

MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD ON WEDNESDAY, DECEMBER 14, 2022 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS.

MAYOR: Louie A. Trujillo

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

ALSO PRESENT: April Gonzales, Deputy City Manager
Casandra Fresquez, City Clerk
Antonio Salazar, Sergeant at Arms

CALL TO ORDER

Mayor Trujillo called the meeting to order at 5:30 pm.

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Trujillo asked to take a moment to remember those who have passed away in the community and to say a special prayer for the rededication of the Jewish Synagogue on 8th Street. Mayor Trujillo advised he was thrilled and honored for them to be a part of this community. Mayor Trujillo welcomed the Synagogue and

all the Jewish people to have a place for worship and asked to say a prayer that all events go well.

APPROVAL OF AGENDA

City Clerk Fresquez advised she had amendments for a few items before approving the agenda. City Clerk Fresquez recommended the removal of the City Manager’s Report and advised it would be placed on the December 21, 2022 Council meeting. City Clerk Fresquez advised business item 2 should state a project approval for a water treatment plant preliminary engineering report, business item 3 should state administrative assistant instead of administrative aide and business item 5 should read \$0.60 not \$.060.

Councilor Casey made a motion to approve the agenda as amended. Councilor Ulibarri 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.

PUBLIC INPUT

City Clerk Fresquez read public input from RaeDawn Price regarding the Samaritan House and her concerns on the condition of the shelter and surrounding neighborhoods. Ms. Price advised she thought the Samaritan House would be willing to implement changes and/or conditions to their services. Ms. Price voiced her concerns regarding the public nuisance it became in its 2 years in operation at that location is something they as a community just simply can not allow to happen again. Ms. Price advised she didn’t have a problem with the people who receive services there and realized homelessness is on the rise across the nation and every city.

April Morell spoke about the Samaritan House being a necessary service but the location is not a good location and stated that it’s across from a park where children play and businesses in that area have been affected. Ms. Morell advised not all those who receive services from the Samaritan House are problematic but

the few that are ruin it for others. Ms. Morell advised if they could find a different location to service these individuals the issues they are facing will lessen. Ms. Morell discussed the different types of services these individuals need to get back on their feet and into civilian life.

Mary Jo Whiteman spoke about her concerns regarding the Samaritan House only open for a few hours during the day but no place for them to sleep at night. Ms. Whiteman advised she would like to see those people have a warm and safe place to sleep beginning tonight.

Mary Romero spoke about living on Lincoln Street for 37 years and her children playing at Lincoln park. Ms. Romero advised it was a safe and quiet neighborhood, while the Samaritan House was housing the homeless they could not enjoy the park or even their yard and her grandchildren couldn't go outside. Ms. Romero advised during the time that the Samaritan House was housing the homeless, the Lincoln Park neighborhood had become a dangerous and unsafe place to live in. Ms. Romero advised the entire neighborhood suffered because of the location of the Samaritan House but the last 4-5 months since closing Lincoln Park she's able to enjoy her yard and their neighborhood again. Ms. Romero asked if the Samaritan House opens its doors again what changes are going to be made, will it be the same as it was before, or will they be hostages in their own homes again.

MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

Mayor Trujillo read a Proclamation for the Re-dedication of the Jewish synagogue in Las Vegas.

Mayor Trujillo spoke about the NM Tourism Commission helping Las Vegas with advertisements for tourism.

Mayor Trujillo thanked the City crews for all the holiday lights and would like to have a big menorah in the park next year.

COUNCILORS' REPORTS

Councilor Montoya advised he had received an email from Consultant Robert Archuleta regarding the listing for Capital Outlay requests.

Mayor Trujillo thanked Consultant Archuleta for working on the Capital Outlay list.

Councilor Casey advised Mr. Archuleta is a contracted employee and in the short time that he's been employed, has filed paperwork to receive reimbursements from the State, which was over \$1.3 million. Councilor Casey advised the City works very hard to make sure that everything done is to benefit the citizens of the community. Councilor Casey commended Mr. Archuleta, and also thanked everyone who responds to her calls. Councilor Casey advised she appreciates the hard work from everyone at the City, from the Police Chief, HR, Deputy City Manager, City Manager, City Clerk, Deputy City Clerk, Business Office, and advised it doesn't matter what department you call they are always willing to address the issue and if they don't have an answer right away they always get back to her in a reasonable time. Councilor Casey advised she is proud to be a part of this council, because she has the opportunity to work with such wonderful people and appreciates them greatly.

Councilor Romero thanked City Clerk Fresquez, her staff and anyone who participated in the decorations in the Council Chambers and advised it's festive and looks nice. Councilor Romero thanked all staff for every complaint they get, there are more calls where people are grateful for everything the City has done. Councilor Romero advised it's a privilege to be a part of this council and as the new year comes they will continue to tackle it. Councilor Romero asked Police Chief Salazar to stay vigilant with theft/burglaries now during Christmas time.

Councilor Ulibarri thanked Public Works Director Lopez for all the work on the west side, Code Enforcement, all Directors and City staff for the good job they're doing.

APPROVAL OF MINUTES

Councilor Romero mentioned his concerns with no discussion taken on the minutes due to issues recording the November 29, 2022 Special meeting and advised he hates to leave out certain comments that were said and doesn't know the legality of it. Councilor Romero advised in his opinion the November 29, 2022 Special meeting wasn't valid without the recording.

City Clerk Fresquez advised the meeting is valid and they only have to have action items on the minutes for it to be legal, who was present, who was absent, the time it started and the time it ended. City Clerk Fresquez advised they can summarize but unfortunately she was trying from mental notes to remember

what was said and didn't want to miss quote anyone. City Clerk Fresquez advised it won't happen again because from here on out she will be recording it and will have a backup.

Discussion took place regarding whether or not to continue the minutes for approval at the next council meeting.

Councilor Montoya made a motion to get with City Clerk Fresquez on any input from the November 29, 2022 meeting so it can be put into the minutes and approve the minutes at the next council meeting.

Councilor Romero advised in his opinion he would reject the minutes from November 29, 2022.

Councilor Montoya rescinded his previous motion.

Councilor Montoya made a motion to approve the minutes from November 29, 2022. Councilor Casey seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised the motion carried.

PRESENTATIONS

Mayor Trujillo advised they've had productive meetings with Families 4 Philanthropy Foundation. Mayor Trujillo advised they fell in love with Las Vegas and are interested in helping Las Vegas move forward and are interested in creating a Travel Center at the Airport.

Rod Simon with Families 4 Philanthropy Foundation introduced all of those who work with them. Mr. Simon discussed how the foundation started and how the

foundation helps support the growth of different communities and cities. Mr. Simon advised he was aware of our water situation and the need for housing.

Mayor Trujillo asked why Las Vegas.

Ms. Marylee Simon-Rodgers advised it goes back to the year 2020, when she got her eyesight back after sitting in the Hot Springs.

Discussion took place regarding the redevelopment of the airport, grant funding and any financial obligation from the City, and the needs of the community.

Mr. Doug Dunkin discussed the housing and master planning that have been successful across the nation and the water supply in housing developments through atmospheric water producing technology.

Councilor Montoya asked why they chose the location of the airport, instead of somewhere closer to the City.

Mr. Richard Walsh discussed requirements and ground zero being at the airport.

Discussion took place regarding the FAA having federal regulations.

Councilor Romero asked if there have been many investments in New Mexico, regarding the anti-donation clause and the language in a MOU.

Mr. Simon advised it would be a collaborative effort to be able to obtain grants.

Councilor Casey voiced her concerns with the MOU, and needs more information from them before moving forward, and requested a special meeting for this specific topic.

Mr. Simon advised they would provide the MOU for the council.

BUSINESS ITEMS

Councilor Casey made a motion to enter into a Public Hearing for Business Item 1. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised the motion carried.

City Clerk Fresquez swore in Utilities Director Maria Gilvarry.

1. Approval to adopt Ordinance No. 22-15, for water project DW-5355 financing costs of a supervisory control and data acquisition (SCADA) system, that will monitor and control the water treatment plant facility locally and remotely.

Utilities Director Gilvarry discussed the SCADA system and advised it helps to monitor the Water Treatment Plant. Utilities Director Gilvarry advised NMFA wanted to fund the project and increase the funding. Utilities Director Gilvarry advised a new ordinance needed to be done to reflect the new amount.

Discussion took place regarding the bonding capacity, and the difference between the previous amount of \$1.5 million to \$2 million.

Councilor Casey made a motion to exit the Public Hearing and reconvene into regular session. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised the motion carried.

1. Approval to adopt Ordinance No. 22-15, for water project DW-5355 financing costs of a supervisory control and data acquisition (SCADA) system. that will monitor and control the water treatment plant facility locally and remotely.

Councilor Romero made a motion to approve ordinance No. 22-15. Councilor Casey seconded the motion.

Ordinance 22-15 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk’s Office.*

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

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

City Clerk Fresquez advised the motion carried.

2. Request approval of Resolution 22-60 allowing staff to submit a funding application to the New Mexico Finance Authority for financial assistance and project approval for a water treatment plant preliminary engineering report.

Councilor Romero made a motion to approve resolution No. 22-60. Councilor Ulibarri seconded the motion.

Councilor Casey asked what the cost estimate was.

Utilities Director Gilvarry advised \$440,000 for the preliminary engineering report.

Resolution 22-60 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 22-60**

AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY FOR A WATER TREATMENT PLANT PRELIMINARY ENGINEERING REPORT

Whereas, City of Las Vegas ("Borrower") is a qualified entity under the Drinking Water State Revolving Loan Act, Sections 6-21 A-1 et seq., NMSA 1978 ("Act") and the City Council ("Government Body") is authorized to borrow funds and/or issue bonds for financing of public projects for benefit of the Borrower and the public; and

Whereas, the New Mexico Finance Authority ("Authority") has instituted a program for financing of projects from the Drinking Water State Revolving Loan Fund created under the Act, and has developed an application procedure whereby the Governing Body may submit an application ("Application") for financial assistance from the Authority for drinking water projects; and

Whereas, the Governing Body intends to undertake acquisition, construction and improvement of the water treatment plant the ("Project") for the benefit of the Borrower and its citizens (or members as applicable); and

Whereas, the application prescribed by the Authority has been completed and submitted to the Governing Body and this resolution approving submission of the completed Application to the Authority for its consideration and review is required as part of the Application.

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

Section 1. That all action (not consistent with the provision hereof) heretofore taken by the Governing Body and the officers and employees thereof directed toward the Application and the Project, be hereby ratified, approved and confirmed.

Section 2. That the completed Application submitted to the Governing Body be hereby approved and confirmed.

Section 3. That the officers and employees of the governing Body are hereby directed and requested to submit the completed Application to the Authority for its review and are further authorized to take such other action as may be requested by the Authority in its consideration and review of the Application and to further proceed with arrangements for funding or financing the Project.

Section 4. All acts and resolutions in conflict with this resolution are hereby rescinded, annulled, and repealed.

Section 5. This resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this ____ day of December, 2022.

Louie A. Trujillo, Mayor

ATTEST:

Casandra Fresquez, City Clerk

Reviewed and approved as to legal sufficiency only:

City Attorney

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

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

City Clerk Fresquez advised the motion carried.

3. Consideration to approve the restructuring of the Community Development Organizational Chart by removing the Assistant Events Planner position and adding the Administrative Assistant I position. After further evaluation and reconsideration of the needs of the department, it will be more efficient and productive for the operations to bring back the position of Administrative Assistant I to assist the department as a whole.

HR Director Arguello advised the previous Community Development Director had removed the Administrative Assistant I position and added an Assistant Events Planner. HR Director Arguello advised at this time they felt there is a higher need for the administrative Assistant I position.

Councilor Casey made a motion to approve the restructuring of the Community Development Organizational Chart.

Councilor Romero asked if the position was already filled.

Deputy City Manager Gonzales advised they currently have an employee temporarily assigned to the Assistant Events Planner position but if approved to move forward with the Administrative Assistant I position then she will be placed in that position.

EXECUTIVE SESSION

Councilor Romero made a motion to convene into executive session for the purpose of discussing limited personnel matters pertaining to personnel in Community Development as permitted by Section 10-15-1 (H) (2) of the New

Mexico Open Meetings Act, NMSA 1978. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Michael L. Montoya	Yes
Barbara Casey	Yes	David G. Romero	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 limited personnel matters pertaining to personnel in Community Development as permitted by Section 10-15-1 (H) (2) of the New Mexico Open Meetings Act, NMSA 1978 and only those matters were discussed and no action was taken. Councilor Montoya seconded the motion. All were in favor.

City Clerk Fresquez advised the motion carried

Councilor Casey made a motion to approve the restructuring of the Community Development Organizational Chart. Councilor Romero 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.

4. Consideration of the American Federation of State, County and Municipal Employees (AFSCME) Local 2851 Agreement.

Chris Armijo with AFSCME Council 18 acknowledged and commended Mayor and Council for all they did during the Hermit's Peak/Calf Canyon Fire. HR Director Arguello discussed the successful ratification agreement.

Councilor Romero advised he was glad to approve the contract and that the Union is working with the administration.

Councilor Casey was thankful for article 19.2.5 for the addition of two words (more than 3 consecutive days).

Discussion took place regarding what was negotiated.

Councilor Montoya made a motion to approve the American Federation of State, County and Municipal Employees (AFSCME) Local 2851 Agreement. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised the motion carried.

HR Director Arguello recognized the management team, previous City Attorney Scott Aaron, and Interim Finance Director Dominic Chavez.

5. Request approval of a salary increase of sixty cents (\$0.60) to the regular hourly rate of pay to all non-bargaining unit employees who have successfully completed a 6 month probationary period, to include part-time employees with at least one year of continuous employment with the City of Las Vegas.

Councilor Romero made a motion to approve a salary increase of sixty cents (\$0.60) to the regular hourly rate of pay to all non-bargaining unit employees who have successfully completed a 6 month probationary period, to include part-time employees with at least one year of continuous employment with the City of Las Vegas. Councilor Casey seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised the motion carried.

6. Consideration/Direction regarding the Samaritan House Contract.

Deputy City Manager Gonzales advised a contract was completed but is not in its final stages, and was reviewed by the City and Mr. Lyon.

Discussion took place regarding the changes that were agreed on between Mr. Lyon, Board President Saiz and City Manager Maestas.

Councilor Romero asked City Clerk Fresquez to read the changes on #19 into the record because his constituents were not given the opportunity to see the contract for their input.

City Clerk Fresquez read what was crossed out on #19, shelters services and provisions including all non food items that are provided by the shelter to its guests and invitees shall be strictly limited to use on the shelters location and shall not be given to Samaritans guests and invitees for use of the shelters location Samaritan shall discourage their guests and invitees from loitering or sleeping in Lincoln Park and the residents in the general vicinity of Lincoln Park, the shelter and the fence enclosed area shall conform to all city ordinances and zoning laws prior to and as a condition of any payments being made under this agreement.

Councilor Romero asked Mr. Lyon to discuss why he felt that should be removed from the contract.

Mr. Lyon discussed his reasoning behind #19 being crossed out.

Councilor Casey advised they had discussed providing monthly statistics, clients needing to do chores, a maximum stay of 2 weeks, homelessness being a chronic issue, a spiritual component, keeping addictions in check by partnering with detox and rehab programs, other nonprofits and social security to help with services. Councilor Casey advised there needs to be specific language as to what they want to delineate as services that will be provided by Samaritan House in the contract. Councilor Casey recommended preparing something for the council meeting on December 21st.

Discussion took place regarding language being crossed out pertaining to training of staff at the Samaritan house, changing 35 beds down to 12 beds, the contract

being turned in late to Mayor and Council and Councilor Montoya having a duty to keep his constituents safe.

Councilor Romero asked Mr. Lyon what his mission was pertaining to the homeless in the winter.

Mr. Lyon advised their mission is to bring the homeless out of danger, to warm them and feed them. Mr. Lyon advised the next day they are case managed and goal set to keep them off the streets.

Councilor Romero stated whether the City funds them that would stay their mission, and obviously the Samaritan House doesn't solely operate on City funding, they have other funding sources and donations. Councilor Romero voiced his concerns about being bullied into a contract and the contract being given to them hours before the meeting.

Deputy City Manager Gonzales advised that Mr. Lyon did not reach out to them the week prior which is why the contract was submitted before the meeting. Deputy City Manager Gonzales advised Mr. Lyon does have about 10 good ideas but those ideas were never given to her to include in the scope of work, everything that was redlined in the contract is what was given to her.

Councilor Romero asked if an attorney reviewed the contract.

Deputy City Manager Gonzales advised no.

Councilor Montoya advised he hasn't read anything in the contract that won't place them in the same situation they were in six months ago. Something needs to be done whether it's new management, new policies, the distribution of commodities that affect the neighbors, the safety of the building and other businesses.

Mr. Lyon advised their waiting for a commitment from the City whether they will fund them or not.

Councilor Romero asked Mr. Lyon if there was no commitment from the City then the Samaritan House wouldn't help the homeless.

Mr. Lyon advised they would need to find another way and stop depending on the City.

Councilor Romero advised for the record even though their mission is to take care of the homeless they depend on the City.

Mr. Lyon advised that they depend on the City to take their fair share of the responsibility of the needy in the community.

Councilor Casey voiced her concerns about going around in circles and using the money that is budgeted for the Samaritan House towards the Samaritan House. Councilor Casey recommended that Mr. Lyon, Pastor Paul and Pastor Saiz meet with Deputy City Manager Gonzales to straighten all the items out so the contract can be published for the public. Councilor Casey advised that the Samaritan House is not owned by the City nor is it a City enterprise; they are a 501C3. Councilor Casey advised the City is not responsible for finding a different building or moving them from where they are at. Councilor Casey advised they do have a say as to how they want the contract to work and what services they would provide and that's what they need to focus on.

Mr. Lyon advised that they opened a day center, which has been open for the past several weeks with services available.

Councilor Romero asked Mr. Lyon to name his board members.

Mr. Lyon advised there are 7 board members, President Saiz, Pastor Paul, John Geffroy, Katie Palmer, Rebecca Moore, Pat Alire and Katie McDonough.

Councilor Romero advised he felt pressured and asked for them to consider a voucher system or go out for an RFP and the Samaritan House should be writing grants.

Councilor Romero made a motion to reject the Samaritan House Contract that was presented. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised the motion carried.

Councilor Romero advised there could be other innovative ways in caring for the homeless.

Councilor Casey asked that Mr. Lyon meet with Deputy City Manager Gonzales.

Deputy City Manager Gonzales advised yes she could block out time to meet with Mr. Lyon but she doesn't know if that would be enough time to get the contract to legal for review.

Councilor Casey requested that the contract be prepared so it could be taken back to council on December 21st with the \$50,000 amount.

7. Consideration/Direction regarding Request for Proposal (RFP) for Lobbyist Services for the 2023 Legislative Session.

Mayor Trujillo discussed all the funding needed for water projects and how important it is to have someone lobby for the City of Las Vegas.

Discussion took place regarding the cost for a Lobbyist and the need for them to be certified.

Councilor Romero made a motion to move forward with quotes for Lobbyist Services for the 2023 Legislative Session, if they are over \$50,000 then they will have an RFP. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised the motion carried.

8. Discussion regarding radio equipment for Las Vegas Police Department (LVPD) Communications Division, Dispatch Radio Consoles.

Councilor Romero advised this was on his list for Capital Outlay.

Councilor Montoya asked if the equipment was for them or dispatch.

Police Chief Salazar advised it for the dispatch center at the Police station.

A presentation took place with representatives from Motorola regarding the current dispatch communication system, what all is included for the dispatch system with redundancy built in, and SUA contract that allows for continued upgrades to the system every 2 years.

Councilor Casey asked if there was money budgeted should they not get funding from the Legislative request.

Police Chief Salazar advised there is money in the budget for minor repairs but not enough to come close to where they need to be.

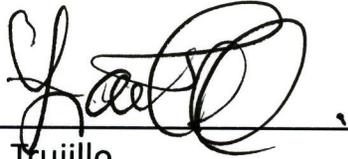
Discussion took place regarding the total amount needed to purchase the equipment, along with maintenance services, if training and technical assistance is included and the need to purchase the system entirely instead of in phases or else it wouldn't work.

ADJOURN

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

City Clerk Fresquez advised the motion carried.

Meeting adjourned at 9:02 pm.



Mayor Louie A. Trujillo

ATTEST:



Casandra Fresquez, City Clerk