

**MINUTES OF THE CITY OF LAS VEGAS SPECIAL CITY COUNCIL MEETING HELD ON
MONDAY, JULY 24, 2023 AT 11:00 A.M. IN THE CITY COUNCIL CHAMBERS.**

MAYOR: Louie A. Trujillo *arrived at 11:11 AM*

COUNCILORS: David G. Romero
Barbara Casey
Michael L. Montoya
David Ulibarri

ALSO PRESENT: Leo Maestas, City Manager
Casandra Fresquez, City Clerk
Antonio Salazar, Sergeant at Arms

CALL TO ORDER

Mayor Pro Tem Romero called the meeting to order at 11:00 AM

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Pro Tem Romero asked Councilor Ulibarri to lead them in a Moment of Silence.

Councilor Ulibarri asked for a moment of silence for the passing of Diane Lindsey and to keep her family in their prayers. Councilor Ulibarri also asked for a moment of thanksgiving for all the City employees who work hard to keep the City going.

APPROVAL OF AGENDA

Councilor Casey made a motion to approve the agenda as presented. Councilor Ulibarri seconded the motion. Mayor Pro Tem Romero asked for all those in favor and all those opposed. All were in favor.

City Clerk Fresquez advised the motion carried.

PUBLIC INPUT

There was no public input.

BUSINESS ITEMS

1. Request approval of an emergency water lease contract for bulk purchase of water from Storrie Lake shareholder, Michael Quintana.

Mayor Pro Tem Romero asked for Attorney Pete Domenici to brief them on what has happened since their last meeting in May.

William Gonzales asked if he would be allowed to give public input.

Mayor Pro Tem Romero advised he couldn't because he needed to sign up for public input prior to the meeting as per the process.

Councilor Montoya advised he didn't believe the City of Las Vegas would ever use the water they are trying to lease this year or the year after. Councilor Montoya advised the stipulations are you use it or lose it and the filtration system at Storrie Lake will be gone in October. Councilor Montoya advised there's no guarantee that they could transfer the water after October/November to the reservoirs without that filtration system. Councilor Montoya advised that history shows Las Vegas has used an average of about 300 acre feet of water per year since 2019 out of their 800 acre feet of water that they have in Storrie Lake. Councilor Montoya advised they have no assurance on the quality of water or the quantity for the one million dollars per year. Councilor Montoya advised the City does not have the ability to transfer out the water from Storrie Lake to the reservoirs while transferring water into Storrie Lake at the same time.

Councilor Montoya advised they could have a contract with Storrie Lake to be able to take in water for the City for a small fee. Councilor Montoya stated that despite what the experts are saying, that the City would not be establishing precedence on the price of water, he strongly disagrees. Councilor Montoya further advised the City once had an attorney by the name of Paul Bloom who once said “never ever get into an agreement with raw water because you will be setting precedence and will be getting a market value that will be out of line not only for yourselves but for others to include the acequias”. Councilor Montoya advised let's see what happens after the one year lease or the two year lease because the City will be stuck with that price tag. Councilor Montoya advised he asked himself where will that funding come from, will the City have to increase water rates to 25 or 30 percent. Councilor Montoya advised that the Utilities department doesn't have one million dollars in their budget for this year or next year.

Councilor Montoya advised he did see a letter of commitment from the State Engineer's Office for one year but after that the City is on their own. Councilor Montoya advised the first letter they got was from the State Engineer's Office asking for the City to request the funding from FEMA in order for the State to help and have the money reimbursed. Councilor Montoya advised they've been in this situation before the fire, so FEMA won't fund that. Councilor Montoya advised there are no guarantees the water will be there during drought or flood seasons nor can it be carried over to the next year, it has to be used or they lose it. Councilor Montoya advised it's a gamble that they shouldn't take, they are making a decision for the present situation at hand and not considering the future. Councilor Montoya asked where the Storrie Lake shareholders were at and if they were in agreement with it. Councilor Montoya advised he received calls from other shareholders that wanted to be included in the agreement.

Councilor Montoya advised he had asked since the beginning for a 40 year long-term lease and was willing to hear a 15 year lease. Councilor Montoya advised he knows there are Storrie Lake shareholders that hold 15-17 year leases. Councilor Montoya advised both Elephant Butte and Red River lease water rights for less than a hundred dollars per acre foot. Councilor Montoya advised at the end of the day he felt the community would be the ones who will be losing out because there are already complaints due to increased gas rates. Councilor Montoya asked what the recommendation was from the Utility Advisory Committee or did it not go to them. Councilor Montoya advised it was not in the best interest of the community and he felt like his concerns were being set aside

and this agreement will set precedence on future water purchasing. Councilor Montoya advised he was ignored regarding his request for a long-term lease and felt like the government should be the ones paying and they should be going after FEMA since the fire happened and they still don't know the outcome of the flooding season for the next five years. Councilor Montoya advised they should ask the state for their share to be able to utilize it only under emergency status and also ask about the water from the Wildlife Refuge because human beings in the City of Las Vegas should come first.

EXECUTIVE SESSION

Councilor Romero made a motion to convene into executive session for the purpose of discussing the purchase, acquisition or disposal of real property or water rights, as permitted by section 10-15-1(H)(8) of the New Mexico Open Meetings Act, NMSA 1978, regarding the discussion of a water lease agreement for the purchase of bulk water from Michael Quintana. Councilor Casey seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	David G. Romero	Yes
Michael L. Montoya	No	Barbara Casey	Yes

City Clerk Fresquez advised the motion carried.

Councilor Romero made a motion to exit executive session and reconvene into regular session after being in executive session for the purpose of discussing the purchase, acquisition or disposal of real property or water rights, as permitted by section 10-15-1(H)(8) of the New Mexico Open Meetings Act, NMSA 1978, regarding the discussion of a water lease agreement for the purchase of bulk water from Michael Quintana, and no action was taken. Councilor Casey seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	David Ulibarri	Yes
Barbara Casey	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

Councilor Romero advised for so long the City has been in difficult situations, should the item pass, the Council might be criticized and chastised over the cost. Councilor Romero discussed last year when they had individuals worried about water and the City was handing out water. Councilor Romero advised he believed this could help the City and at the end of the day they have to make tough decisions because last year there were discussions on trucking in water.

Councilor Romero made a motion to approve the emergency water lease contract for bulk purchase of water from Storrie Lake shareholder, Michael Quintana. Councilor Casey asked if she could explain her motion and advised she was not happy with the way things have worked out and was concerned about future monies. Councilor Casey advised she did not trust the State government to provide the money they promised because it has been changed several times. Councilor Casey advised under the circumstances they need to do something and hopefully within two years they'll have a system that could treat the water that is normally used and not have to worry about not having enough water that is potable and usable for the people of Las Vegas. Councilor Casey seconded the motion. Mayor Trujillo asked for roll call.

Councilor Montoya advised in explanation for his vote, it's not in the best interest of the City of Las Vegas, it's citizens and other organizations. Councilor Montoya advised they started the conversation with it being a long-term plan and it is not a long-term plan. Councilor Montoya advised the funding should come from the Federal government and they should hold the Federal government accountable.

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

David Ulibarri	Yes	Michael L. Montoya	No
Barbara Casey	Yes	David G. Romero	Yes

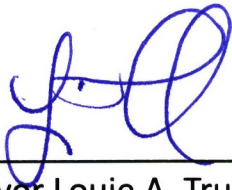
City Clerk Fresquez advised the motion carried.

ADJOURN

Councilor Montoya made a motion to adjourn. Councilor Casey seconded the motion. All were in favor.

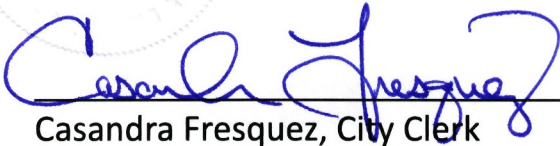
City Clerk Fresquez advised that the motion carried.

Meeting adjourned at 11:55 AM.



Mayor Louie A. Trujillo

ATTEST:



Casandra Fresquez, City Clerk