

City of Socorro Regular City Council Meeting
City Hall, 111 School of Mines Road, Socorro, NM 87801
May 2, 2016

Mayor Ravi Bhasker called the meeting to order at 6:00 p.m. Stephanie Saavedra, Deputy Clerk, took roll call. Members present at roll call were: Mayor Ravi Bhasker, Councilor Michael Olguin, Councilor Ernest Pargas, Councilor Gordy Hicks, Councilor Nick Fleming, Councilor Toby Jaramillo and Councilor Mary Ann Chavez-Lopez. Councilor Peter Romero was absent.

PLEDGE OF ALLEGIANCE

Mayor Bhasker led all present in the Pledge of Allegiance.

APPROVAL OF MAY 2, 2016 CITY COUNCIL MEETING AGENDA

Councilor Hicks made a motion to approve the agenda as presented. Seconded by Councilor Jaramillo, motion passed unanimously.

CONSIDERATION OF MINUTES

a. April 18, 2016

Councilor Fleming made a motion to approve the minutes as presented. Seconded by Councilor Chavez-Lopez, motion passed unanimously.

PUBLIC FORUM

Herb Anderson, who made a presentation regarding homelessness at a previous City Council meeting, asked the Mayor and City Council if they had any questions regarding his presentation or the book he provided. Mayor Bhasker stated that Governor Martinez would be at City Hall at 11:00 a.m. on May 5, 2016 with CYFD as part of the "Pull Together" campaign and that Mr. Anderson was invited to attend as homelessness may be a topic of discussion.

Charles Daisy, a local resident, stated that he would like the fines increased for drivers who park in handicap parking without a proper permit. Mr. Daisy stated that he has called the Police Department regarding this problem in the past. Mike Winders, Police Chief, stated that he will have the officers monitor the situation closely.

Kat McDonald, from the Chamber of Commerce, stated that she met with members of the New Mexico Film Commission. Ms. McDonald stated that the Chamber will be updating Socorro's photos to show what Socorro has to offer. Ms. McDonald stated that the New Mexico Film Commission has been having town hall meetings around the State and she is hoping to have one in Socorro.

Lillian Armijo, the NM Tech liaison, stated that commencement will be held Saturday, May 14, 2016. Ms. Armijo stated that the last day of work for Dr. Dan Lopez will be June 30th and the date for his going away party will be announced soon. Ms. Armijo stated that The Science Channel has reached out to New Mexico Tech students, graduates, staff and alumni to submit an entry to participate in a new reality show where the winner becomes one of the next hosts of a MythBusters relaunch. Mayor Bhasker stated that parking around NM Tech is still an issue and the City is still considering making the area permit parking only. Ms. Armijo stated that she has seen Socorro Police Department officers writing tickets in the area.

FIRST READING OF ORDINANCES – APPROVAL FOR PUBLICATION ONLY

a. Ordinance No. 16-05-02 – Uniform Traffic Ordinance

Mayor Bhasker presented Ordinance No. 16-05-02. Mayor Bhasker stated that the purpose of the ordinance is to adopt the 2016 amendments to the State of New Mexico Uniform Traffic Ordinance.

Mayor Bhasker stated that the ordinance is on the agenda for approval for publication only.

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Councilor Hicks made a motion to approve Ordinance No. 16-05-02 for publication only. Seconded by Councilor Chavez-Lopez, motion passed unanimously.

DISCUSSION AND DELIBERATION

a. San Miguel Church Presentation

Deacon Mike Ybarra and David Avalos, of San Miguel Church, presented a Certificate of Appreciation to the Socorro Police Department for keeping the public safe and their dedication to the job. Mayor Bhasker, the City Council and Chief Winders thanked San Miguel Church for their recognition.

b. Proposed Vacation of City Property/Road – A Portion of Hot Springs Avenue and Mississippi Avenue

Mayor Bhasker stated that the owners of the property on either side of a portion of Hot Springs Avenue and Mississippi Avenue had made a request for the City to consider vacation of the property. Mayor Bhasker stated that the reason for the request was to make the land suitable for a potential new business. Mayor Bhasker stated that the City Council passed Resolution No. 16-03-07f, which allowed the City to move forward with the formal process of vacating the property. Mr. Monette stated that the Planning and Zoning Commission, at their April 21, 2016 meeting, had a public hearing and a motion was made to recommend approval of the vacation to the City Council. Mr. Monette stated that a legal opinion regarding the vacation of City property was received from the City's attorney and read as follows: "The matter of abandoning any public street (be it by the state, county or municipality) is complicated and contains several layers of analysis. For that reason, it is impossible to provide any concrete rules to apply in every situation. For example, in the event the City does desire to vacate a public street, it would be necessary to research the circumstances on how the street became public in the first place. Was the land underlying the street owned by a developer who dedicated the street to the City as part of the subdivision process? If so, then the street would go back to the original developer. Or, does the City not own the street, but only an easement over the land? In this case, the vacation of the street only means the land reverts to the landowner as the City only had an easement. My advice is that any vacation of a City street needs to be analyzed on a case by case basis to make sure the anti-donation clause is not violated."

Betty Houston, a local realtor, stated that the owners on either side of Hot Springs Avenue and Mississippi Avenue are Steven Aguilar and Sue Ellen Berry. Jay Santillanes, Division Director, stated that Hot Springs Avenue and Mississippi Avenue were dedicated to the City for the purpose of building those two roads and the City has never pursued that project. Mako Kellman, from California Gold Development Corporation, stated that the property in question is owned by Mr. Aguilar and Ms. Berry and not the City of Socorro. Mr. Kellman stated that the City would only be giving up the right to build a road on the property owned by Ms. Berry and Mr. Aguilar. Councilor Olguin stated that he would like to see the information stated by Mr. Kellman as a fact and that the City attorney's legal opinion did not answer his question as to whether this vacation is a violation of the anti-donation law. Mayor Bhasker read Resolution No. 16-03-17f (approved by the City Council on March 17, 2016) which allowed the formal process of vacating this property to begin. Mayor Bhasker stated that the City has no interest in building Hot Springs Avenue and Mississippi Avenue. Mayor Bhasker stated that the City would only be giving up the right to build these roads and not giving away actual property owned by the City. Councilor Olguin asked if the title of the resolution (Proposed Vacation of City Property) should be amended. Mr. Monette stated that the resolution had already been approved but that he feels the title is correct as giving away the right to build a road is still considered intangible property. Mr. Monette stated that if the City is giving the

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right back to the people who originally gave it to the City, there is not, in his opinion, a violation of the anti-donation law.

Councilor Hicks made a motion to approve the recommendation of the Planning and Zoning Commission to vacate the property. Seconded by Councilor Chavez-Lopez, motion passed unanimously.

c. Rodeo Arena Liquor License & Concession - Discussion

Mayor Bhasker stated that the City is currently developing a rodeo arena/soccer complex which will have the ability to provide concessions including food and alcohol. Mayor Bhasker stated that there are three options: the City can apply for, and utilize, a municipal liquor license, the City can lease the food/alcohol sales to an establishment that already has a license (and not acquire a license) or the City can acquire a municipal liquor license but silence the license if the City chooses to lease to a vendor with a license which would allow the vendor to use their license. Joanna Debrine, owner of the Capitol Bar, stated that she feels the City should not acquire a municipal license and should open up the sales opportunity to local establishments. Ms. DeBrine stated that she feels the local establishments can work together and the City can use a rotation system to make it fair to all vendors. There was some discussion regarding whether or not a fee would have to be paid by the vendor in order to be able to sell food/alcohol at the City's complex. Mr. Monette stated that the facility needs to be self-sufficient.

Ms. DeBrine stated that she would like to have a meeting regarding the City participating in a "safe ride program". Mayor Bhasker stated that the City's Transportation could possibly participate in that type of program.

d. Property Disposition Form - Discussion

Mayor Bhasker stated that at previous City Council meetings, the City Council requested that a property disposition form be created to address several items when City property is vacated. Councilor Olguin stated that the form "looked good". Mr. Monette stated that he would like to add an item to the form which indicates if the City acquired a legal opinion and an area to provide or attach the legal opinion.

e. Budget Resolutions

1. No. 8 – Joint Enterprise Fund – Landfill Department

Resources are Transfer from W/W Improvement Fund – Requirements are Construction – Amount is \$200,000 – The increase is needed to allow for construction of new cell expenditures to June 30, 2016.

Councilor Hicks made a motion to approve Budget Resolution No. 8. Seconded by Councilor Fleming, motion passed unanimously.

2. No. 9 – Joint Enterprise Fund – Production Department

Resources are Fire Fund Allotment – Requirements are Repair & System Maintenance – Amount is \$10,331 – The increase is needed to allow for the adjustment of the Fire Fund Allotment award.

Councilor Hicks made a motion to approve Budget Resolution No. 9. Seconded by Councilor Chavez-Lopez, motion passed unanimously.

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3. No. 10 – Airport Construction Fund

Resources are NM Aviation Grant, Transfer from General Fund – Requirements are Engineering, Construction – Amount is \$312,500 – The increase is needed to allow for the grant award for the Airport Fuel Farm.

Councilor Hicks made a motion to approve Budget Resolution No. 10. Seconded by Councilor Jaramillo, motion passed unanimously.

COMMITTEE REPORTS

Mable Gonzales, City Clerk/Treasurer, stated that the loan application for the Natural Gas Valve Replacement Project has been submitted and once approved, the Utility Committee will meet to discuss rate changes.

Councilor Fleming stated that the Budget Committee continues to meet to develop the City's FY 16-17 budget.

Mayor Bhasker stated that in regards to the search for someone to fill the vacant City Council seat, the committee presented him with six names for consideration. Mayor Bhasker stated that he feels it would be a good idea to present the eleven candidate's names to the City employees and allow them to cast a secret ballot for their recommendation. Mayor Bhasker stated that he feels there has been a decline in interest in politics and he would like to see more interest in the future.

Councilor Pargas stated that SCOPE will be hosting the Maze of Life at Sarracino Middle School on May 6th.

NEW BUSINESS

Councilor Olguin asked what the process is for overgrown weeds on properties located along California Street. Mayor Bhasker stated that Mike Czosnek, Code Enforcement Officer, usually contacts the business owners who have traditionally been receptive to the City's requests to clean their properties.

Mr. Santillanes stated that the City's Annual Spring Cleanup will begin May 9th and pickup days will coincide with the day the sanitation is picked up. Mr. Santillanes stated that the City will advertise the cleanup in the newspaper and on the City's website. Mayor Bhasker stated that we can also do a radio announcement.

OLD BUSINESS

a. ICIP – Finley Complex

Mr. Monette stated that at the last City Council meeting, Councilor Romero asked if the upgrade of the Finley Complex was on the ICIP. Mr. Monette stated that the upgrade of Finley Complex is on the ICIP and suggested that the Finley Complex upgrade and creation of a Workforce Training Facility be combined and include additional funds for HVAC, plumbing and electrical work.

Councilor Olguin made a motion to combine the two ICIP projects of Finley Complex Upgrade and Workforce Training Facility and include additional funds for HVAC, plumbing and electrical work. Seconded by Councilor Fleming, motion passed unanimously.

Mayor Bhasker stated that six Requests for Information for electric rates were received and that he is very optimistic about the results as the 20-year rates are still lower than the current rates of the Socorro Electric

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Cooperative. Mayor Bhasker stated that once the rates have been incorporated into the feasibility study, the study will be presented to the Socorro City Council for review.

EXECUTIVE SESSION

None.

MAYOR'S REPORT

b. Reporting on Personnel Changes

Councilor Hicks motioned to approve the personnel changes as read by Mayor Bhasker:

Frank Marquez – 5-30-16 – Animal Shelter – Resignation/Retirement

Seconded by Councilor Jaramillo, motion passed unanimously.

c. Business Registrations

Councilor Hicks motioned to approve the business registrations as read by Mayor Bhasker:

FNF Construction Inc. – Out of Town – Tempe, AZ – Corporation – Heavy Highway Construction
Impressive Concrete Coatings Inc. – Out of Town – Montrose, CO – Corporation – Concrete
Polishing Service

CW Cass Inc. dba Sign Graphics – Out of Town – Santa Fe, NM – Corporation – Full Service Sign
Company

Seconded by Councilor Chavez-Lopez, motion passed unanimously.

d. Next City Council Meeting Announcement

Mayor Bhasker stated that the next City Council meeting would be held on Monday, May 16, 2016 at 6:00 p.m. in the City Hall Council Chambers.

ADJOURNMENT

At 7:06 p.m., Councilor Hicks motioned to adjourn. Seconded by Councilor Fleming, motion passed unanimously.

THE CITY OF SOCORRO – a municipal corporation

/s/
Ravi Bhasker, Mayor

ATTEST:

/s/
Stephanie Saavedra, Deputy Clerk