

MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD ON WEDNESDAY, OCTOBER 18, 2023 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: Leo Maestas, City Manager
Casandra Fresquez, City Clerk
Caleb Marquez, 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 for a moment to recognize all the people in the community that lend a hand for the betterment of the community.

APPROVAL OF AGENDA

Councilor Romero asked City Manager Maestas why there was an item from last week that did not get passed, placed on the agenda again for tonight.

City Manager Maestas advised they brought the item back to Mayor and Council to see if they would entertain the conversation again and so they wouldn't have to go back out for an RFP again.

Councilor Romero asked if they were hoping Council would change their mind.

City Manager Maestas advised that it does take a lot of time and energy for staff to go through the RFP process and thought they could move forward on some of the sediment removal projects.

Councilor Montoya made a motion to approve the agenda. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised there was a tie.

Mayor Trujillo voted Yes and broke the tie.

City Clerk Fresquez advised the motion carried.

PUBLIC INPUT

City Clerk Fresquez advised there was no public input.

MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

Mayor Trujillo advised that he was going to present Buen Vecino Awards to Walter Adams and Adam Romero with NMDOT but they were not there yet.

Mayor Trujillo mentioned a letter he received from a friend recognizing four City employees that were maintaining the Carnegie Library Park. Mayor Trujillo thanked the Parks department for working so hard. Mayor Trujillo discussed big

projects happening at the City and Sunny505 hired a Content Creator to create videos that market Las Vegas. Mayor Trujillo advised they would be meeting with Sunny505 on October 27th if anyone would like to attend.

COUNCILORS' REPORTS

Councilor Casey advised that Councilor Romero and herself had attended a Healthcare Study Committee meeting where they met Interim CEO Robert Nelson from Alta Vista Hospital. Councilor Casey advised he gave them an overview of what he would like to see with the new hospital. Councilor Casey described her visit to the hospital over the weekend and advised that she saw first hand the dedication and professionalism from people at the hospital. Councilor Casey thanked all those who took care of her at the hospital and advised it was a positive experience.

Councilor Montoya thanked Councilor Romero for attending the Balloon Fiesta on behalf of Mayor and Council and for working the booth along with City Manager Maestas and other employees. Councilor Montoya thanked all of them for their help and for promoting Las Vegas. Councilor Montoya discussed the Legion Drive project moving along as scheduled, and advised that it should be done by December 31st. Councilor Montoya discussed some issues with the Legion Drive project such as people riding bikes and writing their initials on fresh concrete. Councilor Montoya advised that they should start paving between Collins and 7th Street. Councilor Montoya thanked Parks and Recreation Director Arturo Padilla, his staff and City Manager Maestas for installing basketball goals at Keys Park.

Councilor Romero voiced his concerns regarding another PSA going out in regards to the quality of water and it happening more often. Councilor Romero mentioned the need to bring the contractor in that is overseeing the Water Treatment Plant or the need to revamp their contract. Councilor Romero advised that it's embarrassing to hear the public say that they don't feel safe drinking the water. Councilor Romero advised that they need to start questioning it or bring Souder Miller in so they could answer questions.

POLICE CHIEF'S REPORT

Deputy Police Chief Marquez gave a detailed presentation regarding the statistics for the Month of September on the following:

- Field Operations Division (patrol) calls
- Code Compliance calls
- Animal Care Center updates
 - Cats (45)
 - Dogs (90)
 - 30 cats transferred
 - 21 dogs transferred
- Hosted and attended several events
- Information Division/Records
- Street Crimes Division
- Training/Travel/Recruiting
- Community Events
- Department vacancies (28)

Discussion took place regarding the funding for the Spay/Neuter clinic.

New Mexico Department of Transportation staff arrived.

Councilor Romero thanked Mr. Adam Romero and NMDOT staff for all they do for the City of Las Vegas. Councilor Romero presented Buen Vecino Awards to District 4 Engineer Adam Romero. Mr. Adam Romero advised that Chairman Commissioner Walter Adams with NMDOT couldn't make it to the meeting.

Councilor Montoya also thanked Mr. Adam Romero and NMDOT staff for all they do for the City of Las Vegas.

FINANCE REPORT

Interim Finance Director Dominic Chavez reported on the month of September, the General fund resulted in a deficit of (\$252,881) they had paid insurance deductibles in the amount of \$660,000, the Enterprise fund resulted in a surplus of (\$560,063) with FEMA reimbursements of \$719,000 deposited into the water account, the Recreation department resulted in a deficit of (\$63,432), Lodger's Tax resulted in a deficit of (\$27,410) and Cannabis resulted in a surplus of (\$28,561).

Mayor Trujillo asked what the deficit was for Lodgers Tax.

Interim Finance Director Chavez advised they had publications/promotions that were at \$69,000.

Mayor Trujillo asked if there was a lot of money in that fund.

Interim Finance Director Chavez advised yes.

Councilor Romero asked for clarification on the FEMA reimbursements and if they were going to the specific departments that were billed.

Interim Finance Director Chavez advised that was correct.

Mayor Trujillo asked if there was anything they needed to be made aware of.

Interim Finance Director Chavez advised not at the moment.

PRESENTATIONS

Brooks Pots provided a lengthy presentation regarding the history of the 1129 steam train engine and his intentions to restore the 1129 steam train engine.

Councilor Romero discussed the need to get proper authority and for legalities to be discussed before any work is done on the train.

Councilor Montoya advised that it's a great dream and asked about Federal Government permits and an estimate on how much it would cost for restoration.

Mr. Pots advised several million or at the lowest \$800,000.

Councilor Montoya advised that he agrees with Councilor Romero regarding the priorities of the City.

Mayor Trujillo discussed Las Vegas having a long history with the railroad and many families working for the railroad, including his grandfather. Mayor Trujillo advised that Mr. Pots gave them some options to consider and would be 100% supportive in working together.

President Sam Minner with NMHU provided an update regarding Highlands University being accredited, starting their first Comprehensive Campaign, 5 consecutive semesters of enrollment increasing, facility updates, a multi-use dome with a track and a possible Reforestation Center. Regent Cody Rivera with NMHU provided information regarding their third biannual Matanza on October 21st. President Minner advised that they opened up the walking trail at the Golf Course and it's free to the community.

Councilor Montoya thanked President Minner for bringing back the walking trail at the Golf course.

Discussion took place regarding the Reforestation Center.

Councilor Ulibarri advised that NMHU's Matanza is a good community event and thanked President Minner and Mr. Rivera for all they do.

BUSINESS ITEMS

1. Request approval of Resolution 23-32, budget adjustment for the 2023-24 fiscal year.

Councilor Montoya advised that resolution 23-32 was recommended by the Finance Committee.

Councilor Montoya made a motion to approve resolution No. 23-32, budget adjustment for the 2023-24 fiscal year. Councilor Casey seconded the motion.

Resolution 23-32 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 23-32**

**A RESOLUTION TO MAKE BUDGET ADJUSTMENT FOR THE 2023-2024
FISCAL YEAR**

WHEREAS, the Governing Body of the City of Las Vegas has developed a budget adjustment request for fiscal year 2023-24; and

WHEREAS, said budget was developed on basis of increases in revenue, expenditure and transfer (in) out through cooperation with all user departments, elected officials and other department supervisors; and

WHEREAS, the City of Las Vegas is in need of making a budget adjustment in the 2023-24 fiscal year budget to include a rev/exp increase to Fund 101-4900 Animal Shelter in the amount of \$50,000, an expense increase to Fund 213 State Library grant in the amount of \$8,019, a rev/exp increase to Fund 217 State Legislative Appropriations -Youth Club Programs in the amount of \$100,000, a rev/exp increase to Fund 217 State Legislative Appropriations – PD Health Sciences Center in the amount of \$300,000, a rev/exp increase to Fund 217 State Legislative Appropriations – San Miguel Senior Center Vehicle in the amount of \$21,524, and a revenue increase to Fund 282 Senior Center in the amount of \$20,238.00.

WHEREAS, the Governing Body finds the budget adjustment request should be as it meets the requirements as currently determined for fiscal year 2023-24; and,

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Las Vegas, that the recitals and any exhibits are incorporated herein by reference and the Governing Body hereby approves the aforementioned budget adjustment request and respectfully requests approval from the Local Governing Division of the Department of Finance and Administration.

ACCEPTED AND APPROVED this day _____ of October 2023.

Mayor Louie A. Trujillo

ATTEST:

Casandra Fresquez, City Clerk

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

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

City Clerk Fresquez advised the motion carried.

2. Request approval of a Disaster Recovery Policy for I.T.

Interim Finance Director Dominic Chavez advised that it has been an audit finding since 2019. Interim Finance Director Chavez advised that there were a few adjustments to the version that was sent to Mayor and Council. Interim Finance Director Chavez advised that the policy would resolve the audit finding for the I.T.

department. Interim Finance Director Chavez discussed the changes made to the policy.

Mayor Trujillo thanked Interim Finance Director Chavez for working on the policy.

Councilor Casey made a motion to approve the Disaster Recovery Policy for I.T. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised the motion carried.

Councilor Montoya asked City Manager Maestas to provide the Office of Emergency Management at the County with a copy of the policy.

3. Request approval of Fiscal Year 2024 Memorandum of Agreement (MOA) between the New Mexico Department of Transportation (NMDOT) and the City of Las Vegas.

Community Development Director Lucas Marquez advised that the MOA is done annually.

Councilor Romero made a motion to approve the Fiscal Year 2024 Memorandum of Agreement (MOA) between the New Mexico Department of Transportation (NMDOT) and 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	David G. Romero	Yes
Michael L. Montoya	Yes	Barbara Casey	Yes

City Clerk Fresquez advised the motion carried.

4. Request approval to award RFP 2024-01 for On-Call Sediment Removal Services to North Eastern Construction and GM Emulsion LLC and enter into contract.

Councilor Romero advised during last week's meeting and other meetings in April and May, he had asked why they hadn't started the sediment removal. Councilor Romero advised that they were told that Utilities Director Maria Gilvarry was working with consultants and FEMA regarding the direction of the RFP. Councilor Romero advised that the RFP was a typical RFP that is normally used.

City Manager Maestas advised that they were working on a one time cleaning with NRCS to clean the gabion basket area and the skating pond. City Manager Maestas advised that NRCS decided that they would not be able to do a cleaning at the gabion basket area because of the way they were installed. City Manager Maestas advised that the City used their own equipment. City Manager Maestas advised that NRCS procured their own contractor to do a one time cleaning at the skating pond, which was currently being done and also in front of the diversion.

Mayor Trujillo advised there were some issues with permitting from the Environment department or from Tierra Y Montes.

City Manager Maestas advised after discussions between FEMA, NRCS and other federal agencies they said for the City to do the sediment removal on their own, which was done in June.

Councilor Romero advised that the RFP didn't specifically say what areas would be cleaned out. Councilor Romero advised that he asked what would happen to those areas that they can't reach and he was told that they would stop the contract and go with someone else. Councilor Romero voiced his concerns regarding it not being fair to the individual that would be given a four year contract due to them not being aware of the scope of work and he felt misled. Councilor Romero advised that they need to put the RFP out again with a specific scope of work.

City Manager Maestas discussed putting the scope of work into a PA system called the Stafford Act with FEMA for PA Federal Assistant funds so the City could be reimbursed.

Councilor Montoya asked if they followed the RFP process.

Project Manager Benito Lujan advised yes.

Councilor Montoya asked what it would cost for a new RFP should this one be denied.

Project Manager Lujan advised that it would be a lengthy process and needs to go through different channels.

Councilor Montoya advised that it needs to be done because they don't know when the next storm will hit, how the winter will be or when the floods will come.

Mayor Trujillo asked how long a rebid process would take.

Project Manager Lujan advised it could take anywhere from 2-3 months.

Mayor Trujillo advised that he felt like the RFP was not specific enough. Mayor Trujillo asked if the RFP and contract was awarded as is, how soon could the companies be on location and their services be used.

Project Manager Lujan advised that they are readily available and they do have equipment. Project Manager Lujan advised they would have a cost estimate after the awardment.

Councilor Romero advised that he felt like the RFP was too vague.

Councilor Romero made a motion to reject RFP 2024-01 and rebid, with the proper language pertaining to what they need done. Councilor Casey seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised there was a tie.

Mayor Trujillo voted Yes and broke the tie.

City Clerk Fresquez advised the motion carried.

5. Discussion and Direction of funding for the Samaritan House.

Councilor Montoya asked why the additional information was not included in their packet so they could have had time to review it.

City Clerk Fresquez advised that she did not receive that information prior.

Councilor Montoya asked that the information be excluded because they don't have time to review it.

Samaritan House Executive Director George Lyon advised that the information was just informative.

Mayor Trujillo expressed his concern regarding the public not being able to review the information that Mr. Lyon presented to the Council and advised he knew they're pressed for time.

Mr. Lyon advised that there were no changes to the previous contract but were asking for \$10,000 for the first month up front and everything else remained the same.

City Manager Maestas advised that the item was for Mayor and Council to discuss and give direction as to what they want to do regarding the Samaritan House and not to review the contract.

Mr. Lyon advised that they are seeking a grant from the City of Las Vegas to try to eradicate the issue of homelessness. Mr. Lyon advised that he believed they addressed all the problems they had last year and integrated all the policies that Mayor and Council requested including a complaint line. Mr. Lyon advised that there is a tremendous need for food in the community and they have written grants and received money to move the Food Distribution on a mobile basis throughout the community. Mr. Lyon advised that as a condition, Lincoln Park is off limits to those staying at their facility and those individuals traveling through the community will be provided emergency services for five days and then provided with resources to move to another community. Mr. Lyon advised that they wanted to hire two Case Managers/Social Workers to respond to the 12-15 homeless individuals in the community.

Mayor Trujillo advised that he had received a call regarding people camping out on the side of the shelter and from a resident regarding a property owner setting up a tent for people to sleep in.

Mr. Lyon advised that he spoke with that property owner and advised her not to do that.

Mayor Trujillo asked what the next step would be.

City Clerk Fresquez advised that they would decide when they want to bring the contract back for approval, what the amount would be and any changes to the contract.

Mayor Trujillo asked how much the increase would be.

Mr. Lyon advised it would increase to \$60,000.

Mayor Trujillo asked if this would prevent them from opening up the Samaritan House.

Mr. Lyon advised yes, they didn't think it would get cold this early.

Mayor Trujillo asked for a Special meeting for next week to approve the contract.

Councilor Romero asked if the City Attorney reviewed the contract.

City Manager Maestas advised that there is no contract that they are discussing at this point.

Councilor Romero asked Mr. Lyon that he stated that the contract was exactly the same except for the funding amount.

Mr. Lyon advised yes.

Councilor Romero advised that was not true, in the scope of work there was one item that was removed and other things in the contract. Councilor Romero asked City Manager Maestas to have the contract reviewed and it's the City that puts the contract together not vice versa. Councilor Romero advised that the Fire department needs to be involved because there were issues with Fire code. Councilor Romero advised that the language was broad and they need to start from last year's contract and work from there. Councilor Romero thanked Mr. Lyon and stated there has been progress and would like to see the times increased because at 6:30 am it's still freezing and the amount of beds.

Mayor Trujillo asked to add day services to the scope of work.

Councilor Romero advised that the \$60,000 could make it seem like they are eliminating the RFP process.

City Manager Maestas advised that they would confirm with the auditors or DFA to see if that would be an issue.

Councilor Montoya asked how much the County was providing.

Mr. Lyon advised that they would be talking to them this year.

EXECUTIVE SESSION

Councilor Casey made a motion to convene into executive session for the purpose of discussing limited personnel matters, as permitted by section 10-15-1(H)(2) of the New Mexico Open Meetings Act, NMSA 1978, regarding Discussion and Appointment of a Finance Director. Councilor Romero 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, as permitted by section 10-15-1(H)(2) of the New Mexico Open Meetings Act, NMSA 1978, regarding Discussion and Appointment of a Finance Director, 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	Barbara Casey	Yes
David Ulibarri	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

EXECUTIVE SESSION ACTION ITEM

1. Approval to appoint Timothy Montgomery as the Finance Director.

Councilor Casey made a motion to approve the appointment of Timothy Montgomery as the Finance Director. Councilor Romero 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.

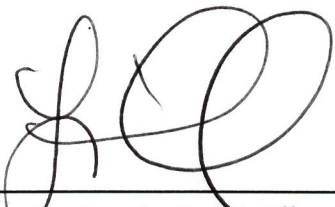
Councilor Montoya advised that he did not agree with the interview process and had mentioned before that they should have people from within that department involved in the interviews. Councilor Montoya advised that he doesn't favor a short work history of employment .

ADJOURN

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

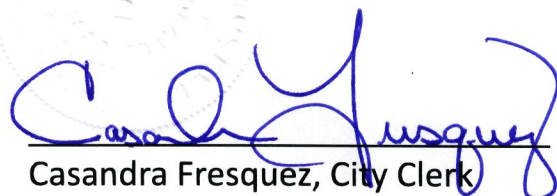
City Clerk Fresquez advised the motion carried.

Meeting adjourned at 8:02 pm.



Mayor Louie A. Trujillo

ATTEST:



Casandra Fresquez, City Clerk