

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL SPECIAL MEETING
HELD ON WEDNESDAY AUGUST 13, 2014 AT 4:30 P.M. IN THE CITY
COUNCIL CHAMBERS**

MAYOR: Alfonso E. Ortiz, Jr.

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

ALSO PRESENT: Elmer Martinez, Acting City Manager
Casandra Fresquez, City Clerk
Dave Romero, City Attorney
Eugene Garcia, Sergeant at Arms

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Ortiz Jr. asked for a moment of silence in appreciation of life and the opportunity that life gives us and try everyday to do a little more each day to help one another.

APPROVAL OF AGENDA

Councilor Howell made a motion to approve the agenda as is. Councilor Herrera seconded the motion.

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

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

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

PUBLIC INPUT

None at this time

BUSINESS ITEMS

1. Approval/Disapproval of Resolution 14-60 ratifying Memorandum of Agreement between the City of Las Vegas and the State of New Mexico General Services Department for property transfer for the remediation of the old City of Las Vegas Solid Waste Landfill.

Utilities Director Ken Garcia introduced John Rupley the Project Manager and Alexis Johnson, the attorney for the Facilities Management Division.

Utilities Director Ken Garcia gave a brief history of the landfill and its relation to the State Behavioral Health property and discussions that have taken place with the State and the agreement entered into with the City of Las Vegas. Utilities Director Garcia explained the resolution outlining the agreement.

Questions and discussion took place regarding the agreement, deadlines and corrective measures the City needs to take towards the potential groundwater contamination around the landfill.

Mr. Johnson gave a brief overview of the negotiations that took place with the Environment Department, Facilities Management and the City about the land transfer in order for the City to move forward. Mr. Johnson also advised the Governing Body that the agreement will also protect the City, once it has had the property transferred, from any third party property owners in the area claiming damages for the purposes of contamination. The agreement has been reviewed and mediated by the Environment Department, the State and the City of Las Vegas and the benefit of the City acquiring the transfer will allow the City to build the groundwater remediation facility.

Utilities Director Garcia explained what the remediation facility is and its purpose to the possible groundwater contamination around the landfill.

Acting City Manager Martinez also explained remediation dam and how the water will be collected and treated to lessen any possible contamination of the groundwater.

Utilities Director Garcia further explained the benefits of transferring the property from the State and also supporting the State in its efforts to improve water, sewer

and gas service and further supporting the State in its efforts to complete annexation of approximately 300 acres into the City limits.

Questions and discussion took place regarding the resolution and the status of the annexation.

Councilor Howell made a motion to approve Resolution No. 14-60. Councilor Herrera seconded the motion.

Resolution No. 14-60 was presented as follows:

**CITY OF LAS VEGAS
RESOLUTION NO. 14-60**

RATIFYING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LAS VEGAS AND THE NEW MEXICO FACILITIES MANAGEMENT OF THE STATE OF NEW MEXICO GENERAL SERVICES DEPARTMENT (GSD/FMD)

WHEREAS, the City operated a landfill located adjacent to State property beginning in 1977 through 1999; and

WHEREAS, the City has conducted closure activities at the landfill since 1994 and is required to remediate potential groundwater contamination on and adjacent to the landfill; and

WHEREAS, the City is required to implement a 2005 Corrective Measures Plan for the landfill to comply with NM Solid Waste Rules NMAC 20.9.9.16(E); and

WHEREAS, the City increased solid waste rates July 1, 2013, in part to acquire bond funds to finance the construction of the landfill remediation project, construct transfer station improvements, and purchase solid waste equipment; and

WHEREAS, The New Mexico Environment Department has held an Administrative Compliance Order including penalties in abeyance to allow the City a reasonable time to complete corrective measures; and

WHEREAS, the City desires to construct groundwater remediation facilities that will consist of a collection leachate system located on the City landfill and approximately five acres of adjacent State property; and

WHEREAS, the City desires to acquire an easement through State property to convey leachate through State property to the City's wastewater collection system; and

WHEREAS, the City desires to drill potable or non potable water wells on State property, extend the non potable "effluent" system through State property to the Camp Luna area for further treatment and storage; and

WHEREAS, the City is exchanging values and benefits in the MOU that includes authorization of the State to tap onto the water, sewer, and gas mains as specified in the MOU; and

WHEREAS, the City will support the State in its efforts to improve water, sewer and gas service as well as support the State in its efforts to complete the annexation of approximately 300 acres of State property into City limits; and

WHEREAS, the acquisition of the property, easement and other considerations provide for compensation to GSD/FSD and mutually beneficial services and benefits to the City and GSD/FSD.

NOW THEREFORE BE IT RESOLVED THAT THE GOVERNING BODY OF THE CITY OF LAS VEGAS hereby ratifies the attached Memorandum of Understanding between the City and the New Mexico Facilities Management of the State of New Mexico General Services Department as entered into by the City Manager Elmer Martinez.

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 Casandra Fresquez re-read the motion and advised the motion carried.

EXECUTIVE SESSION

No items for Executive Session

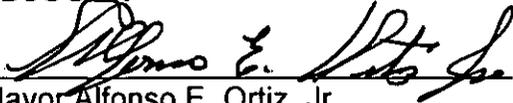
Councilor Howell made a motion to adjourn. Councilor Gurule-Giroń seconded the motion.

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

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

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

ADJOURN



Mayor Alfonso E. Ortiz, Jr.

ATTEST:



Casandra Fresquez, City Clerk