACTION ITEMS

E) Discussion, Consideration & Decision / Construction Management Contract for Wilson & Company

Mr. Maestas recommended that this item be tabled until such time the Village is ready to move forward with a contract.

Motion: Councilman Ortega – Table until a contract is approved.
Second: Councilwoman Gallegos

Roll Call:

Councilman Brent Jaramillo  YES
Councilwoman Louise Gallegos  YES
Councilman Charlie Gonzales  YES
Councilman John Ortega  YES

To table this item until a contract is approved. All voted yes. Motion carried.

XIV. ADJOURNMENT

Motion: Councilman Ortega
Second: Councilman Jaramillo

In Favor: All
Opposed: None

There being no further business to discuss, the meeting was adjourned at 9:45pm.

ATTEST:  
Renee Martinez, GMC

APPROVED:
Mark Gallegos, Mayor

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