

MINUTES OF THE CITY OF LAS VEGAS REGULAR CITY COUNCIL MEETING HELD ON WEDNESDAY, AUGUST 21, 2019 AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS

MAYOR: Tonita Gurulé-Girón

COUNCILORS: Barbara A. Casey
David G. Romero
Vincent Howell
David A. Ulibarri, Jr.

ALSO PRESENT: Ann Marie Gallegos, Interim City Manager
Danielle Sena, Recorder
Esther Garduno Montoya, City Attorney
David T. Bibb III, Sergeant at Arms

Meeting began at 6:00 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Ulibarri Jr. asked for a moment of silence to remember our friend Skip, who had recently passed away and to pray for the safety of the children of the community, as they begin a new school year.

APPROVAL OF AGENDA

Councilor Ulibarri, Jr. made a motion to approve the agenda as is. Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

APPROVAL OF MINUTES

Councilor Casey made a motion to approve the minutes for June 12th Work Session, June 19th Regular, June 25th, Special Meeting, July 10th Work Session and July 17th, 2019 Regular, as amended. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David G. Romero	Yes
David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

MAYOR’S APPOINTMENTS/REPORTS

Mayor Gurulé-Girón advised that there was a special guest who would be speaking and that Tana Vega would be presenting the yearly budget report.

MAYOR’S RECOGNITIONS/PROCLAMATIONS

None at this time.

Councilor Casey requested, before going into Public Input, that the guidelines for Public Input be read by the Clerk, so that people who had not done public input would know that the City had a protocol and decorum that was in City Code and would like it read aloud so that everyone who was present, would know that there were rules to follow during public input.

Deputy Clerk Danielle Sena read the Public Input Guidelines as follows:

Addressing the Governing Body: Manner of address- Each person orally addressing the governing body shall first seek the recognition of the presiding officer and after being recognized shall stand and give his name and address for the record before proceeding. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person, other than a Councilman and the person having the floor, shall be permitted to enter into any discussion without permission of the presiding office. No question shall be asked a Councilman except through the presiding officer.

Decorum: Public.- While the governing body is in session, no person shall act in a disorderly manner, nor while addressing the governing body shall any person make any personal, impertinent or slanderous remarks. The presiding officer may bar anyone acting improperly from continuing his address of the governing body.

Enforcement: The Chief of Police or such police officer as he may designate shall be the Sergeant at Arms of the governing body and shall carry out all orders of the presiding officer for the purpose of maintaining the order and decorum of the session. Upon orders of the presiding officer, it shall be the duty of the Sergeant at Arms to place any person who violates the provisions of this section under arrest and cause him to be prosecuted upon the complaint of the presiding officer.

***City of Las Vegas Code 2011, §14-7 Procedure for regular and special meetings**

Mayor Gurulé-Girón asked that during Public Input, to address the governing body and to not make slanderous remarks without having proof although if having proof, you are allowed to use that information publicly.

PUBLIC INPUT

Andrea Gottschalk, FIBA President & Andy Kingsbury, FIBA Vice President spoke briefly regarding the street closures during the Car Rally event and the negative effects that it had on many businesses in the Plaza Park area. Ms. Gottschalk also addressed that the businesses were not informed or considered about the closures and asked that the City be more considerate of involving businesses regarding notification for future events.

Jay, Mr. LV Pride NM spoke on behalf of the LGBTQ community in Las Vegas, thanked Mayor Gurulé-Girón for the help she had given them and advised they were seeking support for Drag Story Time which had received both positive and negative reactions. She asked for kindness and compassion from Police Department and Council, asked for a Diversity Day on August 31st and requested funding to create a Task Force to address corruptness taking place.

Kathleen Dudley spoke in regards to the productivity of the local Farmers Markets and the support for opening the second one. She stated how many rely on the quality of fresh food, to nourish minds and bodies which are needed to make good decisions. She thanked Mayor Gurulé-Girón for her part in supporting the markets.

Diane Lindsay spoke in regards to putting out the word of not having time for the conflict, continual criticism and complaints taking place and how it was affecting our youth and she wanted this distraction to stop and to let the Mayor do her job and thanked her for her support of the Farmers markets.

PRESENTATIONS

None at this time.

CITY MANAGER'S REPORT

Interim City Manager Ann Marie Gallegos thanked Mayor, Council and City staff for all their help in events that had taken place and gave a detailed report on the status of the following projects:

- 4th of July Fiestas/Rodeo
- Fishing Derby (150 children)
- Kiwanis Club (Donated benches) Harris Pond
- Summer Youth Program-35 Students
- Game & Fish-ATV Training
- Annual Safety Training
- Recreation Center Summer Prog.-213 children
- Rough Rider Motorcycle Rally-end of July
- Salute to the Troops-August 4, 2019
- Heritage Week-August 3,4, 2019
- Car Show-August 17, 2019
- Road Assessments-Qualification for Federal & State Grants
- Crack & Seal Project-Mills Avenue
- Comprehensive Master Plan-Council final approval, September 2019
- HUD Commissioner Training Aug. 23-24
- Rededication Bradner Dam Aug. 23rd
- ICIP Plan-Sept. 4th or 5th
- Carnegie Library Story Time-Aug. 31st @ 12:00 p.m.

FINANCE REPORT

Interim Finance Director Tana Vega presented the Finance Report for the month ending July 31, 2019 (1 of 12 mos.) and added that this was the preliminary budget that was approved by DFA and would not have a final budget until September. She reported the revenue total for General Fund at 8% (\$855,819.00) and expenditures at 7% (\$846,483.00). Ms Vega advised that the Enterprise Funds revenue came in at 7% (\$1,217,804.00) and expenditures were at 5% (\$956,783.00). She reported the Recreation Department revenue at 7% (\$47,216.00) and expenditures were at 7% (\$53,745.00).

Interim Finance Director Vega gave a detailed summary of the Moody's Investors Services Report, she added that the information was based on the 2018 Financial Audit and spoke briefly on the retirement pension plan. Ms. Vega read the detailed Credit Overview and stated that the Financial position of the City of Las Vegas was healthy and had an A2 bond rating.

Mayor Gurulé-Girón asked if the City's Debt Service was where it should be and asked for an explanation of the bonding capacity.

Ms. Vega advised that according to the Moody Report, the City had a small debt burden in comparison to cash balances. She stated that the bonding capacity was in other words “can you afford to make payments on additional debt.?”

Brief discussion took place on the City’s revenue, fund value, bond rating and interest rates.

Mayor Gurulé-Girón thanked the Finance Department for reducing the debt service, in monitoring expenses and paying off the debt. She asked that the Moody Report be provided to the Optic, and thought it would be a great opportunity to highlight the good things happening at the City.

Councilor Romero asked how long had the City had the A2 rating and if they had discussed with the City’s Financial Advisor, how to increase the bond rating.

Interim City Manager Gallegos advised that the City had the A2 rating last year as well and stated that what was holding them back now was the liability against the pension plan, being a huge debt although was required by GASB 87 to carry that debt which was statewide and added that it had been detrimental to the rating.

CONSENT AGENDA

Deputy Clerk Danielle Sena read the Consent Agenda into the record as follows:

1. Approval to accept funding through the Department of Finance and Administration to operate the E911 System for the City of Las Vegas and State Police District 2.
2. Approval to accept funding through the Department of Public Safety to reestablish the Region IV Narcotics Task Force and use funds in overtime to conduct narcotics operations, training and for vehicle maintenance on undercover vehicles.
3. Approval of Addendum No. 1 authorizing a one year extension on the Emergency Ambulance Services contract No. 2623-13.
4. Approval of task order for the Peterson Dam replacement project.

**Mayor Gurulé-Girón advised that regarding Consent Item #5, she did receive a Program Overview from Ms. Arguello, and thanked Ms. Arguello although stated that she was looking for the Economic Impact.*

5. Approval of Resolution No. 19-42 for submittal of a section 5311 Grant Application for FY21 Federal Transit Funds.

Resolution 19-42 was presented as follows:

**STATE OF NEW MEXICO
CITY OF LAS VEGAS
RESOLUTION NO. 19-42**

**AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE NEW MEXICO DEPARTMENT
OF TRANSPORTATION TRANSIT AND RAIL DIVISION FOR A PUBLIC RURAL
TRANSPORTATION GRANT**

WHEREAS, the City of Las Vegas Meadow City Express was designated a Public Rural Transportation System in 1995; and

WHEREAS, since that time the City of Las Vegas Meadow City Express has applied for NMDOT Transit and Rail monies to assist with administrative, operating and capital expenses on an annual basis; and

WHEREAS, the City of Las Vegas matches the NMDOT Transit and Rail monies at a ratio and intends to match the monies in the amount of \$87,000.00; and

WHEREAS, the City of Las Vegas Meadow City Express intends to submit an application for FY 2021 Section 5311 Public Transportation Grant; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Las Vegas, that the City of Las Vegas hereby authorizes the submittal of an application to the New Mexico Department of Transportation Transit and Rail Division for a Section 5311 Public Rural Transportation Grant.

PASSED, APPROVED AND ADOPTED by the Governing Body, this ____ day of August, 2019.

Signed:

Mayor Tonita Gurule-Giron

ATTEST:

Casandra Fresquez, City Clerk

APPROVED AS TO LEGAL SUFFICIENCY ONLY:

Esther Garduno-Montoya, City Attorney

6. Approval of Resolution No. 19-44 Infrastructure Capital Improvement Plan (ICIP).

Resolution 19-44 was presented as follows:

City of Las Vegas, NM
Resolution No. 19-44

A resolution adopting an Infrastructure Capital Improvement Plan (“ICIP”)

ADOPTING THE FY 2021-2025 INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP)

WHEREAS, the City of Las Vegas recognizes that the financing of public capital projects has become a major concern in New Mexico and nationally; and

WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

WHEREAS, systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and

WHEREAS, this process contributes to local and regional efforts in project identification and selection in short and long range capital planning efforts.

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

1. The City of Las Vegas has adopted the attached FY 2021-2025 Infrastructure Capital Improvement Plan, and;
2. it is intended that the Plan be a working document and is the first of many steps toward improving rational, long-range capital planning and budgeting for New Mexico's infrastructure and;
3. this Resolution supersedes Resolution No: 18-39.

PASSED, APPROVED AND ADOPTED THIS _____ day of August _____, 2019

CITY OF LAS VEGAS

Mayor Tonita Gurulé-Girón
(Seal)

ATTEST:

Casandra Fresquez, City Clerk

Esther Garduño, City Attorney
(for legal sufficiency only)

Councilor Casey made a motion to approve the Consent Agenda (Items 1-8), as read into the record. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	David A. Ulibarri, Jr.	Yes
Vincent Howell	Yes	Barbara A. Casey	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.

COUNCILORS' REPORTS

Councilor Romero thanked Interim City Manager Gallegos and Streets Director Chris Rodarte for addressing potholes within the City and asked if Code Enforcement was addressing the weed issues.

Interim City Manager Gallegos advised that they were addressing the weeds throughout the City and asked Councilor Romero to advise her of any specific areas and she would have Code Enforcement work on them.

Councilor Casey stated that according to the Utilities Water Report, there were issues on 8th Street with repairs of a water valve by a certain construction company and asked who that was.

Utilities Director Maria Gilvarry explained that someone on a backhoe purposely destroyed a water valve that had been replaced on 8th Street by Hay's Plumbing, who was the contractor, causing a water leak. She added that Hay's Plumbing did respond that night and the City helped isolate the leak, that it was still under construction and that Hay's Plumbing was still responsible for the waterline until the City would take over. Ms. Gilvarry informed there would be no costs to the City for the repairs and were working with the Police Department in finding the vandal.

Councilor Casey had questions on the Public Works report regarding the work on Crow's Nest at County Fairgrounds and asked who the fairgrounds belonged to.

Interim City Manager Gallegos advised that the fairgrounds belonged to the County although they did not charge the City to use the fairgrounds, and in return they asked for repair of the Crow's Nest.

Councilor Casey asked a question pertaining to the Parks Division Monthly Playground Equipment Inspection and how it was done.

Interim City Manager Gallegos informed that they were looking into replacing some playground equipment.

Public Works Director Danny Gurulé advised that the playground equipment would be inspected for any metal, screws or plastic that may cause harm to children, if found unsafe they would close the playground in order to repair.

Councilor Casey was thankful for the list of City new hires, terminations and transfers and asked if it was possible for new hires to be introduced to Council so they can get familiar with them. She commended the hiring of Gilbert DesChamps in the I.T. Department and thought he was excellent for the job.

Councilor Casey advised that a concerned constituent who was wheelchair bound called her regarding issues of ramps leading from the street to the sidewalks on 5th, 6th, 7th & 8th Streets, and were not wheelchair accessible due to not being wide enough. She stated that the ramps should be 48 inches wide and suggested that Public Facilities address that issue in order to be ADA compliant.

Councilor Casey asked Interim Finance Director Vega if the Council could possibly receive a list of checks that were issued every month with the names of the payee and what they were being paid for.

Interim Finance Director Vega advised she would provide that list to Council electronically every month.

Councilor Howell thanked Interim City Manager Gallegos for addressing issues he brought up and asked for the status regarding issues at 7th & Lutheran Lane.

Interim City Manager Gallegos advised that they contacted the owner of the building and Code Enforcement provided them with several names to contact to get that area cleaned up and she would stay in contact with them as well.

Councilor Howell thanked Maria Gilvarry and Chris Rodarte for addressing the issues with Mr. Jose Maestas, regarding Cinder Road and asked for the status.

Interim City Manager Gallegos advised she contacted Vidal Martinez and would meet with him early next week to discuss the project on Cinder Road.

Councilor Howell suggested that all businesses be included in an email message regarding closures that would take place and that a City Representative should attend LVFIBA weekly meetings to keep them informed as well.

Interim Community Development Director Marrujo informed that LVFIBA would usually send out the information in regards to street closures on their newsletter although discussed with them that the City would put the information out via, radio PSA, possibly the newspaper and on social media.

Councilor Ulibarri, Jr. thanked everyone involved for the work on the streets although stated there was still problems with weeds on the West side of town and asked if the sidewalk behind the gazebo at Plaza could be repaired as it could be a liability to the City. He thanked the Street Dept. and all City employees for their work.

Mayor Gurulé-Girón asked who repaired the sidewalk and driveway on Reynolds Street.

Utilities Director Gilvarry advised that she would have to research and get back to her.

Councilor Casey informed her neighbor Bob Rudzik replaced a waterline and replaced the sidewalk himself, which ran in front of her property and into the alley and called Chris Rodarte to look at the work, to see if it was done correctly.

Ms. Gilvarry advised she would follow up with Public Works Department on the work that had been done.

Councilor Romero brought up the issue of the lights not working between the areas of Hot Springs Blvd. and 8th Street.

Public Works Director Gurule advised that City Electrician Ernest Jaramillo was working on locating the short that was causing the outages.

Councilor Howell wanted to congratulate Chief Bibb on the successful event of capturing one of the City's biggest murderers, with the help of other law enforcement agencies.

Councilor Casey thanked Chief Bibb for the appearance of the Police Department parking lot, she stated it was safer and was very pleased with the improvement.

Mayor Gurulé-Girón thanked Chief Bibb and all Police Department staff for the work they do for the City.

EXECUTIVE SESSION

Councilor Howell made a motion to go into Executive Session to discuss personnel matters, as permitted by Section 10-15-1 (H)(2) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	David G. Romero	Yes
Barbara A. Casey	Yes	Vincent Howell	Yes


Recorder Danielle Sena re-read the motion and advised that the motion carried.

RECONVENE TO REGULAR SESSION / ADJOURN

Councilor Casey made a motion to reconvene into Regular Session, after having discussed personnel matters, pursuant to Section 10-15-1 (H)(2) of the New Mexico Open Meetings Act, NMSA 1978 and also made a motion to adjourn. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Vincent Howell	Yes
David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes

Recorder Danielle Sena re-read the motion and advised that the motion carried.



Mayor Tonita Gurulé-Girón

ATTEST:



Casandra Fresquez, City Clerk