

**MINUTES OF THE CITY OF LAS VEGAS REGULAR CITY COUNCIL MEETING HELD
ON JANUARY 20, 2016 AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS**

MAYOR: Alfonso E. Ortiz, Jr.

COUNCILORS: Vincent Howell
David L. Romero – Absent
Tonita Gurule-Giroń
Joey Herrera

ALSO PRESENT: Elmer J. Martinez – City Manager
Casandra Fresquez – City Clerk
Dave Romero – City Attorney
Ken Jenkins – Sergeant at Arms

CALL TO ORDER

Mayor Ortiz, Jr. called the meeting to order at 6:02 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Ortiz, Jr. asked for a moment of silence to appreciate life and to appreciate our youths in the community, with hopes of them growing up to be good citizens in order to move our community and our country forward.

APPROVAL OF AGENDA

City Manager Martinez recommended moving Consent Agenda Business Item #3 to Business Item #1 for further discussion needed by Utilities Department staff.

Councilor Gurule-Giroñ made a motion to approve the Agenda with the recommended changes of moving Consent Agenda Item #3 to Business Item #1 for further discussion. Councilor Howell seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|----------------|-----|---------------------|--------|
| Joey Herrera | Yes | Tonita Gurule-Giroñ | Yes |
| Vincent Howell | Yes | David L. Romero | Absent |

City Clerk Fresquez re-read the motion and advised the motion carried.

APPROVAL OF MINUTES

Councilor Herrera made a motion to approve the minutes for December 9th and December 16, 2015. Councilor Howell seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|---------------------|-----|-----------------|--------|
| Tonita Gurule-Giroñ | Yes | Vincent Howell | Yes |
| Joey Herrera | Yes | David L. Romero | Absent |

City Clerk Fresquez re-read the motion and advised the motion carried.

MAYOR'S APPOINTMENTS/REPORTS

Mayor Ortiz, Jr. reported that the New Mexico Legislature had begun and advised that he had attended and spoke with several dignitaries regarding working together to acquire the property of the old State Police building on Mills Avenue, which would be used by the Utilities Department.

Mayor Ortiz, Jr. explained that the City of Las Vegas had a twenty year lease with conditions of subject to termination based on a two month notice and added that an investment of at least \$100,000 dollars would have to be made towards improvements of the facility but informed that the City would not be reimbursed in the future, if the contract would be terminated.

Mayor Ortiz, Jr. advised that another piece of Legislation that was being promoted by the City was the request for new vehicles for the Las Vegas Police Department with help from Senator Pete Campos, State Representative Thomas

Salazar and several other Legislators. Mayor Ortiz, Jr. added that if the funding for the vehicles was not acquired from the State Legislature, the City still had a plan in addressing the purchase of new vehicles although it would be delayed until the next budget. Mayor Ortiz, Jr. informed that the City of Las Vegas wished to continue to have communication open with PNM regarding the obtaining of the PNM Building located on Railroad Avenue, preferably at no cost to the City.

Councilor Gurule-Giroń commended Mayor Ortiz, Jr. for pushing forward for obtaining the two new vehicles at the Police Department and asked what he thought the outcome would be in acquiring the old State Police Building.

Mayor Ortiz, Jr. explained that it depended on one person at the Legislature that would make the difference and hoped that the Business Item would not be overlooked, as it had in the past and added that there were some issues involved in the Legislation but informed that they would continue to work with the individual to obtain the ownership of the property.

Councilor Gurule-Giroń had questions in relation to discussion at the Legislative level regarding the ten (10) million dollars that was awarded to the City for water projects.

Mayor Ortiz, Jr. advised there was short discussion that took place with dignitaries regarding the Bradner Dam Improvements and explained the funding would be utilized to improve the inefficient inlet/outlet system.

Councilor Gurule-Giroń asked if and when the draw down process on the funding had already begun.

Utilities Director Ken Garcia advised that one (1) million dollars had already been drawn down.

Councilor Gurule-Giroń made a recommendation to Mayor Ortiz, Jr. of directing City Manager Martinez and Utilities Director Garcia to provide Council a draw down schedule and also a timeline schedule, as to when the draw downs will occur and what the scope of work is going to entail.

Mayor Ortiz, Jr. advised that City Manager Martinez and Utilities Director Garcia would provide the information and also specify the conditions that have to be met before drawing down. Mayor Ortiz, Jr. explained that the funding was not being spent due to the delays of many challenges including law suits and appeals and added that these setbacks have hurt the City and surrounding areas.

Discussion took place of the timely process regarding the City's water projects and also the encumbrance of funding.

City Manager Martinez informed Council that Utilities Director Garcia had been working with the engineer and advised that a report would be presented at the next Council meeting.

MAYOR'S PROCLAMATIONS

Mayor Ortiz, Jr. acknowledged coaches and parents and thanked them for investing their time to be involved in the community's youth and also thanked the young athletes that would be recognized for their athletic achievements.

City Clerk Casandra Fresquez read recognitions recognizing the following individuals for their dedication to the sport of football and for representing Las Vegas and the State of New Mexico:

- CJ Perea
- Dmario Gallegos
- Orlando Romero
- Tony Rubin Jr.
- Noah Martinez
- Santana Martinez

PUBLIC INPUT

City Manager Martinez advised there was no one signed up for Public Input at this time and added that the signup sheet was now located in the lobby due to conducting the Housing Board meeting prior to the Regular meeting.

CITY MANAGER'S REPORT

City Manager Martinez advised that a meeting would be held in the City Council Chambers on January 21st at 5:00 p.m. for Candidates and added that the City would be supplying Candidates Packets that included various information and informed that Department Directors would be presenting functions of their department and objectives being worked on.

City Manager Martinez informed that on January 28th, Community Development and staff, along with various organizations in the city had been working on Las Vegas and San Miguel County Night at the Legislature and added that the reception would be held at the El Dorado Hotel and encouraged the community to attend.

City Manager Martinez advised that the City would be requesting Police Department vehicles at the Legislature and explained that the vehicle request was high priority and was included on the ICIP.

Mayor Ortiz, Jr. wanted to publicly thank all the candidates for their participation and reminded them that it comes with a lot of work and devotion. Mayor Ortiz, Jr. added that he had enjoyed every moment and advised that he would enjoy it until the end of his term, which would be March 1st.

Mayor Ortiz, Jr. took the opportunity to recognize that the City of Las Vegas had done extremely well for maintaining finances. Mayor Ortiz, Jr. advised that the City had greatly improved on financial audits which contributed to qualifying for State funding and added that the city had an excellent reputation with New Mexico Finance Authority.

Mayor Ortiz, Jr. thanked the Administration and the Governing Body for accomplishing many issues and spoke of several challenges that the new Mayor and Council would face and offered his best wishes to the new incoming Administration.

Councilor Gurule-Giroñ advised that Sam Lujan had a question regarding tort claims against the City of Las Vegas.

Councilor Gurule-Giroñ advised Mr. Lujan that all tort claims are public record and explained that he could obtain records from City Clerk's Office.

PRESENTATIONS

MainStreet de Las Vegas Executive Cindy Collins presented the Quarterly Report of progress and goals, as per Contract #3083-15, which included:

- Ribbon cutting for completion of Phase II-\$75,000 Capital Outlay project for E. Romero Hose & Fire
- \$50,000 Grant for shovel-ready construction plans to improve Railroad district by July 2016.
- 2015 Electric Light Parade
- New renovation & artist live/work studios
- Indigo/Kiva Movie Theater
- PNM Grant of \$15,000 for Super Façade Squad for Railroad District
- 15 More Trees on Douglas Avenue=80 Trees & 32 Planter Boxes Filled with Flowers by MainStreet Volunteers
- 4 Benches and 10 Trash receptacles funded by downtown business owners and private individuals
- Way Finding Signage
- Save the Lion
- Vacant Building Ordinance

Ms. Collins acknowledged MainStreet de Las Vegas Board of Director and Staff and advised that MainStreet de Las Vegas had raised \$1,046,000 in Federal, State and Foundation Grants to revitalize our one (1) mile downtown since 2005 and added a list that still needed to be done for the City of Las Vegas which included:

- Update Downtown Action Plan
- TIF implementation
- NMHU Intern
- Review City Historic District Overlay and recommend changes
- Update website

Councilor Gurule-Giroñ commended Ms. Collins on behalf of the constituents of the City of Las Vegas for the continued work and success accomplished.

Councilor Howell thanked Ms. Collins for all the great accomplishments and staying active in the MainStreet Organization. Councilor Howell praised the City's recognition from the State and business staying in Las Vegas.

Councilor Herrera thanked MainStreet members for their efforts and many hours worked in order to beautify the City of Las Vegas.

Mayor Ortiz, Jr. spoke of the many projects and improvements that were taking place in the City and commended all the organizations taking part in making Las Vegas a beautiful community.

Chamber of Commerce President Travis Regensburg gave a presentation regarding the Las Vegas/San Miguel Chamber of Commerce, on the status of deliverables, as per Contract #3084-15 which included:

- Restructured Chamber of Commerce to 78 members (goal-100)
- Amber Care – Open House (July 9, 2015)
- Las Vegas Clean-Up Day (July 2015)
- Candidate Clean-Up Day (February 2016)
- Retirement Celebration- Southwest Capital (2015)
- Homecoming- BBQ Cook-Off- (2015)
- Pumpkin Fest-(2015)
- Energy Efficiency Public Awareness (March 2016)
- NMHU Christmas Mingle (December 2015)
- Meet & Greet with Public @ Chamber of Commerce (January 2016)
- Hospitality Training to Local Businesses – To provide tourist information on activities and services that are available in the City of Las Vegas. (2016)
- Internet Hot Spot-Internet Access to travelers (2016)
- On-Going Customer Service
- Gun Show @ Serf Theatre – (April 8th & 9th 2016)
- Military Veterans Entrepreneur Business Counseling (March 9, 2016)
- Circus (2016)
- Biggest Loser (2016)

Discussion took place of the different levels of membership offered by the Chamber of Commerce.

Councilor Gurule-Giroń had a question regarding the reinstatement of the Jaycees with the Disney Institute and asked if reinstated, would they be associated with the Chamber of Commerce.

Mr. Regensburg explained that there were many discrepancies involved with the Disney Institute and added that in his opinion, he thought that the Chamber of Commerce had been misled by the Institute. Mr. Regensburg advised that they would not work in partnership with them and would rather give our local Universities the business and advised that the Jaycees would not be associated with the Chamber of Commerce.

Councilor Howell thanked Mr. Regensburg and staff, for connecting with the students at Highlands University for making them feel like part of the community.

Mayor Ortiz, Jr. stated for the record "When we praise Mr. Regensburg, we are praising Mr. Regensburg, the Board and staff", and commended the individuals who volunteer their time and effort and was very appreciative.

Mr. Regensburg added that he, Board members and staff will continue to move forward to bring Las Vegas back to where it used to be and thanked Crystal Rains for all her efforts.

EDC Executive Director Bill Hendrickson extended an invitation to the Governing Body to attend the EDC Annual Membership Meeting on January 21st at 5:30 p.m. at Charlie's Bakery and Café.

Mr. Hendrickson gave a presentation on the status of deliverables, from the Las Vegas/San Miguel Economic Development as per Contract #3085-15, which included:

- Dee Bibb Industrial Park Recruitment
- Dee Bibb Industrial Park Infrastructure
- Web Presence
- Funding Opportunities
- Partnerships
- Community Commercial Kitchen
- Eco Tourism

- Business Incubator
- Gallinas River Park
- Senior Living Center
- Skate Board Park Development

Councilor Gurule-Giroñ congratulated Mr. Hendrickson for his success on the Incubator Project and on several other aspects on the EDC Quarterly Report.

Councilor Howell congratulated Mr. Hendrickson on his one year anniversary with the EDC and commended him on the collaboration with other entities that resulted in many accomplishments.

Councilor Herrera thanked Mr. Hendrickson for all his services and commended the success of contracting with Plateau regarding WI-FI and added that it also enhances customer service.

Mayor Ortiz, Jr. thanked Mr. Hendrickson for all his efforts and commended him for his coordination of the EDC.

FINANCE REPORT

Finance Director Ann Marie Gallegos presented the Finance Report ending December 31, 2015. Finance Director Gallegos reported that General Fund revenue came in at forty eight percent and expenditures were at forty four percent.

Councilor Gurule-Giroñ commended Finance Director Gallegos on tightening the budget and had a question regarding the status of the debt service.

Finance Director Gallegos advised that there was a not great amount of debt in the General Fund unlike Utilities Department having greater debt due to large water projects and added that they are matched with grants. Finance Director Gallegos stated that she felt comfortable in meeting the requirements with the current reserves.

Discussion took place regarding the status of loans and reserves of the General Fund and the prepared DFA approved budget on the City's website.

Finance Director Gallegos explained that all reserves were posted with cash balances required by DFA and assured that the reserves for loans and debt services were adequate.

Councilor Gurule-Giroñ asked Finance Director Gallegos, with regards to the budget and debt service, if she felt that in any manner that the City had compromised its leverage or bonding capacity.

Finance Director Gallegos advised Council that she felt that the City had not compromised its leverage or bonding capacity and added that the City had committed to DFA to set aside funds toward the Bond issue for Bradner Dam.

Councilor Howell requested from Finance Director Gallegos, a comparison of financial strength report from the year 2011 through 2015.

Finance Director Gallegos advised Council that she would prepare the financial comparison report requested.

Finance Director Gallegos reported that the Recreation Department revenue was at forty seven percent and expenditures were fifty one percent. Finance Director Gallegos advised that the Enterprise funds came in at forty three percent and the expenditure totals were forty five percent.

CONSENT AGENDA

City Clerk Fresquez read the Consent Agenda Business Items into the record as follows:

1. Approval of Resolution #16-03 Budget Adjustment Resolution.

Resolution 16-03 was presented as follows:

STATE OF NEW MEXICO
MUNICIPALITY OF CITY OF LAS VEGAS
BUDGET ADJUSTMENT RESOLUTION NO. 16-03

WHEREAS, The Governing Body in and for the Municipality of Las Vegas, State of New Mexico has developed a budget for fiscal year 2016; and

WHEREAS, said budget adjustments were developed on the basis of an increase in revenues and expenditures, transfers in/or out in various funds; and

WHEREAS, increase/decrease in revenues, expenditures, transfer in, and transfers out to be funded by additional grant funds, additional loan funds from New Mexico Finance Authority State that need to be included in project funds, and;

WHEREAS, the City of Las Vegas is in need of making adjustments to the 2016 fiscal year budget;

WHEREAS, it is the majority opinion of this Council that the budget adjustments meet the requirements as currently determined for fiscal year 2016;

NOW, THEREFORE, the Governing Body of the City of Las Vegas passes this budget resolution for budget adjustments, **PASSED, APPROVED AND ADOPTED THIS _20th_ DAY OF January 2016.**

Alfonso E. Ortiz, Jr. Mayor
ATTEST:

Casandra Fresquez, City Clerk

REVIEWED AND APPROVED AS TO LEGAL SUFFICIENCY ONLY:

Dave Romero, City Attorney

2. Approval to Award Bid #2016-20 for the Transportation Alternatives Program (TAP) Riverwalk Pedestrian Bicycle Trail (CN-4100930).
4. Approval of the Las Vegas Landfill closure project change order #5.
5. Approval of Resolution No. 16-01 allowing the use of State Revolving Loan Fund 2910 as the match for the Water Trust Board 317 grant/loan.

Resolution 16-01 was presented as follows:

**CITY OF LAS VEGAS
RESOLUTION #16-01**

AUTHORIZING THE DESIGNATION OF FUNDS FROM SRF 2910 AS A MATCH FOR WTB-317

WHEREAS, the City of Las Vegas' 2011 Preliminary Engineering Report recommended that the raw water conveyance system needed improvement. The conveyance system needs to be enlarged to handle the capacity of the diversion; and

WHEREAS, in June 2013 the City of Las Vegas was awarded SRF 2910 of \$1.2M for the design of the raw water conveyance improvements; and

WHEREAS, the City of Las Vegas has expended the grant and loan funds from SRF 2910 for the design of the raw water conveyance improvements; and

WHEREAS, in June 2015 the City of Las Vegas submitted the 100% plans to Construction Programs Bureau for approval; and

WHEREAS, the City of Las Vegas was awarded WTB 317 of \$4M for the construction of the Bradner Reservoir enlargement project including the installation of the raw water conveyance pipeline; and

WHEREAS, the City of Las Vegas is required to designate \$800,000.00 as matching funds for WTB 317; and

WHEREAS, it is in the public interest to give complete and full public notice of the support;

NOW THEREFORE BE IT RESOLVED THAT THE GOVERNING BODY OF THE CITY OF LAS VEGAS approves the submission of State Revolving Loan Fund 2910 as a match for Water Trust Board 317 for the construction and replacement of the raw water conveyance system.

PASSED, APPROVED and ADOPTED THIS _____ day of _____, 2016.

Mayor Alfonso E. Ortiz, Jr.

ATTEST:

Casandra Fresquez, City Clerk

APPROVED AS TO LEGAL SUFFICIENCY ONLY

Dave Romero Jr., City Attorney

Councilor Gurule-Giroń made a motion to approve Consent Agenda as read into the record. Councilor Howell seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|---------------------|-----|-----------------|--------|
| Tonita Gurule-Giroń | Yes | Joey Herrera | Yes |
| Vincent Howell | Yes | David L. Romero | Absent |

City Clerk Fresquez re-read the motion and advised the motion carried.

BUSINESS ITEMS

1. Approval for the purchase of Ditch Witch JT20 Directional Drill/Trenchless Excavating by the Utilities Gas Division.

Utilities Director Ken Garcia advised that the purchase of this drill will improve customer service and safety by allowing employees to install and replace lines without excavation which will limit surface disruption and damage. It will allow for minimal trenching and damage to sidewalks and roadways and will improve efficiency at a reduced cost. The purchase price is \$268,119.67.

Councilor Gurule-Giroń had concerns regarding clarification of the amount of PVC pipe located in the West side of town and asked what would happen to the equipment, once the projects were completed.

Questions were addressed by Utilities Director Garcia and staff, advising that the exact amount of PVC pipe on the Westside area of town was unknown, due to inadequate records, although problem areas were being identified and working diligently with limited resources. Utilities Director Garcia expressed that this equipment was crucial for the department and would be a great investment in helping to work safer and smarter and advised Council that projects are never completed in the Utilities Department.

Councilor Herrera made a motion to approve the purchase of Ditch Witch JT20 Directional Drill/Trenchless Excavating by the Utilities Gas Division. Councilor Howell seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|----------------|-----|---------------------|--------|
| Vincent Howell | Yes | Tonita Gurule-Giroń | Yes |
| Joey Herrera | Yes | David L. Romero | Absent |

City Clerk Fresquez re-read the motion and advised the motion carried.

City Manager Martinez thanked the Governing Body for asking questions regarding the equipment and thanked Utilities staff for the demonstration to show the affects of little disruption to the streets.

2. Approval/Disapproval of Open Meeting Resolution 16-04.

City Clerk Fresquez advised that Resolution 16-04 Establishes Reasonable Notice of City Council Meeting in compliance with the Open Meetings Act. Approval of the resolution is required annually.

City Clerk Fresquez informed that this item had been discussed at the previous Work Session and added that there was a question raised regarding the Finance Committee. City Clerk Fresquez informed that Finance Director Gallegos looked into the matter with DFA, with the result of the Finance Committee not required to meet.

Finance Director Gallegos explained that after contacting the DFA, regarding the requirement of the Finance Committee, she was referred to the Municipal League where she was informed that the Finance Committee is not required to meet by State Statute, but informed that it is up to the Governing Body to establish the committee.

City Clerk Fresquez advised that the language on the Resolution would read; "Meeting will be scheduled and published as required".

Councilor Herrera made a motion to approve of Open Meeting Resolution 16-04. Councilor Howell seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|---------------------|-----|-----------------|--------|
| Tonita Gurule-Giroń | Yes | Joey Herrera | Yes |
| Vincent Howell | Yes | David L. Romero | Absent |

City Clerk Fresquez re-read the motion and advised the motion carried.

COUNCILOR'S REPORTS

There were no Councilor's Reports at this time.

EXECUTIVE SESSION

Mayor Ortiz, Jr. made a recommendation to go into Executive Session to discuss personnel matters.

Councilor Herrera made a motion to go into Executive Session to discuss personnel matters. Councilor Gurule-Giroń seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|----------------|-----|---------------------|--------|
| Vincent Howell | Yes | Tonita Gurule-Giroń | Yes |
| Joey Herrera | Yes | David L. Romero | Absent |

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Herrera made a motion to exit Executive Session and to reconvene into Regular Session and advised that no decisions were made, no votes were taken and only matters of personnel were discussed. Councilor Howell seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|---------------------|-----|-----------------|--------|
| Tonita Gurule-Giroń | Yes | Joey Herrera | Yes |
| Vincent Howell | Yes | David L. Romero | Absent |

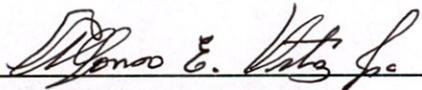
City Clerk Fresquez re-read the motion and advised the motion carried.

ADJOURN

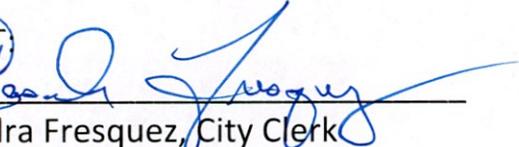
Councilor Herrera made a motion to adjourn. Councilor Howell seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|---------------------|-----|-----------------|--------|
| Joey Herrera | Yes | Vincent Howell | Yes |
| Tonita Gurule-Giroń | Yes | David L. Romero | Absent |

City Clerk Fresquez re-read the motion and advised the motion carried.



Mayor Alfonso E. Ortiz, Jr.

ATTEST


Casandra Fresquez, City Clerk