

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING ON  
WEDNESDAY, MARCH 19, 2014 AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS.**

**MAYOR:** Alfonso E. Ortiz, Jr.

**COUNCILORS:** David L. Romero  
Joey Herrera  
Tonita Gurule-Giroñ  
Vincent Howell

**ALSO PRESENT:** Christian Montano, Interim City Manager  
Casandra Fresquez, City Clerk  
Dave Romero, City Attorney  
Juan Montano, Commander-Sergeant At  
Arms

**CALL TO ORDER**

Mayor Alfonso E. Ortiz, Jr. called the meeting to order at 6:00 p.m.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

Mayor Alfonso E. Ortiz, Jr. asked for a moment of silence in appreciation of life and the effort made by each of us to do the most we can to make it better.

Mayor Alfonso E. Ortiz, Jr. read a memo from City Manager, Tim Dodge addressed to the Mayor, City Council and City Staff notifying that he would be out of office

on March 19th through March 25<sup>th</sup> and Christian Montano, Police Chief would take over as Interim City Manager in charge of all city operations for this period.

**APPROVAL OF AGENDA**

Interim City Manager, Christian Montano recommended business items one through seven be placed on consent agenda.

Councilor Gurule-Giroń had questions on why there were two additional items (9 & 10) added to the agenda.

Interim City Manager, Christian Montano advised that the new items were public hearing and could not have prior discussion in the work session.

Councilor Howell moved to approve agenda with consent of business items one through seven. Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call vote. Roll Call Vote was taken and reflected the following:

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

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

**APPROVAL OF MINUTES**

Councilor Gurule-Giroń advised that on the minutes for February 10, 2014 that she arrived between the time of approval of the agenda and approval of minutes.

City Clerk Fresquez advised that she would look at her notes and verify.

Councilor Joey Herrera made a motion to approve the minutes of February 10, 2014 and February 25, 2014, subject to clarification. Councilor Howell seconded the motion.

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

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

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

**MAYOR’S APPOINTMENTS**

Mayor Ortiz Jr., advised there were no appointments at this time.

**MAYOR’S RECOGNITIONS/PROCLAMATIONS**

Mayor Ortiz Jr., advised that the Proclamation for “Foster Grandparents” had already been done and recognized during the Housing Commission Meeting.

City Clerk Fresquez read the “Fix a Leak Week” Proclamation which would be recognized on the week of March 17, 2014 through March 23, 2014.

Mayor Ortiz, Jr. presented Utilities Director Ken Garcia and Water Conservation Specialist, Vanessa Marquez with a certificate, recognizing the Utilities Department for the program

Utilities Director Garcia advised this program was sponsored by the Environmental Protection Agency and spoke of the services offered to the public.

Water Conservation Specialist, Vanessa Marquez gave information on the upcoming event being held at the Recreation Department regarding water conservation, identifying water leaks and qualifying for credits that are available to the community.

Utilities Director Ken Garcia spoke about the new Smart System implemented at the Water Department regarding reading water meters and expressed how helpful this new software has been in locating leaks.

Councilor Gurule-Giroń asked if the funding for this program came from the Enterprise Fund.

Utilities Director Garcia advised that from the annual budget, councilors set aside a \$100,000 Water Conservation Initiative.

Councilor Gurule-Giroñ had questions regarding expenditures for the program.

Utilities Director Garcia advised that he didn't have the information available at this time but would obtain a report and get back with her.

Councilor Howell stated that he would be interested in the dollar amount of savings to the consumer and to the water department, after the leaks would be fixed.

Utilities Director Garcia advised that information would be added to the report requested by council.

Mayor Ortiz, Jr. advised that both city teams, West Las Vegas High School and Robertson High School have had much success this year and stated they would be formally recognized at the next meeting which would be held on April 9<sup>th</sup>, 2014. Mayor Ortiz, Jr. also acknowledged the NM Lobos on their success, and advised that a letter of recognition on their success would be sent to Mr. Ed Manzanares, who is an acquaintance of the coach.

## **PUBLIC INPUT**

Interim City Manager Christian Montano informed that there was a gentleman who had requested to be put on the public input list but was advised that he needed to sign up fifteen minutes prior to the meeting and recommended that the public should be informed of this information.

Mr. Lee Einer spoke about his concerns regarding ordinances on political signs, and expressed that in his opinion that selective enforcement was being practiced by the governing body.

Mr. Lorenzo Flores expressed his opinion regarding intimidation by several members of the governing body and accused them of dismissing him from the meeting for speaking in Spanish. Mr. Flores requested he be escorted out of the meeting.

Ms. Pamela G. Daves gave an overview about the concerns at Carnegie Library regarding repairs and advised that she would present a list of repairs needed at every council meeting.

Mayor Ortiz, Jr. expressed his concerns about the library repairs. Mayor Ortiz, Jr. advised that the issues had already been brought to the governing body's attention and added that work should already have been done and requested to City Clerk Fresquez to follow up on the matter as soon as possible.

City Clerk Fresquez advised council that she would follow up on this issue.

## **FINANCE REPORT**

Interim Finance Director Ann Marie Gallegos presented the finance report ending February 28, 2014, collecting sixty nine percent of budgeted revenues and expenditures were at sixty one percent for the General Fund. Enterprise revenues were at sixty eight percent and expenditures at sixty two percent. Recreation Department revenues were at sixty three percent and expenditures were up at sixty nine percent due to repair and maintenance needed. Housing Department collected sixty three percent and expenditures were at sixty five percent.

Councilor Gurule-Giroñ had questions on several expenditures on the finance report and requested information from that report.

Interim Finance Director Gallegos addressed the questions and advised she would provide the information requested.

Councilor Howell had questions regarding the Library's budget and what it consisted of and also asked where maintenance and repair funds came from.

Interim Finance Director Gallegos advised that the Library budget consisted of salary, supplies and materials and that there was a separate fund allocated for books, and added that M&R funds came from Public Facilities budget.

Councilor Howell requested information on any work being done at the library and museum.

Interim Finance Director Gallegos advised she would obtain the information for council.

Mayor Ortiz, Jr. suggested making some modifications to the Finance report format which in his opinion needed simplifying.

**BUSINESS ITEMS**

Consent Agenda

City Clerk read the consent agenda business items into the record to include Business Items one through seven.

1. Approval/Disapproval of Resolution 14-14 adopting a Title VI Program in accordance with Federal Transit Administration requirements.

Resolution 14-14 was presented as follows:

**CITY OF LAS VEGAS**  
**Resolution No. 14-14**

**A RESOLUTION ADOPTING A TITLE VI PROGRAM IN ACCORDANCE WITH  
FEDERAL TRANSIT ADMINISTRATION REQUIREMENTS**

**WHEREAS**, the City of Las Vegas Transportation Service—Meadow City Express was designated a public rural transportation system in 1995; and

**WHEREAS**, since that time, the City of Las Vegas—Meadow City Express has operated under Federal Transit Administration 5311 Program grant and under the authority of the New Mexico Department of Transportation--Transit and Rail Division; and

**WHEREAS**, the Federal Transit Administration (FTA) requires all grantees of FTA financial assistance to develop a Title VI program: and

**WHEREAS**, in the past, the New Mexico Department of Transportation, Transit and Rail Division Title VI program covered the State and its grantees, to include Meadow City Express; and

**WHEREAS**, now FTA requires that each 5311 program grantee, including Meadow City Express, must have its own Title VI program.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LAS VEGAS** that the City of Las Vegas hereby adopts a Title VI Program for Meadow city Express in accordance with the Federal Transit Administration.

BE IT FURTHER RESOLVED that proper notice be given to the public of its rights under Title VI.

**PASSED, APPROVED and ADOPTED by the Governing Body at its meeting of March \_\_\_\_\_, 2014**

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**Alfonso E. Ortiz, Jr., Mayor**

**ATTEST:**

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**Casandra Fresquez, City Clerk**

**2. Approval/Disapproval of Resolution 14-17 Budget Adjustment Resolution.**

Resolution 14-17 was presented as follows:

STATE OF NEW MEXICO  
MUNICIPALITY OF CITY OF LAS VEGAS  
BUDGET ADJUSTMENT RESOLUTION NO. 14-17

**WHEREAS**, The Governing Body in and for the Municipality of Las Vegas, State of New Mexico has developed a budget for fiscal year 2014, and;

**WHEREAS**, said budget adjustments were developed on the basis of an increase in revenues and expenditures, transfers in or out in funds 101, 202, 259, 271, 282, 620, 630, 640, 646, 647, 648;

Increase revenues and expenditures in General Fund (101)- Increase revenues in the amount of \$5,250 and expenditures in the amount of \$5,250; to be funded by a grant from New Mexico State Forestry department for the purchase of trees at Lincoln Park; in-kind services will be provided by the Parks department in the amount of \$1,050;

Increase revenues and expenditures in Lodgers Tax Fund (202)- Increase revenues in the amount of \$10,000 and increase expenditures in the amount of \$20,000 to be funded by a 50% grant/match from New Mexico

Tourism Department for the purpose of advertising and promotional service to promote tourism in New Mexico;

Increase revenues and expenditures in SM County DWI Program Fund (271)- Increase revenues and expenditures in the amount of \$7,000 to be funded by San Miguel County DWI Planning Council for the purpose of supplying overtime funds;

Increase revenues and expenditures in Senior Center Fund (282)- Increase revenues and expenditures in the amount of \$8,578 to be funded by additional proceeds from the Wal-Mart Foundation Grant for the purpose of reducing hunger in the state of New Mexico;

Increase transfers (out) in General Fund- Increase transfers (out) in the amount of \$50,000 to be funded by unbudgeted cash balance for the purpose of providing the City's portion of local funds for Senior Center;

Increase transfers (in) and expenditures in Senior Center Fund (282)- Increase transfers (in) and expenditures in the amount of \$50,000 to be funded by a transfer in from General Fund for the purpose of providing the City's portion of local funds;

Increase revenues and expenditures in Gas Fund (620)- Increase revenues and expenditures in the amount of \$500,000 to be funded by additional revenues retrieved with the gas rate increase imposed by Zia Natural Gas;

Increase revenues and expenditures in Water Fund (640)- Increase revenues in the amount of \$500,000 and expenditures in the amount of \$200,000 to be funded by additional revenues retrieved from the water rate increase;

Increase transfers (out) in Water Fund (640)- Increase transfers (out) to fund 647 in the amount of \$20,000 to be funded by unbudgeted cash balance;

Increase transfers (in) in Water Acquisition Fund (647)- Increase transfers (in) in the amount of \$20,000 from fund 640 for the purpose of paying attorney fees;

Decrease revenues, expenditures and increase transfers (in) in Water GRT Fund (646)- Decrease revenues in the amount of \$569,426 to correct for grant amounts received in prior year; decrease expenditures in the amount of \$740,731 due to decrease in funding; increase transfers (in) in the amount of \$1,000,000 to be funded by unbudgeted cash balance;

Increase transfers (out) in NMFA Bond Fund (648)- Increase transfers (out) in the amount of \$1,000,000 to fund 646 to be funded by unbudgeted cash balance;

Increase revenues, expenditures and transfers (in) in NM Youth Commission Corps Fund (259)- Increase revenues in the amount of \$148,792; expenditures in the amount of \$241,238 to be funded by a grant from New Mexico Youth Conservation Corps Commission for the purpose of hiring youth; increase transfers (in) in the amount of \$92,446 from General Fund and Solid Waste KAB fund;

Increase transfers (out) in General Fund (101)- Increase transfers (out) in the amount of \$50,000 to be funded by unbudgeted cash balance as half of the match portion of the NMYCC grant;

Increase transfers (out) in Solid Waste Fund (630)- Increase transfers (out) in the amount of \$42,446 to be funded by unbudgeted cash balance as half of the match portion of the NMYCC grant;

**WHEREAS**, the City of Las Vegas is in need of making adjustments in the 2014 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 2014;

**NOW, THEREFORE**, the Governing Body of the City of Las Vegas passes this budget resolution for budget adjustments, **PASSED, APPROVED AND ADOPTED THIS 19<sup>TH</sup> DAY OF March, 2014.**

\_\_\_\_\_  
Alfonso E. Ortiz, Jr. Mayor

ATTEST:

\_\_\_\_\_  
Casandra Fresquez, City Clerk

REVIEWED AND APPROVED AS TO LEGAL SUFFICIENCY ONLY:

\_\_\_\_\_  
Dave Romero, City Attorney

### 3. Approval/Disapproval of Resolution 14-12- Housing Section 3 and Citizen Plan.

Resolution 14-12 was presented as follows:

#### RESOLUTION #14-12

#### A RESOLUTION APPROVING THE CITY OF LAS VEGAS HOUSING AUTHORITY SECTION 3 PLAN/CITIZEN PARTICIPATION PLAN

WHEREAS, the City of Las Vegas Housing Authority is required to comply with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u); and

WHEREAS, the Act requires that training, employment and contract opportunities generated by HUD financial assistance for housing and community and development programs shall, to the greatest extent feasible, be given to low and very low income persons, and to businesses that provide economic opportunities for these persons; and

WHEREAS, the City of Las Vegas Housing Authority has prepared a plan in compliance with the Section 3 Plan is approved for implementation.

NOW THEREFORE BE IT RESOLVED that this resolution replaces any and all prior resolutions approving the City of Las Vegas Housing Authority Section 3 Plan/Citizen Participation Plan.

PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor Alfonso E. Ortiz, Jr.

Attest:

\_\_\_\_\_  
Casandra Fresquez, City Clerk

APPROVED AS TO LEGAL SUFFICIENCY ONLY

\_\_\_\_\_  
Dave Romero Jr., City Attorney

Resolution 14-12 was presented as follows:

4. Approval/Disapproval of Resolution 14-13 assigning official representatives and signatory authority for the Clean Water State Revolving Fund agreement 016.

Resolution 14-13 was presented as follows:

**CITY OF LAS VEGAS  
RESOLUTION NO. 14-13**

**A RESOLUTION AUTHORIZING THE ASSIGNMENT OF OFFICIAL REPRESENTATIVES AND SIGNATORY AUTHORITIES**

**WHEREAS**, the Council of the City of Las Vegas of San Miguel County of the State of New Mexico shall enter into a loan agreement with the State of New Mexico Environment Department and;

**WHEREAS**, the Agreement is identified as CWSRF 016 and;

**NOW, THEREFORE, BE IT RESOLVED** by the named applicant that:

Mayor Alfonso E. Ortiz, Jr. and Timothy P. Dodge, City Manager, or their successors are authorized to sign the agreement for this Project, and

Mayor Alfonso E. Ortiz, Jr. and Timothy P. Dodge, City Manager or their successors are the OFFICIAL BORROWER REPRESENTATIVE who are authorized to submit any documents pertaining to the project and act as the single points of contact, and

Mayor Alfonso E. Ortiz, Jr. and Timothy P. Dodge, City Manager or their successors are the SIGNATORY AUTHORITY who are authorized to sign reimbursement requests and other documents requiring a signature for submittal to the New Mexico Environment Department.

PASSED, APPROVED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor Alfonso E. Ortiz, Jr.

ATTEST:

\_\_\_\_\_  
Casandra Fresquez, City Clerk

APPROVED AS TO LEGAL SUFFICIENCY ONLY:

\_\_\_\_\_  
Dave Romero Jr., City Attorney

5. Approval/Disapproval of Resolution 14-18 adopting the State and Federal Procurement Code.

*Due to the length of document a copy can be obtained at City of Las Vegas City Clerk's Office.*

6. Approval/Disapproval of appointment and contract to Ann Marie Gallegos as Finance Director.

7. Approval/Disapproval of appointment of Pamela Marrujo as Housing Director.

Councilor Howell moved to approve consent agenda as read into record. Councilor Herrera seconded the motion. Mayor Ortiz, Jr. asked for roll call vote. Roll Call Vote was taken and reflected the following:

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

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

Mayor Ortiz, Jr. took a moment to clarify the incident with Mr. Lorenzo Flores, earlier in the meeting and that it was unfortunate that he made negative and personal remarks directly to someone and would not tolerate that kind of behavior in the council chambers. Mayor Ortiz, Jr. added that Mr. Flores' accusation of being dismissed from the meeting for speaking Spanish was not the case and Mr. Flores' request to be escorted out was to gain negative publicity for the City of Las Vegas.

8. Approval/Disapproval to Reject and Re-Bid, Bid #2014-18 for the City of Las Vegas E. Romero Fire Station Renovation Phase-2.

Councilor Gurule-Giroñ had questions on why the bids were being rejected.

Public Works Manager Chris Cavazos advised that all the bids received were over budget.

Councilor Gurule-Giroñ had a question concerning the amount of the alternative additive from the estimated cost of the project.

Public Works Manager Chris Cavazos advised that the amount did not change.

Councilor Gurule-Giroñ questioned if the bid would allow additional costs and was concerned if the amount would stay the same including alternative additives.

Public Works Manager Chris Cavazos advised in order to comply with the restrictions within the grant; therefore they have to stay with that dollar figure and the engineer's estimate which is based around the requirements of the grant.

Utilities Director Garcia addressed council and recommended that it was not a good idea to disclose information on the engineers estimate.

Mayor Ortiz, Jr. agreed with the recommendation of Utilities Director Garcia.

Councilor Herrera made a motion to approve to reject and re-bid 2014-18 for the City of Las Vegas E. Romero Fire Station Renovation Phase 2. Councilor Howell and Councilor Romero seconded the motion. Mayor Ortiz, J. asked for roll call vote. Roll Call Vote was taken and reflected the following:

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

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

9. Conduct a Public Hearing and Approval/Disapproval of Ordinance 14-01 amendment to the Official Zoning Map for property located at 2801 Las Vegas Blvd.

Councilor Gurule-Giroń made a motion to go into public hearing. Councilor Howell and Councilor Herrera seconded the motion. Mayor Ortiz, Jr. asked for roll call vote. Roll Call Vote was taken and reflected the following:

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

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

City Attorney Dave Romero swore in the individuals who would be speaking on the issue, which included: Lucas Marquez, Matt Martinez III, Matt Martinez Jr., Connie F. Martinez, Pam Daves, and Bruce McAllister.

Lucas Marquez Interim Community Development Director advised that Matias Martinez Jr., owner of an 11.92 acre parcel of vacant land located within 2801 Las Vegas Blvd., southwest of the Civic Center is requesting the property be re-zoned from its present C-3 (General Commercial Zone) to an RA (Residential Agricultural Zone).

Bruce McAllister, Vice Chairman of the Planning & Zoning Committee stated that he hoped proper procedure be taken in this zoning.

Pam Daves advised that she was in support of returning the property back to its original zone.

Mr. Matt Martinez clarified that the property 2801 Las Vegas Blvd., is the Civic Center and the property pertaining to the changes is south of 2801.

Mayor Ortiz, Jr. thanked Mr. Martinez for that clarification.

Interim Community Development Director wanted to state on record that city ordinance was followed in regards to notifying anyone that was within a 100 ft. radius of the property.

Councilor Gurule-Giroń had questions on what the intent was for the property after being transferred to residential zoning.

Interim Community Development Director Marquez advised that the property would remain as is and that the property was located in the flood zone and would make it difficult to plan any development on the property.

Councilor Gurule-Giroń asked Mr. Matt Martinez what his intentions were regarding the use of the property.

Mr. Matt Martinez advised that the use would be very limited because of the property being in the flood zone and also issues with property taxes.

Councilor Howell had questions on the location of the property.

Councilor Herrera clarified the location of the property to Councilor Howell.

Councilor Gurule-Giroń made a motion to accept record proper including statements. Councilor Howell and Councilor Herrera seconded the motion. Mayor Ortiz, Jr. asked for a roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Joey Herrera	Yes
Tonita Gurule-Giroń	Yes	David L. Romero	Yes

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

Councilor Gurule-Giroń made a motion to close Public Hearing and go back into regular session. Councilor Howell and Councilor Romero seconded the motion.

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

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

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

Councilor Gurule-Giroń made a motion to approve Ordinance 14-01 amendment to the Official Zoning Map for property located at 2801 Las Vegas Blvd. Councilor Herrera seconded the motion. Mayor Ortiz, Jr. asked for a roll call. Roll Call Vote was taken and reflected the following:

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

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

Ordinance 14-01 was presented as follows:

CITY OF LAS VEGAS, CITY COUNCIL  
ORDINANCE NO. 14-01

AN ORDINANCE AMENDING THE CITY OF LAS VEGAS OFFICIAL ZONING MAP FROM A C-3 GENERAL COMMERCIAL ZONE TO AN RA RESIDENTIAL AGRICULTURAL ZONE FOR AN 11.92 ACRE TRACT OF LAND LOCATED WITHIN 2801 LAS VEGAS BLVD AS REQUESTED BY MATIAS MARTINEZ JR.

WHEREAS, Matias Martinez Jr. has applied for an amendment to the official zoning map from a (C-3) General Commercial Zone to a RA Residential Agricultural Zone for a 11.92 acre tract of land located North of Legion Drive and west of Las Vegas Blvd being within 2801 Las Vegas Blvd., pursuant to provisions of the Las Vegas City Zoning Ordinance and:

WHEREAS, on February 24, 2014 the City Of Las Vegas Planning and Zoning Commission, following adequate public notice, held a public hearing to receive testimony concerning the amendment of the Official Zoning Map to rezone a portion of the property within 2801 Las Vegas Blvd. from a C-3 General Commercial Zone to an RA Residential Agricultural Zone classification, and, on February 24, 2014, adopted a motion recommending the proposed amendment; and

WHEREAS, on March 19, 2014 the Governing Body of the City of Las Vegas following adequate public notice, held a public hearing to receive testimony concerning the recommendations of the Planning and Zoning Commission;

**NOW, THEREFORE BE IT ORDAINED** that the Governing Body of the City of Las Vegas, New Mexico, hereby GRANTS the amendment to the official zoning map by rezoning the property herein described from a C-3 General Commercial Zone to a RA Residential Agricultural Zone more fully described in Deed Book 227 Page3936 as recorded in the records of the San Miguel County Clerk.

BE IN FURTHER ORDAINED that the Governing Body of the City of Las Vegas, New Mexico, hereby adopts the following findings of fact upon which the Council's decision is based:

1. That boundaries of the zones established by the City's Ordinances, the classification of property herein, or other provisions of said Ordinance may be amended whenever public necessity, convenience, or general welfare require.
2. That duly public notice and public hearings were in accordance with the legal requirements and a site plan for the zone change has been provided which is Acceptable to the City Council.

PASSED, APPROVED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

ATTEST:

\_\_\_\_\_  
Casandra Fresquez, City Clerk

\_\_\_\_\_  
Alfonso E. Ortiz Jr., Mayor

REVIEWED AND APPROVED AS TO LEGAL SUFFICIENCY ONLY

\_\_\_\_\_  
David Romero, City Attorney

Mr. Matt Martinez requested if the record could reflect that the property is south of 2801 Las Vegas Blvd.

Interim Community Development Director Marquez advised that it was documented on the ordinance.



10. Conduct a Public Hearing and Approval/ Disapproval of Ordinance 14-02 amendment to the Official Zoning Map for property located at 2522 Hot Springs Blvd.

Councilor Gurule-Giroń made a motion to go into public hearing. Councilor Howell seconded the motion. Mayor Ortiz, Jr. asked for a roll call. Roll Call Vote was taken and reflected the following:

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

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

City Attorney Dave Romero swore in the individuals who would be speaking on the issue, which included: Lucas Marquez, Pam Daves, Matt Martinez III, Matt Martinez Jr. and Connie F. Martinez.

Lucas Marquez, Interim Community Development Director advised that Matias Martinez Jr. owner of a 1.82 acre parcel of vacant land located at 2522 Hot Springs Blvd., south and abutting the Comcast Cable offices and the former NAPA auto-parts building is requesting the property be re-zoned from its present C-3 (General Commercial Zone) to an R-2 (Multi-family Residential Zone) with the intent for the property to be available in the future for land uses permitted in R-2 zoning.

Interim Community Development Director, Marquez informed the City's Planning and Zoning Commission held on February 24, 2014 to receive testimony in favor and opposition of the request and twenty two notices were mailed out to property owners within the radius of one hundred feet. Interim Community Development Director Marquez advised there was a resident who testified in opposition of the zone change with concern of developing the property with single wide mobile homes or a trailer park. Interim Community Development Director advised that the trailer park is prohibited in an R-2 Zone.

Councilor Gurule-Giroń had questioned if there were any single wides within that specific area.

Interim Community Development Director Marquez informed council that there is a trailer park located at the south side of San Miguel Street and a few double wide mobile homes on the back side of San Miguel Street and added there are differences with different zones in the area.

Councilor Gurule-Giroń asked if there were single wide trailers within that radius.

Mr. Marquez advised there were single wide trailers within that radius.

Councilor Gurule-Giroń asked if the single wide trailers on North Gonzales Street reach the hundred foot radius of the property.

Interim Community Development Director advised that it would reach the hundred foot radius.

Mrs. Pam Daves advised that she was in support of the change.

Mr. Matt Martinez Jr. informed that changing the zone would decrease property taxes and advised that it was clarified to the opposing resident that the property would still be allowed to put in a mobile home park in a C-3 Zone.

Councilor Gurule-Giroń made a motion to accept record proper and to close public hearing. Councilor Herrera seconded the motion. Mayor Ortiz, Jr. asked for a roll call. Roll Call Vote was taken and reflected the following:

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

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

Councilor Gurule-Giroń made a motion to re-convene into regular session. Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for a roll call. Roll Call Vote was taken and reflected the following:

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

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

Councilor Herrera made a motion to approve Ordinance 14-02 amendment to the Official Zoning Map for property located at 2522 Hot Springs Blvd. Councilor Romero 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	Yes

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

Ordinance 14-02 was presented as follows:

CITY OF LAS VEGAS, CITY COUNCIL  
ORDINANCE NO. 14-02

AN ORDINANCE AMENDING THE CITY OF LAS VEGAS OFFICIAL ZONING MAP FROM A C-3 GENERAL COMMERCIAL ZONE TO AN R2 MULTI-FAMILY RESIDENTIAL ZONE FOR A 1.82 ACRE TRACT OF LAND LOCATED AT 2522 HOT SPRINGS BLVD. AS REQUESTED BY MATIAS MARTINEZ JR.

WHEREAS, Matias Martinez Jr. has applied for an amendment to the official zoning map from a (C-3) General Commercial Zone to a R2 Multi-Residential Zone for a 1.82 acre tract of land located at 2522 Hot Springs Blvd. directly south of the former NAPA building, pursuant to provisions of the Las Vegas City Zoning Ordinance and:

WHEREAS, on February 24, 2014 the City Of Las Vegas Planning and Zoning Commission, following adequate public notice, held a public hearing to receive testimony concerning the amendment of the Official Zoning Map to rezone a the property located at 2522 Hot Springs Blvd. from a C-3 General Commercial Zone to a R2 Multi-Residential Zone classification, and, on February 24, 2014, adopted a motion recommending the proposed amendment; and

WHEREAS, on March 19, 2014 the Governing Body of the City of Las Vegas following adequate public notice, held a public hearing to receive testimony concerning the recommendations of the Planning and Zoning Commission;

**NOW, THEREFORE BE IT ORDAINED** that the Governing Body of the City of Las Vegas, New Mexico, hereby GRANTS the amendment to the official zoning map by rezoning the property herein described from a C-3 General Commercial Zone to a R2 Multi-Residential Zone more fully described in Deed Book 235 Page002910 as recorded in the records of the San Miguel County Clerk.

BE IN FURTHER ORDAINED that the Governing Body of the City of Las Vegas, New Mexico, hereby adopts the following findings of fact upon which the Council's decision is based:

1. That boundaries of the zones established by the City's Ordinances, the classification of property herein, or other provisions of said Ordinance may be amended whenever public necessity, convenience, or general welfare require.
2. That duly public notice and public hearings were in accordance with the legal requirements and a site plan for the zone change has been provided which is acceptable to the City Council.

PASSED, APPROVED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.

ATTEST:

\_\_\_\_\_  
Casandra Fresquez, City Clerk

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Alfonso E. Ortiz Jr., Mayor

REVIEWED AND APPROVED AS TO LEGAL SUFFICIENCY ONLY

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David Romero, City Attorney

Mr. Matt Martinez had a request for a fence to be replaced at the property that borders the Alta Vista Hospital and South Legion Drive which was never replaced by the City of Las Vegas or the contractor when repairing the road.

Mayor Ortiz, Jr. advised that the issue would be directed to Interim Community Development Director Marquez and to the City Attorney.

### **COUNCILOR'S REPORT**

Councilor Gurule-Giroń advised that Lopez and Montezuma streets were somewhat completed and stated that there were several grooves on the street. Councilor Gurule-Giroń recommended that the contractor go back and re-pour another one half to two inch layer and also to replace the roller.

Mayor Ortiz, Jr. advised he had met with Verlin Miller, the engineer of the project, City Manager Tim Dodge, and Councilor Joey Herrera and addressed several problems with the project. Mayor Ortiz, Jr. expressed that they were not satisfied with the results and Mr. Miller would be taking a tour of the area with Franken Construction and would obtain a report that would be presented to the council.

Councilor Gurule-Giroñ had questions as to why she was not invited to the meeting being that it was concerning her ward.

Mayor Ortiz, Jr. advised that it was an impromptu meeting.

Councilor Gurule-Giroñ recommended that City Manager Tim Dodge invite councilors to project meetings for their own wards.

Councilor Joey Herrera advised that he was not invited to the meeting but that he just happened to be there.

Councilor Gurule-Giroñ added that out of respect, it would have been easy for City Manager Dodge to invite her for an impromptu meeting.

Councilor Howell advised that the Spanish and English languages are beautiful languages, but that if used in a negative way can be sour, in reference to the comments Lorenzo Flores made directly to him. Councilor Howell expressed that his only interest is to help the entire community not only his ward and that Mr. Flores can approach him because he is approachable and loves this community.

Councilor Romero advised that more than one councilman should be called out to a project and that it is the duty of a councilman to be available.

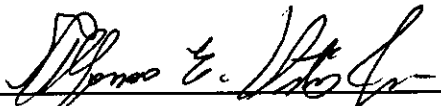
Mayor Ortiz, Jr. made a statement that people should be more positive and get things accomplished here at the City of Las Vegas. Mayor Ortiz, Jr. also added that we need to be here for the community and that his intentions are not to hurt anyone but to help everyone. Mayor Ortiz, Jr. also asked for the community to put their faith in the elected officials.

**ADJOURN**

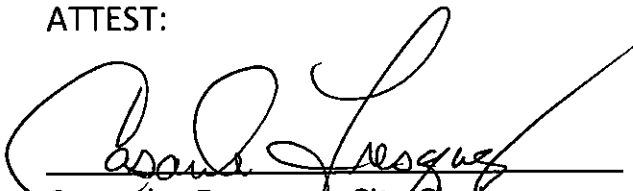
Councilor Gurule-Giroń made a motion to adjourn. Councilor Romero seconded the motion. Mayor Ortiz, Jr. asked for roll call. Roll Call Vote was taken and reflected the following:

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

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

  
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Mayor Alfonso E. Ortiz, Jr.

ATTEST:

  
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Casandra Fresquez, City Clerk