MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD ON TUESDAY, FEBRUARY 16, 2016 AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS

MAYOR:	Alfonso E. Ortiz, Jr.
COUNCILORS:	Tonita Gurule-Giroń Joey Herrera David L. Romero – Absent Vincent Howell
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 6:04 p.m.

ROLL CALL

Mayor Ortiz, Jr. advised that Councilor Romero was not able to attend the meeting.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Ortiz, Jr. asked for a moment of silence in appreciation of our most precious resource known as water and added that he appreciated and admired the great knowledge of water from farmers, Acequia Users and the individuals involved in water rights.

APPROVAL OF AGENDA

City Manager Martinez recommended removing Business Item #1 from the agenda and added that additional work had to be done regarding inconsistencies with fees being charged by the Animal Welfare Coalition. City Manager Martinez advised that they would be adjusted accordingly with the Resolution and stated that the contract and resolution would be brought back to Council for approval.

Councilor Gurule-Giroń made a motion to approve the agenda with City Manager Martinez' recommendation to remove Business Item#1 and to move Mayor's Appointments/Reports (Business Item #7) after the Finance Report (Business Item #11) to Business Item #12. 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.

APPROVAL OF MINUTES

Councilor Howell made a motion to approve the minutes for January 12th and January 20th, 2016. Councilor Herrera seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

Tonita Gurule-Giroń	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 RECOGNITIONS/PROCLAMATIONS

City Clerk Fresquez read recognition to acknowledge Carol Wawrychuk for her dedication and journey to bring awareness to the many forgotten souls and applaud her contribution of book-sale proceeds to the Patient Foundation at the New Mexico Behavioral Health Institute and to welcome her to the City of Las Vegas for her book signing of "Taking Nana Home".

Former City Councilor Michael Montoya accepted the recognition on Carol Wawrychuk's behalf and advised that Ms. Wawrychuk resided in La Canada California and would be visiting Las Vegas on March 4th for a book signing. Mr. Montoya added that all proceeds from her book would go to the patients from New Mexico Behavioral Institute and informed that many of the patients were forgotten and neglected by their families therefore it was important for this community to be their support system. Mr. Montoya thanked Mayor and Council for the proclamation and encouraged everyone to buy the book that was based in Las Vegas, New Mexico.

Mayor Ortiz, Jr. acknowledged the importance of appreciating people while they are alive and wished Bruce McAllister a Happy Birthday.

PUBLIC INPUT

Bruce McAllister took the opportunity to thank the Governing Body for providing the candidates with a great deal of information and thanked Utilities Director Ken Garcia for the tour of the Utilities Department and for the status of projects completed and ongoing. Mr. McAllister expressed his disappointment regarding candidates that were not present for the tour and recommended that other departments would share good news in their departments as well.

Police Officer Adam Vigil reminded everyone of the upcoming election and the possibility of many changes regarding Department Directors that would include Police Chief Juan Montano therefore he took the opportunity to speak on behalf of the Las Vegas Police Department to praise Police Chief Juan Montano and added that during his tenure he had brought the Las Vegas Police Department together as a cohesive unit and built up moral, and believed that under his leadership the Police Department would continue to thrive and prosper.

CITY MANAGER'S REPORT

City Manager Martinez reported on the candidate tour of the Utilities Department and thanked Utilities Director Garcia and his crew for their efforts and added that it was very informative.

Utilities Director Garcia invited anyone interested in additional information or to tour the Utilities Department should contact the City Manager's office and he would be happy to direct a tour in order to provide correct information to the public.

City Manager Martinez advised that finding a location for Farmer's Market had been taking place and explained that the old Safeway building was a potential location. City Manager Martinez gave a brief overview of conceptual ideas of the development of the area that would be utilized for the Farmer's Market.

Discussion took place regarding funding for engineering and architectural aspects of the project.

Councilor Howell had questions regarding a projected timeline regarding the project for the Farmer's Market and if there were plans to build a skate park in that same area.

City Manager Martinez advised that it would take about two months to gather enough data to present grant applications and to place it on the ICIP in order to obtain Federal and State funding and anticipated completion of the project in Spring of 2017.

Community Development Director Valdez advised that there had been discussions by community members regarding multiple locations for a skate park and added that there were three locations being looked at but had not recently heard of the Safeway area being considered for the park.

City Manager Martinez advised that they would continue to work with people regarding the skate park that would be centrally located as well.

Mayor Ortiz, Jr. asked if there would be any objections to move his Appointments/Reports before the Finance Report was presented.

There were no objections by Council to move the Mayor's Appointments/Reports before the Finance Report was presented.

MAYOR'S APPOINTMENTS/REPORTS

Mayor Ortiz, Jr. gave a brief overview regarding the Legislative process of obtaining ownership of the old State Police Building located on Mills Avenue and added that he was optimistic of the outcome. Mayor Ortiz, Jr. stated that many factors were involved in completing projects and added that some opportunities had been lost but that there were still resources to complete projects.

Mayor Ortiz, Jr. advised that he wanted to clarify his request for a Supplemental Contract and explained that the City Charter was not clear as to the Mayor having future legal responsibility regarding situations with litigations pertaining to the water projects.

Mayor Ortiz, Jr. stated that a couple of candidates were opposed of the Supplemental Contract. Mayor Ortiz, Jr. advised that he felt if there was a Run-Off that his contract would have to be extended and added that Councilor Gurule-Giroń stated that she felt the contract was not necessary and that the payment amount requested exceeded the amount what was written in the City Charter.

Mayor Ortiz, Jr. explained that the difference in the Supplemental Contract was due to the amount of health benefits and explained his coverage and the coverage of each Council member.

Councilor Gurule-Giroń addressed Mayor Ortiz, Jr. and stated that she did not feel that he should be disclosing her personal claims in public, which was a Human Resource issue and added that he was out of order and that he had violated her EEOC rights.

Mayor Ortiz, Jr. apologized for any error that he had made and stated that he just wanted to clarify for the record that he was not asking for more money than he was already receiving. Mayor Ortiz, Jr. thanked everyone and added that he was happy that he was able to serve the community. Mayor Ortiz, Jr. stated that if he had hurt people, that it was not by design and would continue to do everything to move the community ahead and once again apologized to Councilor Gurule-Giroń for overstepping his bounds.

FINANCE REPORT

Finance Director Ann Marie Gallegos presented the Finance Report for the month ending January 31, 2015. Finance Director Gallegos advised that the General Fund revenue was at fifty nine percent and expenditures were at fifty one percent.

Councilor Howell asked how much had been spent on Airport improvements during the last four years and added that he had received many compliments on the Airport improvements.

Finance Director Gallegos advised that the Airport improvements had been funded by a great amount of F.A.A grants and added that she would obtain the information for the last four years.

Brief discussion took place on the status of the Las Vegas Airport Hangar project.

Finance Director Gallegos reported that revenue for Recreation Department came in a fifty seven percent and expenditures were at sixty one percent and added that they were working with Community Services Director Ortiz on controlling expenditures due to the upcoming Recreation Center renovations.

Finance Director Gallegos reported that the revenue amount for the Enterprise Funds was fifty three percent and expenditures came in at fifty four percent and added that projections were at where they should be regarding the natural gas increase projections.

Mayor Ortiz, Jr. asked a question regarding the amounts on Water revenue of sixty one percent and Water expenditures at seventy four percent.

Finance Director Gallegos advised that she would review the figures for the Water revenues and expenditures and would bring back the information to Council at a later date.

Councilor Herrera advised that he had been involved with various balances, revenues and expenditures of the City and added that he was concerned of a possible outstanding bill with Plateau that may compromise dealing with them.

Finance Director Gallegos informed the Finance Department had been working with Plateau on connectivity between the Police Department and City Administrative Offices and explained that they had to go back and re-contract and were now in the negotiating stage. Finance Director Gallegos advised that the plan was to replicate data from City Administrative Offices to the Police Department where final data would be set, in case of a fire.

Discussion took place of the several advantages and disadvantages of working with Plateau regarding upgrades for better community and customer service.

Councilor Howell had a question regarding the projection of $85,000.00 for Hold Harmless.

Finance Director Gallegos advised that the State of New Mexico had not yet applied the hold harmless however, $85.000.00 had been set aside in order to be prepared for the hold harmless tax.

Discussion took place regarding the options taken by the City to avoid the hold harmless tax increase.

CONSENT AGENDA

City Clerk Fresquez read Consent Agenda Business Items #1 through #3 into the record as follows:

1. Approval of Resolution #16-05 to Donate miscellaneous structural fire protective coats, pants, helmets, rubber boots, leather boots, gloves and suspenders.

   Resolution 16-05 was presented as follows:

CITY OF LAS VEGAS

RESOLUTION NUMBER: 16-05

A RESOLUTION DONATING CERTAIN PROPERTY OF THE CITY OF LAS VEGAS NEW MEXICO BY RENDERING AID TO THE JUAREZ FIRE DEPARTMENT AND DIRECTING THE CITY OF LAS VEGAS FIRE DEPARTMENT TO DONATE SAID PROPERTY TO THE JUAREZ FIRE DEPARTMENT, JUAREZ MEXICO.

WHEREAS, the City of Las Vegas wishes to render aid to the Juarez Fire Department by donating its fire equipment, described as follows:

1. Approximately fifty-four(54) Miscellaneous Structural Fire Protective Coats.
2. Approximately fifty(50) pairs of Miscellaneous Structural Fire Protective Pants.
3. Approximately fifty-five(55) Miscellaneous Structural Fire Protective Helmets.
4. Approximately thirty-eight(32) Miscellaneous Structural Fire Protective Rubber Boots.
5. Approximately eighteen(18) Miscellaneous Structural Fire Protective Leather Boots.
6. Fifteen(15) pairs of Miscellaneous Structural Fire Protective Gloves.
7. Fifteen(15) sets of Miscellaneous Structural Fire Protective Suspenders.

WHEREAS, the following described item is property, which is excess and not needed for any essential government function, it is no longer being used by the City of Las Vegas Fire Department.

WHEREAS, when this property is donated to another agency, it shall be understood that the property listed below **may** or **may not** meet current standards. The City of Las Vegas shall not be responsible for any cost associated with bringing said equipment up to standards, and the City of Las Vegas shall be released from any liability associated with this equipment.

WHEREAS, the receiving agency accepts this equipment on an "AS IS" basis, and accepts any and all cost associated with bringing said equipment up to standards prior to placing equipment in to service.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAS VEGAS, NEW MEXICO, that the above described item belonging to the City of Las Vegas Fire Department is hereby declared excess property and not needed for any City purpose of function and that said personal property should be donated.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2016.

CITY OF LAS VEGAS:

_____

Alfonso E. Ortiz, Jr., Mayor
ATTEST:

_____
Casandra Fresquez, City Clerk

Approved as to Legal Sufficiency Only

_____Dave Romero, City Attorney

2. Approval of Resolution #16-06 to submit USDA Grant application in the amount of $306,454.00 to purchase police vehicles with a 75/25% match.

Resolution 16-06 was presented as follows:

CITY OF LAS VEGAS
RESOLUTION NO. 16-06

AUTH ORIZING AND APPROVING THE SUBMISSION OF A GRANT APPLICATION FOR FUNDING AND PROJECT APPROVAL TO THE UNITED STATES DEPARTMENT OF AGRICULTURE

WHEREAS, the City of Las Vegas is a qualified entity under the Code of Federal Regulations, Section 3570.62 and the Governing Body is authorized to request funds for financing the purchase of police vehicles for the benefit of the Borrower and the public; and

WHEREAS, the U.S. Department of Agriculture (USDA) has instituted a program for financing of projects identified as **Rural Development Community Facilities Programs** and has developed an application procedure whereby the Governing Body may submit an application forr financial assistance of up to 75% of the cost of purchasing police vehicles in areas located in a rural community having a population of 20,000 or less; and

WHEREAS, the Governing Body intends to supplement the other 25% to meet the requirements of the application for the balance of the project through financial assistance, or grants from other sources; and

WHEREAS, the application prescribed by the United States Department of Agriculture will be submitted to the United States Department of Agriculture for its consideration and review as required as part of the application.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAS VEGAS:

That the officers and employees of the Governing Body are hereby directed and requested to submit the Application to the USDA for its review and are further authorized to take such action as may be requested by the USDA in its consideration and review of the Application and to further proceed with arrangements for financing the Project.

All acts and resolutions in conflict with this resolution are hereby rescinded, annulled, and repealed.

This resolution shall take effect immediately upon its adoption.

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

3. Approval of Repayment Agreement with Housing and Urban Development (HUD).

Councilor Herrera made a motion to approve the Consent Agenda as read into 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

2. Approval/Disapproval of Resolution 16-07, A resolution supporting the submission of an application for funding to the New Mexico Department of Transportation Municipal Cooperative Program for the professional service along Hot Springs Boulevard from Bernalillo Street to Mills Avenue.

Public Facilities Project Manager Chris Cavazos advised that as part of the grant submittal criteria for the New Mexico Department of Transportation Municipal Corporative Program (COOP), a resolution of application is required. In complying with this criteria, staff is requesting that the resolution be approved.

Councilor Gurule-Giroń took the opportunity to thank Public Facilities Director Gonzales and Public Facilities Project Manager Cavazos for their hard work and meeting deadlines which was imperative in order to obtain DOT Municipal and Arterial Cooperative funding.

Mayor Ortiz, Jr. added that he was pleased with the request being made due the specified areas needing reconstruction.

Councilor Gurule-Giroń made a motion to approve Resolution 16-07, a resolution supporting the submission of an application for funding to the New Mexico

Department of Transportation Municipal Cooperative Program for the professional service along Hot Springs Boulevard from Bernalillo Street to Mills Avenue. Councilor Herrera seconded the motion.

Resolution 16-07 was presented as follows:

CITY OF LAS VEGAS, NM

RESOLUTION NO. 16-07

A Resolution Supporting the New Mexico Department of Transportation Municipal Cooperative Program for the Planning, Engineering Design, Environmental Certification, and other professional services of Hot Springs Boulevard from Bernalillo Street to Mills Avenue.

WHEREAS, the City of Las Vegas desires to apply for funding through the Municipal Cooperative Program with the New Mexico Department of Transportation for the Planning, Engineering Design, Environmental Certification, and other professional services of Hot Springs Boulevard from Bernalillo Street to Mills Avenue, located in Las Vegas, New Mexico; and

WHEREAS, the estimated cost of the above described project is sixty two thousand one hundred thirty nine dollars and fifty cents ($62,139.50).

WHEREAS, the City of Las Vegas' governing body has declared improvements to said street a necessity for the good and well-being of the citizens of Las Vegas, New Mexico and support application for these funds to accomplish the work; and

WHEREAS, the City of Las Vegas will agree to work in accordance with the funding requirements of the Municipal Cooperative Program, provided it be successful in receiving the funding necessary for these improvements.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Las Vegas, New Mexico that the application for the above funding be submitted to the New Mexico Department of Transportation, Municipal COOP Program.

PASSED, APPROVED AND ADOPTED, this _____day of _____ 2016.

CITY OF LAS VEGAS

MAYOR _____

ATTEST:

CITY CLERK _____

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

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

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

3. Approval/Disapproval of Resolution 16-08, a resolution supporting the submission of an application for funding to the New Mexico Department of Transportation Municipal Arterial Program for the Planning Engineering Design, Environmental Certification, Construction Management, Construction, Reconstruction, Drainage Improvements and Miscellaneous Construction along Hot Springs Boulevard from Valencia Street to Bernalillo Street.

Public Facilities Project Manager Cavazos advised that as part of the grant submittal criteria for the New Mexico Department of Transportation Municipal Arterial Program (MAP), it is required that a resolution of support from the local Governing Body accompany the grant application. In complying with this criteria, staff is requesting that the resolution be approved.

Councilor Gurule-Giroń made a motion to approve Resolution 16-08, a resolution supporting the submission of an application for funding to the New Mexico Department of Transportation Municipal Arterial Program for the Planning Engineering Design, Environmental Certification, Construction Management, Construction, Reconstruction, Drainage Improvements and Miscellaneous Construction along Hot Springs Boulevard from Valencia Street to Bernalillo Street. Councilor Herrera seconded the motion.

Resolution 16-08 was presented as follows:

CITY OF LAS VEGAS, NM

RESOULUTION NO. 16-08

A Resolution Supporting the New Mexico Department of Transportation Municipal Arterial Program for the Planning, Engineering Design, Environmental Certification, Construction Management, Construction, Reconstruction, Drainage Improvements, and Miscellaneous Construction of Hot Springs Boulevard, from Valencia Street to Bernalillo Street.

WHEREAS, the City of Las Vegas desires to apply for funding through the Municipal Arterial Program with the New Mexico Department of Transportation for the Planning, Engineering Design, Environmental Certification, Construction Management, Construction, Reconstruction, Drainage Improvements, and Miscellaneous Construction of Hot Springs Boulevard, from Valencia Street to Bernalillo Street, located in Las Vegas, New Mexico; and

WHEREAS, the estimated cost of the above described project is four hundred forty one thousand two hundred forty three dollars and ninety seven cents ($441,243.97).

WHEREAS, the City of Las Vegas' governing body has declared improvements to said street a necessity for the good and well-being of the citizens of Las Vegas, New Mexico and support application for these funds to accomplish the work; and

WHEREAS, the City of Las Vegas will agree to work in accordance with the funding requirements of the Municipal Arterial Funding Program, provided it be successful in receiving the funding necessary for these improvements.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Las Vegas, New Mexico that the application for the above funding be submitted to the New Mexico Department of Transportation, MAP Funding Program.

PASSED, APPROVED AND ADOPTED, this _____day of _____ 2016.

CITY OF LAS VEGAS

MAYOR _____

ATTEST:

CITY CLERK _____

Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

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

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

Councilor Herrera asked when the bidding would take place for the Lodger's Tax Special Events and asked if the Rough Rider Motorcycle Rally would be returning.

City Manager Martinez informed that the RFP for Special Events would be put out next month and advised that the Rough Rider Motorcycle Rally would be back this year.

COUNCILOR'S REPORTS

Councilor Herrera advised that this might be his last meeting and wanted to thank all City staff for being open-minded, friendly ,open hearted and added that he could not have asked for a better City staff to work with and hoped the best for the City of Las Vegas and staff on their forward motion.

Councilor Howell thanked Public Facilities Director Gonzales and Chief of Police Montano for their assistance with ideas on controlling speeders in various neighborhoods in town and had a question regarding the Christmas lights remaining at Plaza Park and Carnegie Park.

Public Facilities Director Gonzales advised the lights were left purposely at Plaza Park to add festivity and added that the Christmas tree at Carnegie was still there due to the ground being saturated, limiting utilization of the bucket truck as it would sink and cause damage to the sprinkler system but advised that eventually the tree would be removed.

Councilor Howell announced that Patsy Duran, a local active political citizen had a major heart incident and was at Alta Vista Hospital and asked if everyone would keep her in their prayers.

Councilor Howell advised that he has enjoyed working for the City of Las Vegas and looked forward to working another four year term but if not he was thankful to Mayor Ortiz, Jr. for what he had done for the City and to everyone he had worked with. Councilor Howell added how important it was to collaborate in order to move the City ahead and it was a pleasure to serve his community.

Mayor Ortiz, Jr. took the opportunity to express how proud he was of the work accomplished in the City of Las Vegas, working with the Governing Body as a unit and getting past the disagreements in order to better the community. Mayor Ortiz, Jr. added that he had enjoyed his time as Mayor and thanked everyone in the City of Las Vegas. Mayor Ortiz, Jr. spoke briefly on the importance of

friendship and thanked the citizens who supported this administration. Mayor Ortiz, Jr. stated that he was very proud of Las Vegas and added that he planned to stay in the City.

City Manager Martinez thanked the Governing Body for taking a chance and appointing him as City Manager and that it was a pleasure serving with this Governing Body.

ADJOURN

Councilor Gurule-Giroń made a motion to adjourn. Councilor Herrera 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.

Mayor Alfonso E. Ortiz, Jr.

ATTEST:

Casandra Fresquez, City Clerk