

**City of Socorro Regular Scheduled City Council Meeting**  
**City Hall, 111 School of Mines Road, Socorro, NM 87801**  
**May 19, 2014**

Mayor Ravi Bhasker called the meeting to order. Pat Salome, City Clerk, took roll call. Members present at roll call were: Mayor Ravi Bhasker, Councilor Michael Olguin, Councilor Peter D. Romero, Councilor Gordy Hicks, Councilor Ernest Pargas, Councilor Mary Ann Chavez-Lopez and Councilor Nick Fleming. Councilor Toby Jaramillo and Councilor Donald Monette were absent.

**PLEDGE OF ALLEGIANCE**

Mayor Bhasker led all present in the Pledge of Allegiance.

**APPROVAL OF MAY 19, 2014 CITY COUNCIL MEETING AGENDA**

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

**CONSIDERATION OF MINUTES**

**a. May 5, 2014**

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

**PUBLIC FORUM**

Marie Watkins stated that at the last City Council meeting, she informed the City Council that she would be sending a request for information to the Socorro Electric Cooperative. Ms. Watkins stated that she sent the request both electronically and by registered mail and has not yet received a response to her request. Ms. Watkins stated that in regards to capital credits, she feels the SEC is using those funds for questionable items. Ms. Watkins stated that the general manager of the SEC has a salary of \$180,000 per year and is paid an additional \$20,000 to represent Tri-State and \$15,000 for commuting costs. Ms. Watkins stated that SEC lawyers are paid \$200,000 per year and the SEC accountant gets paid \$100,000 per year.

**PROCLAMATIONS AND AWARDS**

**a. Proclamation – Fireworks Restrictions**

Mayor Bhasker stated that the governing body, by State Statute, is allowed to pass a proclamation restricting the sale of certain fireworks when an area is declared to have extreme or severe drought conditions. Mayor Bhasker read the proclamation which outlines the sale and use restrictions for fireworks in the City of Socorro. Mr. Salome stated that the proclamation is the same as what was used last year and the City Council could amend the proclamation if they so choose. Mayor Bhasker stated that the Fire and Police Departments will be inspecting fireworks stands for compliance with the proclamation and State Statute. Mr. Salome stated that the proclamation can be rescinded by the governing body if drought conditions improve.

Councilor Hicks made a motion to approve the proclamation. Seconded by Councilor Fleming, motion passed unanimously.

**FIRST READING OF ORDINANCES – APPROVAL FOR PUBLICATION**

**a. Ordinance No. 14-05-19 – Code Adoption Ordinance**

Mayor Bhasker presented Ordinance No. 14-05-19 which, if approved, will approve the codified ordinances of the City of Socorro. Mr. Salome stated that the public can come to City Hall to review the ordinances or view them online. Mr. Salome stated that the City will run the publication more than the State Statute requirement so that everyone who chooses has a chance to review the codified ordinances. Mr. Salome stated that ordinance is on the agenda for approval for publication only.

Councilor Olguin made a motion to approve Ordinance 14-05-19 for publication only. Seconded by Councilor Romero, motion passed unanimously.

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**DISCUSSION AND DELIBERATION**

**a. Baja Broadband – Barbara Mick, General Manager**

Barbara Mick, General Manager for Baja Broadband, along with Stewart Roberts, introduced themselves to the Mayor and City Council. Ms. Mick provided a handout describing the history of Baja Broadband and their services. Ms. Mick stated that in addition to cable television, Baja Broadband offers internet and phone services. Ms. Mick stated that Baja Broadband operates in several small communities such as Ruidoso, Truth or Consequences and Carlsbad. Mr. Salome stated that at a previous City Council meeting, the City Council approved the assignment of the Comcast Cable franchise agreement to Baja Broadband. Mr. Salome stated that the agreement is expired and running on a month to month basis. Mayor Bhasker asked Ms. Mick if they have an agreement with Socorro Electric Cooperative to use their poles for lines. Ms. Mick stated that she believed there was an agreement in place. Mr. Roberts explained that Baja Broadband has its own network running from Los Angeles and Denver to Alamogordo and Socorro would link in from Alamogordo on a fiber line. Ms. Mick stated that there would be a local channel to broadcast things such as the City Council meetings. Ms. Mick stated that job offers had been made to current staff but that it was questionable whether they would remain in the existing building. Mayor Bhasker asked Mr. Roberts if he knew how much Baja Broadband was paying as a franchise tax in Alamogordo to which Mr. Roberts replied he was unsure. Mayor Bhasker asked Mr. Roberts to send him an e-mail with that information as well as a description of what services will be offered. Mayor Bhasker stated that if Baja Broadband would like to start early negotiations for the franchise agreement they could set up a meeting. Mayor Bhasker thanked Mr. Roberts and Ms. Mick for attending the meeting.

**b. Socorro Electric Cooperative - Presentation**

Mayor Bhasker introduced Nann Winter, the attorney working with the City Administration on the Socorro Electric Cooperative franchise agreement/acquisition. Ms. Winter stated the franchise agreement with SEC is running on a month to month basis and that status could be changed by the City's initiative. Ms. Winter stated that the City could declare the SEC a trespasser and evict them if needed. Ms. Winter stated that the City has the right of eminent domain. Ms. Winter stated that to begin an acquisition, the City would need to get an appraisal of the assets and then enter into good faith negotiations with SEC. Ms. Winter stated the appraisal would include book value of the assets, replacement costs, comparable values and a cash flow analyses. Ms. Winter stated that the appraisal could take 3 to 6 months for the entire system. Ms. Winter stated that once the appraisal is done, the City and the SEC would enter into a good faith negotiation and if the SEC negotiations fail, the City could file an eminent domain lawsuit. Ms. Winter stated that the sale could take 1 to 2 years if the SEC is willing and 2 to 3 years if eminent domain litigation is required. Ms. Winter stated that for municipal electric utilities, the law states coverage would include City limits, up to 5 surrounding miles and any governmental installations.

*Councilor Olguin asked Ms. Winter if when she first came on board, the original thought process was to renegotiate the current franchise agreement. Ms. Winter stated that she was retained to look at all three of the expired franchises. Councilor Olguin asked if the City was still working on the new franchise agreement or pursuing the acquisition. Ms. Winter stated that she does have an outline of a new cooperative electric franchise agreement.*

Mayor Bhasker stated that he would like to have a resolution prepared and presented to the City Council detailing what will be required to begin the acquisition so that the Council can vote on whether or not they would like to proceed. Ms. Winter stated that "political will" is a large part of an acquisition process. Mayor Bhasker stated that the City's attorney, Jerry Armijo, and SEC Trustee Melissa Amaro, were in attendance. Councilor Fleming asked if the City would have to assume the SEC's debt if the City acquired the SEC. Ms. Winter stated that the City is only interested in the assets and the debt would remain with the SEC. Mayor Bhasker stated that there will be a comment box at City Hall for residents to leave their comments regarding the SEC and a possible acquisition by the City. Ms. Winter provided several examples of acquisitions in other areas of the State. Mayor Bhasker stated that there was a representative from PNM in attendance. Mayor Bhasker stated that the Administration would present a resolution to the City Council at the June 16<sup>th</sup> meeting to see what direction the City Council would like to take. Mayor Bhasker thanked Ms. Winter for attending the meeting.

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**c. Budget Resolutions**

**1. No. 14 – Street Fund**

Resources are Transfer from General Fund – Requirements are Salaries, Salaries OT, Salaries Officials, FICA, Group Insurance, Uniforms, Safety Equipment, Worker's Compensation, Fringe Benefits, Vehicle Fuel, Vehicle Maintenance, Lighting and Repair & System Maintenance – Amount is \$55,000.00 – The increase is needed to allow for expenditures to June 30, 2014.

**2. No. 15 – General Fund – Rodeo Arena Department**

Resources are Beginning Cash Balance Available – Requirements are Vehicle Maintenance and Repair & System Maintenance – Amount is \$33,000.00 – The increase is needed to allow for expenditures to June 30, 2014.

Councilor Hicks made a motion to approve Budget Resolutions 14 and 15. Seconded by Councilor Chavez-Lopez, motion passed unanimously.

**COMMITTEE REPORTS**

Councilor Chavez-Lopez provided a draft of the Police Department/Chief goals and objectives. Mayor Bhasker stated that Chief Van Winkle would be retiring May 31<sup>st</sup> and he would be asking Assistant Chief Mike Winders to be Acting Chief until a new Chief could be appointed. Mr. Salome stated that the final goals and objectives list would be completed and presented for the next City Council meeting.

Councilor Fleming stated that the Budget Committee has been meeting to prepare the preliminary budget. Mable Gonzales, City Treasurer, stated that she would like to have a special meeting on May 22<sup>nd</sup> at noon to approve the preliminary budget.

**DEPARTMENT DIRECTOR REPORTS**

Mable Gonzales, City Treasurer, stated that the City will be doing a 60-month rental/purchase agreement for a new telephone system. Ms. Gonzales stated that there are no up-front costs and the City will actually save \$6,900 per year. Ms. Gonzales thanked the Budget Committee and the department heads for their assistance with the FY 2014-2015 preliminary budget. Ms. Gonzales stated that there will be a special City Council meeting on May 22<sup>nd</sup> at noon in order to approve the preliminary budget.

Paula Mertz, Library Director, provided a handout with information pertaining to the summer reading program. Ms. Mertz stated that the literacy program just completed a 6-week course at the library. Ms. Mertz stated that the library applied for a \$2,800 grant through Aerojet which would help promote math and science programs.

George Van Winkle, Police Chief, provided a handout to the Mayor and Council of Police Department stats from April 2014 (95 arrests, 100 citations, 2 DWI arrests, 252 police reports filed, 13 traffic accidents, 3,156 calls received by dispatch, etc.). Chief Van Winkle thanked the City of Socorro for his time in the Socorro Police Department. Mayor Bhasker and the City Council thanked Chief Van Winkle for his service to the City. Mayor Bhasker stated that there will be a presentation for the Chief in June.

Joe Gonzales, Fire Chief, provided a handout to the Mayor and Council of Fire Department stats from April 2014 (165 ambulance runs, 7 fire calls, etc.). Chief Gonzales stated that the department is still down one unit but that Albuquerque Fire Department had loaned the City a unit to use as long as needed. Chief Gonzales stated that the department received a vehicle purchase grant that will allow the City to purchase a new ambulance as well as the unit on loan from AFD (who stated they are willing to sell the unit to the City as it is surplus equipment for them). Chief Gonzales stated that the department had an ISO inspection and the results from the inspection will arrive in approximately 6 months. Chief Gonzales stated that a good rating would help the department acquire more funding in the future.

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Lloyd Martinez, Parks/Production/Water/Special Projects Superintendent, stated that the leveling at the RV park at the soccer fields/rodeo arena has been completed. Mr. Martinez stated that crews will be hauling dirt for the rodeo arena cover and planting trees in the RV park area. Mr. Martinez stated that work on the bathroom and concession buildings is progressing and should be done by the end of July. Mr. Martinez stated that there is a pre-bid conference on June 3<sup>rd</sup> at 10:00 a.m. at City Hall for the wastewater expansion project. Mr. Martinez stated that the water quality report will be sent to water customers soon. Mr. Martinez stated that two water samples have been taken and both fell under the required limits. Mr. Martinez stated that the swimming pool is being filled with water and will soon have an inspection. Mr. Martinez stated the pool will open June 2<sup>nd</sup>.

Michael Lucero, Sanitation/Landfill/Recycling Director, stated that normal operations continue in the Sanitation, Landfill and Recycling departments. Mr. Lucero stated that crews have been picking up more litter due to strong winds. Mayor Bhasker stated that the City may have to increase solid waste rates and asked the Utility Committee to meet after the fiscal year ends to discuss a possible need for a rate increase.

Jay Santillanes, Utilities Division Director, stated that certain projects such as the rodeo arena/soccer fields are required to have a storm water prevention plan and that he has created one for the project. Mr. Santillanes stated that NMED did an inspection of the project on May 16<sup>th</sup> and found no issues. Mr. Santillanes stated that the foundations for the rodeo arena cover were poured and that the metal for the building will start to arrive during the first week of June. Mr. Santillanes stated that the Gas Department is still replacing natural gas meters. Mr. Santillanes stated that the Street Department is working on the third of four free trash pick-ups around the City.

Mike Czosnek, Building Inspector, stated that he spoke with FEMA regarding the levy certification and was told the City should have an answer within 60 days. Mr. Czosnek stated that flood mapping will come out approximately March 2015. Mr. Czosnek stated that building is slow. Mr. Czosnek stated that Jaynes Construction is working on San Miguel Church and work should be completed by the end of June.

Susann Mikkelsen, of the Chamber of Commerce, stated that there is an EMRTC tour on May 21<sup>st</sup> and invited everyone to attend. Ms. Mikkelsen stated that the Chamber has been cleaning rooms and clearing out files and invited everyone to visit the Chamber office. Ms. Mikkelsen stated that planning on the Socorrofest event has started. Ms. Mikkelsen stated that the Chamber received a \$2,500 grant for the mentorship program.

Mayor Bhasker stated that Josh Kerns, Recreation Director, ran a successful AAU tournament over the past weekend with 41 teams attending. Mayor Bhasker stated that the tournament made \$4,000 and included use of gyms belonging to the City and Socorro Schools. Mayor Bhasker stated that he has received many positive comments regarding the tournament.

**NEW BUSINESS**

None.

**OLD BUSINESS**

None.

**EXECUTIVE SESSION**

None.

**MAYOR'S REPORT**

**a. Personnel Changes**

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

George Van Winkle – 5-31-14 – Police – Retirement

Abie Baca III – 5-22-14 – Gas – Resignation

Luis Espino – 5-20-14 – Fire – New Hire (FF/EMT Recruit) – A-25

Charles Contreras – 5-19-14 – Police – New Hire (Police Officer) – A-35

Gabe Sosa – 6-1-14 – Fire – Completed Probation – A-25 to A-26

Josh Kerns – 5-19-14 – Community Services – Change in Job Description & Responsibilities – B-40 to B-49

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Temporary New Hires: Shaina Lopez, Jared Marquez

Temporary Renewals: Emena Gonzales, Rick Griego, Daniel Chavez, Paul Marquez, Carlos Alvarado, Ramiro Garza, Albert Hernandez, George Romero, Mike Jojola, Elias Jacquez, Tony Silva, Regina Valencia, Sergio Cuevas, Angelica Vega, Michael Padilla, Jeremy Chavez, Brittany McDaniel, Ryan Romero, Eric Sewell

Student Workers: Matthew Jojola, Tamera Chavez, Maria Alderete, Giovanna Rosas, Deanna Blair, Samantha Maldonado, Geir Hareland

Referees (9), Zumba (2)

Seconded by Councilor Romero, motion passed unanimously.

**b. Business Registrations**

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

BITS, LLC – C-2 – 209 S. California Street – Billy Byler – Computer Services

Shrader & Martinez Construction Inc. – Out of Town – Sedona, AZ – Corporation – General Contractor

Seconded by Councilor Romero, motion passed unanimously.

**c. Voucher Run**

Councilor Hicks made a motion to approve vouchers 129922 to 123206 in the amount of \$710,061.29, plus Payroll Transfers (\$298,075.36), for a total of \$1,008,136.65. Seconded by Councilor Romero, motion passed unanimously.

**d. Announcement – Next City Council Meeting Date and Time**

Mayor Bhasker stated that there will be a special City Council meeting on May 22, 2014 at 12:00 p.m. in the City Hall Council Chambers.

Mayor Bhasker stated that the next regular City Council meeting would be held on June 2, 2014 at 6:00 p.m. in the City Hall Council Chambers.

**ADJOURNMENT**

At 8:03 p.m., Councilor Hicks motioned to adjourn. Seconded by Councilor Romero, motion passed unanimously.

**THE CITY OF SOCORRO – a municipal corporation**

\_\_\_\_\_  
/s/

**Ravi Bhasker, Mayor**

**ATTEST:**

\_\_\_\_\_  
/s/

**Pat Salome, City Clerk**