

Village of Cuba
Regular Council Meeting
March 30, 2022 6:00 p.m.
Municipal Court Complex

Call to Order

Meeting called to order at 6:00 p.m.

Pledge of Allegiance

Pledge was recited.

Roll Call

Mayor Velarde asked for the roll call

Mayor Velarde	present
Mayor Pro Tem Dominguez	present
Council Member Weippert	present
Council Member Delgado	present
Council Member Olivas	present

Approval of Agenda

Mayor Velarde asked for a motion. Council Member Delgado made the motion. Council Member Olivas seconds. Mayor Velarde asked if there was any discussion. There was none. Mayor Velarde asked for a roll call vote.

Mayor Pro Tem Dominguez	yes
Council Member Weippert	yes
Council Member Delgado	yes
Council Member Olivas	yes

Motion carries.

Discussion, Consideration and Action of the minutes for the Regular Meeting held on February 23, 2022

Mayor Velarde asked for a motion. Council Member Delgado made the motion. Council Member Olivas seconds. Mayor Velarde asked if there was any discussion. Council Member Delgado said on the second page asked is misspelled. Ms. Casados said it will be corrected. Council Member Weippert said on the 4th page, on the top, first line, it needs to specify which council member was speaking and on the last line, it should be to. Mayor Velarde asked for a roll call vote with the changes.

Mayor Pro Tem Dominguez	yes, with the changes
Council Member Weippert	yes, with the changes
Council Member Delgado	yes, with the changes
Council Member Olivas	yes, with the changes

Motion carries.

Discussion, Consideration and Action of the monthly warrants for the Village of Cuba for the month of March 2022

Mayor Velarde asked for a motion. Council Member Delgado made the motion. Council Member Olivas seconds the motion. Mayor Velarde asked if there was any discussion. There was none. Mayor Velarde asked for a roll call vote.

Mayor Pro Tem Dominguez	yes
Council Member Weippert	yes
Council Member Delgado	yes
Council Member Olivas	yes

Motion carries.

Discussion, Consideration and Action for the warrants for the Cuba Housing Authority for the month of March 2022, the Cuba Housing Authority Waiting List, the Physical Assessment Scores and the Write Off in the amount of \$125.00 Unit #5.

Mayor Velarde asked for a motion. Council Member Delgado made the motion. Council Member Olivas seconds the motion. Mayor Velarde asked if there is any discussion. Mayor Velarde asked Mr. Herrera if he had anything to add. Mr. Herrera said the warrants are the same except a payment for himself which he reimbursed himself for use of his personal credit card for a conference he and Raymond Martinez are going to attend. He said they all have a copy of the waiting list and if they have any questions. Mayor Velarde asked him to go over the assessment scores. Mr. Herrera said the first is the score from previous years. He said the top score is a 40 and previous years they had received a 12. He said all is required is a 25 or higher. He said they had an inspection on the 10th and they scored a 32 out of 40, and a 81 out of 100 for the REAC score which means they will get inspected every 2 years and not every year. He said from a 12 to a 32 is a big thing. He said Mr. Martinez is now a full-time employee. Mayor Pro Tem Dominguez said he saw where they were marked down for holes. Mr. Herrera said the inspection was done in the winter so they had not had time to repair the stucco but that is in the 5 year plan. He said the write off for Unit 5 is because the person in that unit passed away and after it was clean the amount was deducted from the security deposit and the overage was the write off amount because there is no one to pay it. Mayor Velarde asked for a roll call vote.

Mayor Pro Tem Dominguez	yes
Council Member Weippert	yes
Council Member Delgado	yes
Council Member Olivas	yes

Motion carries.

Discussion, Consideration and Action of the 2022 Municipal Election Canvas of Returns, certified by the Sandoval County Commissioners on March 11, 2022, Order of Automatic Recount from the NM State Canvassing Board on March 22, 2022, Order of Appointment of Special Master filed in District Court and official results from the Secretary of State Office for the Municipal Election held on March 1, 2022

Mayor Velarde asked for a motion. Council Member Delgado made the motion. Council Member Olivas second the motion. Mayor Velarde asked if there was any discussion. Mayor Velarde asked if everything remained the same. Ms. Casados said it did. She said she had to get a new precinct board who hand tallied the ballots. She said all matched and 2 days later she received the certificate of results. Mayor Velarde asked for a roll call vote.

Mayor Pro Tem Dominguez	yes
Council Member Weippert	yes
Council Member Delgado	yes
Council Member Olivas	yes

Motion carries.

Discussion, Consideration and Action of the Write off list for the Cuba Public Library, late fines and fees in the amount of \$924.81 stemming from November 2002 through November 2019

Mayor Velarde asked for a motion. Council Member Delgado made the motion. Council Member Olivas seconds the motion. Mayor Velarde asked Ms. Chacon to explain. She said she totaled all the fees from 2002 to 2021 – 982.76 - 2019 and before– 924.81, 2020 53.40 – 2021-4.55. She said the 2002 to 2019 is late fees and books that were not returned. Council Member Weippert asked Ms. Chacon how she planned to collect the present fees. Ms. Chacon said she sent letters to all of them. She has not received any of the letters back so she is hoping all the addresses are correct. Mayor Velarde asked for a roll call vote.

Mayor Pro Tem Dominguez	yes
Council Member Weippert	yes
Council Member Delgado	yes
Council Member Olivas	yes

Motion carries.

Discussion, Consideration and Action of the approval to sell three VFD Ambulances to Mr. Bobby Davis of Southwest Ambulance Sales in the amount of \$5,500.00 to be recorded to the Fire Protection Fund for all EMS Ambulance Operations. (1995) VIN# 1FDKF3F9TEA71154: (2005) VIN# 1FDWF36P76EA56281: (2018) VIN# 1FDAF46R19EB26668

Mayor Velarde asked for a motion. Council Member Delgado made the motion. Council Member Olivas seconds. Mayor Velarde asked if there was any discussion. Mrs. Morales said all of these are inoperable. She said when they go up for auction they receive maybe \$500.00 so this is a win for them. She said this cash will be put for medical needs. Mayor Velarde asked if they need to go out for public auction. Chief Romero said they do not because they were donated to the department, the department did not purchase them. Mayor Velarde asked for a roll call vote.

Mayor Pro Tem Dominguez yes
Council Member Weippert yes
Council Member Delgado yes
Council Member Olivas yes

Motion carries.

Discussion, Consideration and Action of the approval to close the USDA Grant Loan for the purchase of three police vehicles with equipment in the amount of \$138,000.00 and to secure a Debt Service Reserve Account at the Cuba Credit Union

Mayor Velarde asked for a motion. Council Member Delgado made the motion. Council Member Olivas seconds. Mayor Velarde asked if there is any discussion. Council Member Olivas asked if the vehicles are new. Chief Romero said yes, they are all brand new, fully equipped, fully outfitted 100%. She asked if they are going to remain here or if the Officers are going to be taking them home. Chief Romero said yes, they are taking them home. Mayor Pro Tem Dominguez asked how long the vehicles are anticipated to last. Chief Romero said the duration of the grant loan then at which time they will re apply for the loan and get another brand new fleet, which is around 88,000 miles apposed to the old vehicles which were at 160000 to 170000 and the maintenance costs is now going to be low as well. Mayor Velarde asked what the loan portion is. He asked if it is 80 – 20. Chief Romero said he thinks it is lower than that. He said they borrowed \$138,000.00 and they are paying back \$7,000.00, over a span of 5 years. He said they have secured almost \$50,000.00 with the Law Enforcement Protection Fund, which used to be \$20,000.00. Council Member Olivas asked what will be done with the old units. Chief Romero said they may put them up for auction after everything is properly dismantled or they will ask direction from council. They initially wanted to scrap them for metal but they may be worth more if they are sold. Mayor Velarde asked for a roll call vote.

Mayor Pro Tem Dominguez yes
Council Member Weippert yes
Council Member Delgado yes
Council Member Olivas yes

Motion carries.

Discussion, Consideration and Action of the Cuba Housing Authority Financial Statements for the period ended January 31, 2022 prepared and submitted by the Payroll Company, Inc.

Mayor Velarde asked for a motion. Council Member Delgado made the motion. Council Member Olivas seconds the motion. Mayor Velarde asked if there was any discussion. Mayor Velarde asked for a roll call vote.

Mayor Pro Tem Dominguez yes
Council Member Weippert yes
Council Member Delgado yes
Council Member Olivas yes

Motion carries.

Review of the NM Department of Transportation proposal for Control Number 6100846-US 550 Rio Puerco Bride Replacement from MP 64.55 to MP 64.89, presented by Mr. Freddie Chavez, NMDOT Utility Coordinator and Designers of the entire project.

Ms. Gooden said the project is located over the Rio Puerco, just north of the channel and ends at Reed Road, south of the gas station and El Bruno's restaurant. She said the purpose of the project is to replace the existing bridge. And rehabbing the pavement on either side of the bridge and replacing the sidewalk and some of the drainage structures. She said they are proposing 120 to 180 days to complete the project. She said the bridge will be built in-house so two lane traffic will be maintained throughout the project. There will be minimal road closures and it will happen overnight and they don't anticipate more than 4 nights for half of the bridge. During the night closures they will be doing emergency response coordination, with emergency services on either side of the bridge. She said they did complete a preliminary design and they are now completing utility coordination and finalizing the environmental documentation. She said they will be holding public and property owner meetings in a couple months. She said they anticipate the final design by next spring and the project will happen in the summer.

Mayor Velarde asked how long each night the roads will be closed. He was told the intent is the bridge will be one continuous long girder that crosses. The pipe piles that hold up the bridge will be eliminated and there will be one long span of 162 feet. The phasing is they will build it in halves and when the road is closed the trucks will pull in with the large beams and then crane trucks will lift them and set them. It will be done in sequencing, so any closure will only be 20 – 40 minutes. The intent is to keep two lanes open at all times. He said as the time gets closer, they will meet with fire and police to work things out. It was mentioned that the driveways will be reconstructed so they will meet with the business owners. Fire Chief Romero said they will need to discuss things because there were problems when the other bridge was being replaced. Mayor Velarde asked if the infrastructure in the sidewalks will have to be moved as well because there is a lighting circuit and a sewer line in them. He was told it depends. He was told the light poles in the sidewalk now will be relocated. He said they need to find out who owns the poles. Mayor Velarde said there is a franchise agreement with Jemez Mountain Electric Co-op but he is not sure if it is still in place. If not, it falls back on the Village of Cuba infrastructure. He was told they may go with LED lighting which is more efficient and hopefully will bring power costs down, but they need to check the sidewalks and the accessibility through the area. As far as other utilities that are underground, if there is a valve that needs to be adjusted, the costs will be adjusted so the elevation of the road will not be changed. They will be milling the existing asphalt and putting down new surfacing and rebuilding all the curb and gutter along the sidewalk. He said part of the utility coordination which is of more importance, is the sanitary sewer line which is currently suspended from the bridge. He said there is no record of the permits for that in the DOT or Village records. He said one thing is because it is in the DOT right of way by permit, what ever the stipulations are is what will be in place. He said the wording of that is the utility agency will be responsible for the relocation or the costs associated with that. The question is when that part of the bridge comes down, how will they maintain the sanitary sewer. Mayor Velarde asked if they are requesting the Village get an engineering service to come in and tell how that will be done, but where is the funding coming from because the Village doesn't have the money for that because of other infrastructure issues. Mr. Fredy Chavez spoke and said it is not cheap. He said in talking with Ms. Casados, part of the permit agreement, the cost will be the responsibility of the utility owner. Mayor Velarde asked if the project will be on hold because the Village does not have the money. Mr. Chavez said no. Mayor Velarde said it will have to if there is no money. Mr. Chavez said there are a few ways around this. He said there are grants, but that probably will not work because of the timing, there are state loans through the DOT with the State Infrastructure Bank. The loan can be taken to start the process and if something happens along the way adjustments can be made to the loan. Mayor Velarde asked if there is a ballpark figure of the cost for utilities. Mr. Chavez said the rough

estimate is, sewer at \$107,000.00 and the water at \$58,000.00, so about \$159,000.00. He said the total is \$166,000.00. Council Member Delgado asked what percentage of that does the Village have to pay. Mr. Chavez said that is the amount the Village pays. Mr. Chavez said the way this works is they take the itemized costs, and multiply it by 30%. He said Covid increased inflation. Mayor Velarde asked if there is a grant/loan portion. Mr. Chavez said that is the loan portion. Mayor Velarde asked if the Village got a grant/loan and that picks up maybe \$90,000.00 of that then the Village is responsible for the balance. Mr. Chavez said yes, those are the changes that can be made. Mr. Chavez said he sent an application to Ms. Casados. Mayor Velarde was told they can take the bridge plans to Souder, Miller and they can go over the plans to see what can be done to try and minimize costs. The plans are at 60% complete and they need to get together and see what can be done to make sure to get good product and to minimize the expense. Mayor Velarde asked if they plan on doing it this summer. He was told no, not until next summer. Mayor Velarde asked if they can go to legislature and get capital outlay. Fire Chief Romero asked if they plan to have safe access to the underside of the structure. He was told at this point; they do not have a vehicle access plan. Chief Romero asked what about walking. He was told not now, but there is sufficient right of way, and they can look at that. Mayor Pro Tem Dominguez asked how much of the plant will be complete when they have the public meeting. He was told between 60 and 90% to have enough detail to show and to have enough runway if there are comments or concerns, they can be coordinated into the plans. He is hoping the public meeting will be this summer.

Review of the Capital Appropriations Bond Questionnaires for June 2022 Severance Tax Bonds, in the amount of \$90,000.00 to meet ADA requirements to the Municipal Building Public Facilities, in the amount of \$200,000.00 for Water Treatment Facility Install, and in the amount of \$150,000.00 to plan, design and construct a deep well brackish water desalination system for the Village of Cuba presented by Mayor Velarde at the 2022 NM State Legislative Session

Ms. Casados said the questionnaire is to secure the funding until the bonds are sold in June, so once the severance tax bonds are sold, then an executed agreement will be sent to the Village stating the funding is secure and available.

Review of the Municipal Court report for February 2022

No discussion at this time.

Update of the Cuba Police Department addressed by Chief of Police Romero

Chief Romero said part of the Grant/Loan is every unit they got brand new is equipped with an AED machine and the officers are trained and are ready to use it if the need comes up. He said the officers are not trained and they have medical direction through the City of Albuquerque and they can now administer Naloxone. He said these two things is a plus for the Cuba Police Department. He handed out a new policy he hopes they will sign so there is a policy in place for the officers. He said in the last month they have 65 traffic citations, 10 arrests including computer crimes and 2 DWI's. 15 co-reports, 1 MVA and they are now doing the drivers tests and they have done 14 this month. He said the Cuba Police Department is now doing the driving tests for anyone who needs one for their license. He said there is an animal control issue and it is up to him to find a solution. He said there is a municipal code in place but he has no way to enforce it. He said if he is given an order to pick up a dog he can not do it. He contacted the County and they are willing to work with the Village on this. He said Cuba will have 100% animal coverage but they want one of the officers to be cross trained to satisfy that portion. He said they need to write a memorandum of understanding with the county to house the dogs. He said

the dogs they pick up here will be taken to the county and it looks like anywhere from \$4,000.00 to \$6,000.00 for 6 months, which isn't a bad thing. He said every dog picked up is a generated citation in court and the max penalty for the dog is \$500.00 so it is estimated they will pick up about 10 dogs every 2 weeks, so it will pay for the service to house the dogs. Mayor Velarde asked why they want that to happen when they have their own animal control. Chief Romero said there is no memorandum in place. Mayor Velarde said Cuba is still Sandoval County. Chief Romero said he understands that but every municipality should have its own animal control. Mayor Velarde asked if they can certify someone for animal control. Chief Romero said yes. He said they do have the equipment, they have the extra vehicle and they have an officer on salary, all that needs to be done is for the officer to be cross-trained, which Sandoval County has already agreed to cross-train. He said they need a memorandum of understanding and they can get it started. Chief Romero said this issue is very important to him because there have been children mauled by the dogs, he himself got attacked at the Police Station at 4 in the morning by 2 dogs, there are dogs at the park, at the school which is dangerous for the kids that walk to school. Mayor Velarde said he thinks it has to go back to the dog owner as well. He said that is where the fines should start. Chief Romero said he agrees and he thinks there should be a 3-strike rule where they will be talked to, then cited, then the dog removed. He said he is planning a full proposal for the next council meeting. He said it will be a good thing for the Village. Council Member Weippert said she checked into it last summer and got the same cost. Chief Romero said the cost is high because the County is not euthanizing the dogs as much as wanting to adopt them out.

Update of the Cuba Volunteer Fire Department addressed by VFD Chief Romero

Fire Chief Romero said they have had 37 Emergency calls so far this year. He said they had a successful pump test for their pumpers, which equals grants. He said they now have a training center at Station 2 which is where they have been holding their meetings there and are in the process of getting high speed internet, and they have already done some trainings there. He said they are now on the medical records account with Sandoval County, which they will have a MOU with them. He said they are recruiting and want to get younger people in the department. He said they have been an ISO-4 since June 2020 and hopefully they will become an ISO-3 with the addition of the training center. He said they are setting up the Wildland MOU as they do every year and they will be working with property owners to clean up their properties to prevent fires. He said they are doing public service daily and they are planning on working with the schools to educate the youth. He said, on behalf of the Fire Department, they want to congratulate Mayor Velarde and Council Member Weippert for their support during their terms. He thanked them for their help and service.

Update from Council Member Delgado in regards to a visit from Mr. Martin Chavez, New Mexico's Infrastructure Advisor on March 14, 2022

Council Member Delgado said they are getting ready to do grant writing with Mr. Chavez and his helpers. Mayor Velarde suggested they apply for a grant for the infrastructure for the sewer line. Council Member Delgado said she will do that.

Public Comment

Mayor Velarde asked if there was any public comment.

Mr. Abraham Velarde stood and said he believes there is a need for the animal control. He said he has been attacked and they have killed animals in his yard. He said he has reached out to Police Chief

Romero for help and he has done all he can. Chief Romero said they have called everyone he could think of and no one would come for a dog. He said it is a good thing they are now going to have the capability to do something about it. Mr. Velarde asked Chief Romero what would happen in the instance that they picked up a dog and someone claimed it. Chief Romero said it will be a 3-strike rule. He said the ordinance states the dog is off the leash in someone's property or they are vicious. He said they do not have to be vicious.

Mayor Velarde asked if there is any further comment.

Rochelle Montoya-Chee stood and said she is from Star Lake Chapter. She wanted to introduce herself to Mayor and Council. She is a Cuba High graduate, Class of 1994

Mayor Velarde asked if there was any further comment. There was none.

Adjourn

Mayor Velarde asked for a motion to adjourn. Council Member Delgado made the motion. Council Member Olivas seconds.

Meeting adjourned at 7:08 p.m.

Approved Minutes for March 30, 2022

The minutes for the Regular Council Meeting held on Wednesday, March 30, 2022 have been officially approved by the Governing Body on April 27, 2022.

Vandora P. Casados, Clerk-Treasurer

