

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL WORK SESSION  
HELD ON WEDNESDAY AUGUST 13, 2014 AT 5:30 P.M. IN THE CITY  
COUNCIL CHAMBERS**

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

**COUNCILORS:** Tonita Gurule-Giroń  
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 to continuously help those that are in need.

**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.

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

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

#### **MAYOR'S APPOINTMENTS**

Mayor Ortiz Jr. advised he had no appointments at this time.

#### **MAYOR'S RECOGNITION/PROCLAMATION**

None at this time.

#### **PUBLIC INPUT**

Bob Wessley asked the Governing Body to maintain focus in the community water problem but also asked the Governing Body to not forget the iconic American words that seem to have been forgotten in Washington and wonder if the City has the heart and selflessness to welcome some of the nation's child refugees to the City.

Mayor Ortiz Jr. called attention to the hunger issues that every community endures and the tremendous job the local soup kitchens do to help those in need.

#### **CITY MANAGER'S INFORMATIONAL REPORT**

Acting City Manager Martinez advised the Governing Body of the utility rate increase that went into effect July 2014. The rate increase ordinance came into effect in September 2012.

Questions were asked whether the increases needed to come back to Council for a vote to be approved.

Utilities Director Garcia advised the ordinance adopted in 2012 included phased increases.

Discussion and comments took place regarding the rate increase.

Acting City Manager Martinez advised the City crews are working on fixing the potholes along the city streets now that they received material. Acting City Manager commended staff that responded to the fire at the Inn of Las Vegas. Weeds continue to be a problem around the community and the Code Enforcement Officers have been active in notifying individuals and also speaking out over the radio to remind the community. Acting City Manager Martinez advised the City will be advertising for the Public Works Director position and hopefully conducting interviews soon. Acting City Manager Martinez advised the City is really focusing on customer service training for all the staff and has been

attending a lot of department staff meetings to inform the departments of the expectation of exceptional customer service.

## **DISCUSSION ITEMS**

1. Conduct a Public Hearing and Identify project priorities for the 2016-2020 Infrastructure Capital Improvements Plan.

Acting City Manager Martinez advised the project priorities are similar to past Capital Improvement Plans. The departments have been working to identify priority projects and the Abe Montoya Recreation Center Pool re-roof has been moved up to priority number two. Acting City Manager Martinez asked that the Council conduct a public hearing and ask members of the audience to speak during that time as is required for the ICIP and is due September 2, 2014. The swimming pool re-roof and repair of the VAC system are the only projects that have been moved up on the priority list, the groundwater treatment production to number six. Acting City Manager Martinez named the top six priorities that the governing body has set.

Questions were asked about the cost of the swimming pool repair.

Acting City Manager Martinez advised that a scope of work is being done by engineer within the next week and once the final scope is created with cost estimate he will provide that to the governing body. Acting City Manager Martinez advised a structural engineer came and reviewed the facility and the structural beams range from moderate to severe in terms of condition.

Questions were asked about the anticipated cost recovered from the insurance, status of the E. Romero Fire Station project and the inclusion of Housing projects in the ICIP.

Acting City Manager Martinez advised he does not have all the details regarding the E. Romeo Fire station but will be meeting with the architect on several projects including the fire station.

Questions were asked about street improvement projects listed on the ICIP and consideration of the family fun center that has been discussed.

Discussion took place regarding the youth of the community, the economy and the feasibility study that was to take place.

Councilor Gurule-Giroń recommended that the ICIP priority listing be kept as presented due to the deadline to submit.

Councilor Herrera made a motion to conduct a public hearing. Councilor Howell seconded the motion.

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

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

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

City Attorney Romero asked those who wished to speak during the public hearing to stand and be sworn in.

All were sworn in.

Bob Wessley commented that Item 7, Brander Dam Improvement project may be obsolete since the City is currently working on the Brander Dam project and could possibly be deleted from the list. Mr. Wessely feels the family fun center would have a better marketing point if the name could be changed as not to appear as an optional community need.

Utilities Director Ken Garcia spoke about the Brander Dam expansion project and the additional funding being requested by the State. Utilities Director Garcia advised the planning is moving forward with projects so when funding is requested the projects are ready to proceed.

Building Inspector Ben Maynes commented on the name of the family fun center and advised he would like a BMX track built on the community and create a sports plex committee.

Councilor Herrera made a motion to close the public hearing. 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	Joey Herrera	Yes
Vincent Howell	Yes	Tonita Gurule-Giroń	Yes

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

Councilor Gurule-Giroń made a motion to reconvene into regular session. Councilor Howell seconded the motion.

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

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

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

2. Interim Appointment of Public Works Director.

Acting City Manager Martinez advised he is recommending for ratification of the Interim Appointment of Chris Cavazos as the Public Works Director. The position is currently being advertised.

Questions were asked about the length of appointment and would a committee be created to interview the candidates.

Acting City Manager Martinez advised the interim appointment can be no longer than six months and the interview committee would include some senior level supervisors.

The governing body agreed to place the item as a consent agenda item.

3. Resolution No. 14-54 Disposing of Obsolete Property.

Acting City Manager Martinez advised Finance Director Gallegos was not in attendance due to family and he be would handling the item. The City of Las Vegas has obsolete property, such as scrap metal, water and gas meters and other obsolete equipment that has been fully depreciated.

Questions were asked if the property would be auctioned or placed for bid.

Acting City Manager Martinez advised they have not finalized which direction the City will take.

The governing body agreed to place the item as a consent agenda item.

4. Publication of Ordinance 14-05.

City Attorney Romero advised the ordinance is to impose a two year moratorium on the submission consideration or approval of applications for wireless communications facilities within the City of Las Vegas. Upon discussion with the Community Development Department it was agreed the current ordinance needed to be looked at and updated to address new issues that have come up with the placement and design of communication towers.

Questions and discussion took place about the two year moratorium.

The governing body agreed to place the item as a consent agenda item.

5. Out of State travel for Mr. Ben Maynes, Building Inspector.

Interim Community Development Director Marquez requested for Building Inspector, Ben Maynes to attend the Pearson Training class and exam given during October 6<sup>th</sup> through October 11<sup>th</sup> in Englewood Colorado. Interim Community Development Director Marquez advised Mr. Maynes is required to be certified nationally through Construction Industries Licensing Act.

Building Inspector Maynes gave an overview of the class and exam and advised the law amended in 2013 requires that municipalities have a Certified Building Officer. Mr. Maynes advised the State recognizes his certification for a five year period from the 2013 requirement.

Questions were asked about the requirement listed in the Construction Industries Act and the language of transferring the authority to issue building permits reverts back to the State in the event the Certified Building Officer leaves the municipality. Questions were asked about fees the City pays to maintain Mr. Maynes' certification and trainings.

Interim Community Development Director Marquez gave a breakdown of the cost of the training.

The governing body agreed to place the item as a consent agenda item.

6. Encroachment agreement with Ms. Isabel Saavedra.

Interim Community Development Director Marquez advised that during a "Boundary Survey Plat" prepared by surveyor Redline LLC, it was discovered that a porch attached to Isabel Saavedra's home located at 1408 South Pacific, encroaches onto City right of way, 1408 South Pacific is a registered historical home that falls within the local Cultural Historic Overlay. Interim Community Development Director Marquez went through the exhibits presented to the governing body, the zoning requirements and the agreement proposed and stating that currently the City will allow the encroachment but should any future remodel, repair, or removal on the porch, the original boundary line will be enforced.

Questions and discussion place regarding the agreement and clarification of language.

The governing body agreed to place the item as a consent agenda item.

7. Public Transportation (5311) Grant Application- Review of Resolution 14-58 authorizing application to the New Mexico Department of Transportation Transit and Rail Division for Public Rural Transportation Grant.

Acting City Manager Martinez advised the City of Las Vegas provides public transportation for the community via Meadow City Express. The grant will provide for continuation of this service. The grant is due September 5<sup>th</sup>.

The governing body agreed to place the item as a consent agenda item.

### **EXECUTIVE SESSION**

Acting City Manager Martinez advised there are items for Executive Session regarding threatened or pending litigation.

Councilor Herrera made a motion to go into Executive Session. Councilor Gurule-Giroñ seconded the motion.

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

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

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

Councilor Herrera made a motion to reconvene into regular session and no action was taken. Councilor Romero seconded the motion.

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

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

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

### **ADJOURN**

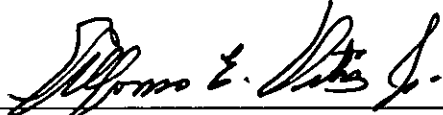
Councilor Herrera made a motion to adjourn. Councilor Gurule-Giroñ seconded the motion.

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

Tonita Gurule-Giron Yes  
Vincent Howell Yes

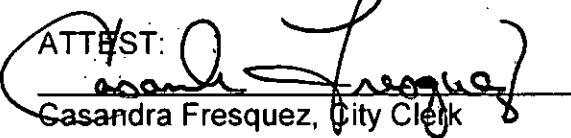
Joey Herrera Yes  
David L. Romero Yes

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



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

ATTEST:

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