

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD
ON WEDNESDAY, MAY 17, 2023 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS.**

MAYOR: Louie A. Trujillo *Absent*

COUNCILORS: David G. Romero
Barbara Casey *Mayor Pro Tem*
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 Casey called the meeting to order at 5:30 pm.

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Pro Tem Casey asked for a moment of silence to keep in mind and in prayer those who lost their homes and property in the most recent fire and the many people who are suffering from severe illness and may be in danger of death.

APPROVAL OF AGENDA

Councilor Montoya made a motion to approve the agenda as presented. Councilor Romero seconded the motion. All were in favor.

City Clerk Fresquez advised the motion carried.

PUBLIC INPUT

There was no public input.

MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

COUNCILORS' REPORTS

Councilor Romero asked City Manager Maestas for an update on the fencing and his request for a letter from the Self Insurers Fund and also advised the new fence was already damaged.

City Manager Maestas advised he met with the Self Insurers Fund about 2 weeks ago and they didn't see anything wrong with it, however they did request that the specs from the contractor be sent to them. City Manager Maestas advised he expressed concerns about the fence to the contractor and they advised they would try to fortify it to make it stronger. City Manager Maestas advised they would get the specs over to the League and get Councilor Romero the letter.

Councilor Romero asked for an update on where they are at on the sediment removal within the watershed. Councilor Romero advised he was in Gallinas and saw that the sediment was building up.

City Manager Maestas advised they have three projects in the grants portal pertaining to sediment removal at the Geo Brooks, the City's Diversion, the Skating Pond and throughout the City limits. City Manager Maestas discussed a one time cleaning with NRCS and they will procure their own contractor to do a one time cleaning of the Skating Pond.

Councilor Romero stated he was curious because there haven't been updates.

Councilor Montoya asked if he met with Ms. Romero on Sperry Drive.

City Manager Maestas advised no, he didn't have a chance.

Councilor Montoya advised that she was concerned about a cul-de-sac at the end.

Councilor Casey advised she had spoken with Public Works Director Lopez about that area and he advised he would go out there.

Councilor Montoya advised there have been issues in that area and Ms. Romero asked that they move the guardrail 25 feet back away from her driveway.

Councilor Ulibarri advised he passed by Lincoln Park and asked if the parks were being watered.

City Manager Maestas advised there are a lot of parks and they had issues with the effluent line and the tank was drained out. City Manager Maestas advised they had to refill the effluent water tank before properly watering the fields. City Manager Maestas further advised the parks had sprinkler head and valve problems that are being addressed.

Councilor Ulibarri expressed his concerns regarding the fields at Rodriguez Park and them being ready for District Tournaments.

City Manager Maestas advised the effluent pumps had given out.

Utilities Director Gilvarry advised they had a cost estimate to acquire the pumps, a cost estimate to install it and she needs to find the money within the budget because she currently doesn't have money in the WasteWater budget for it. Utilities Director Gilvarry advised she has a meeting with City Manager Maestas to see where they can pull funds from.

Councilor Ulibarri asked who was in charge of closing the gates at Rodriguez Park because they were left open.

City Manager Maestas advised there was vandalism last week and they are looking into securing it and making sure the gates are locked.

Councilor Ulibarri asked if the Police department could monitor the area.

Police Chief Salazar advised they have a key and officers have been going in after hours and caught individuals in there.

Councilor Ulibarri asked about South Pacific park and if they were going to finish.

City Manager Maestas advised they still need to install a swing set and curbing and he would contact the contractor for a time frame.

Councilor Montoya asked if there was a permit for the Mother's Day concert and if it all went well.

City Manager Maestas advised there were a lot of things that needed to be addressed with that event, and there was not a permit for that event.

Councilor Montoya asked how that happened.

City Manager Maestas advised that he could not answer that.

Councilor Montoya advised they were fortunate that nothing happened but events cannot be happening in the City without a permit.

Councilor Romero asked where they were at with the approved emergency 2 year agreement with Michael Quintana.

City Manager Maestas advised they have not received any correspondence from the individual that the 2 year agreement was done with, they are waiting to see if it gets approved by the Storrie Lake Water Users Association. City Manager Maestas advised they were also given a directive to work on a 40 year long term agreement and have been working with Attorney Pete Domenici to come up with the language to ask DFA or auditors on what they need to abide by for procurement.

Councilor Romero advised if he remembered correctly the attorney had already given a suggestion.

City Manager Maestas advised he did not recall what the suggestion was.

Councilor Romero asked if it would be taken in June.

City Manager Maestas advised yes, the second meeting in June.

Councilor Casey advised some questions she had were addressed by others.

POLICE CHIEF'S REPORT

Police Chief Salazar gave a detailed presentation regarding the statistics for the Month of April on the following:

- Field Operations Division (patrol) calls

- Received a quote for in car cameras (20 vehicles)
- Street Crimes/Narcotics/Evidence
 - 7 cases
 - Search warrant operations (6)
 - Cases closed (2)
- Traffic Citations
- Evidence Seized/Investigations
- Code Compliance calls
- Training/Recruiting/Events
- Department vacancies (27)
- Received \$112,000 legislative funds to be used on retention bonuses, officers will sign a 1 year contract, the next round of \$112,000 will be used on recruiting and hiring bonuses
- Opioid funds to be used to purchase drug awareness supplies to present to schools

Discussion took place regarding the amount of parking citations, abandoned vehicles red tagged, a trailer with trash on Tilden and Lincoln and making sure the Police department uses the drug awareness supplies they purchase as soon as they receive them.

Councilor Montoya advised they should worry about recruitment first then retention later in regards to the \$112,000 legislative funds.

Police Chief Salazar advised the language in the grant states the employees can't receive a hiring bonus until they are certified, which takes a year to become certified or someone going into the academy at the time.

Discussion took place regarding abatements.

Councilor Casey asked for an update regarding the parking violations by the Robertson High School Tennis Courts.

Police Chief Salazar advised there were parking tickets issued prior to the discussion between the City and the school were finalized but the Community Service Aides haven't been seeking parking violations in the area since then.

City Manager Maestas advised after speaking with Superintendent Archuleta, she advised it was the decision of the school to have no parking by the tennis courts and they have since repainted the curb to allow parking in that area.

Councilor Romero asked if the Police and Fire departments were splitting the opioid funds.

Police Chief Salazar advised yes, they are splitting the funding.

Discussion took place regarding how many employees were currently staffed at the Animal Care Center and when those interviews would take place.

Councilor Romero asked where they were at with the speed enforcement trailers.

Police Chief Salazar advised they have been speaking with the company, they thought they were getting a product that was going to just be a plug in and go system. Police Chief Salazar advised there's more to the system and IT has been working on the software. Police Chief Salazar advised it was a quick purchase and he should have done more research on it.

Councilor Romero advised City Manager and Finance to start looking at the contracts because companies are promising one thing and then when we get the product it's not correct.

FINANCE REPORT

Councilor Montoya advised they did have a Finance Committee meeting on Monday but they didn't have a quorum. Councilor Montoya stated if anyone would like to be a member of the Finance Committee to submit their name to the Mayor.

Finance Director Tasha Martinez advised they had no business items other than presenting their finance report to the committee.

Finance Director Martinez reported on the month of April, the General fund revenues exceeded the expenditures resulting in a surplus of (\$804,764), the Enterprise fund expenditures exceeded the revenues resulting in a deficit of

(\$766,248) due to transfers that were entered for the remainder of the year, the Recreation department revenues exceeded the expenditures resulting in a surplus of (\$125,512), Lodger's Tax revenues exceeded the expenditures resulting in a surplus of (\$242,285) and Cannabis revenues exceeded the expenditures resulting in a surplus of (\$76,724).

Discussion took place regarding the deficit in the Enterprise fund, the special meeting set for Monday, vacant positions that could be cut, the one million dollars for ambulance services, monies for the Tree Board, monies for the San Miguel County Jail, bringing up entry level employees from \$12 to \$15, suppression systems for the Police and IT server rooms and legislative funding for software.

PRESENTATIONS

Angie Lyster with the San Miguel Chamber of Commerce gave a lengthy update on the Association of Film Commissioners International conference that she attended, discussed questions asked by film executives, and various movies being filmed in Las Vegas.

Events Planner Griego discussed the various productions happening in the City and the process it takes.

Discussion took place regarding the Studio and Film Museum, acting classes at Luna Community College, specs for studio buildings and if the high schools offer drama classes.

Councilor Romero advised the issues are not having the foundation or background actors available.

Councilor Casey thanked Ms. Lyster for all she's done.

Utilities Director Gilvarry gave a lengthy discussion on the 2022 Consumer Confidence Report. Utilities Director Gilvarry advised the report is required by EPA and they must provide it to communities annually and possibly twice a year. Utilities Director Gilvarry advised the report has various information regarding City water, sampling, results and the condition of the water. Utilities Director Gilvarry reported that even with the challenges last year, they still met the requirements

and the water exceeded the safe drinking water act standards. Utilities Director Gilvarry discussed turbidity issues, disinfection violation, and (CPE) Comprehensive Performance Evaluation. Utilities Director Gilvarry stated that if the public has any questions they could call 505-454-3832.

Councilor Romero asked when Utilities sent out the last notice to the public, what was it for.

Utilities Director Gilvarry advised there were a couple notices on the turbidity.

Discussion took place regarding the issues they were having, which were system and equipment related, violations not being health related and Council being aware of priority lists when issues happen or repairs are needed.

Councilor Casey thanked Utilities Director Gilvarry for responding to a constituent.

BUSINESS ITEMS

1. Request to Award RFP #2023-15 for Engineering Planning, Design, & Construction Phase Services for Sewer Repair & Replacement to Stantec & Souder Miller & Associates.

Utilities Director Gilvarry discussed the need for engineering services and advised there were three proposers. Utilities Director Gilvarry advised the two that ranked the highest were Stantec and Souder Miller, those involved in the evaluation were from WasteWater Plant and Project Management. Utilities Director Gilvarry advised they were notified about \$5 million in funding for specific sewer line projects that they submitted through Congressional Direct Spending and they decided to go with two engineers to divide the projects evenly.

Councilor Romero made a motion to approve RFP #2023-15 for Engineering Planning, Design, & Construction Phase Services for Sewer Repair & Replacement to Stantec & Souder Miller & Associates. Councilor Montoya seconded the motion. Mayor Pro Tem Casey 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.

2. Request approval to purchase a modular office for the Water Treatment Plant Division.

Utilities Director Gilvarry discussed the existing office building at the Water Treatment Plant being tested for mold and was informed it was hazardous. Utilities Director Gilvarry advised they were recommended not to occupy that building.

Discussion took place regarding OEM providing a trailer temporarily but the space was too confined, going out for three quotes for a new building, new furnishing needed if a modular office was approved, how many employees were there and where they were currently staying and lastly if they had money in the budget for the modular office.

Councilor Casey made a motion to approve the purchase of a modular office for the Water Treatment Plant Division. Councilor Ulibarri seconded the motion. Mayor Pro Tem Casey 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.

3. Request to approve the restructuring of the Public Works Department Organizational Chart by adding a Project Inspector position.

City Manager Maestas discussed the Public Works department having large projects that are about to break ground and needing to make sure projects are

monitored and contractors are held accountable for quality work. City Manager Maestas advised they want to implement the position within the department so they can focus on those projects. City Manager Maestas advised the Utilities division has over 70 projects that they are currently managing.

Councilor Romero made a motion to approve the restructuring of the Public Works Department Organizational Chart by adding a Project Inspector position. Councilor Montoya seconded the motion.

Councilor Montoya asked if they had money in the budget for that position.

City Manager Maestas advised it was currently not budgeted but it would be incorporated into the new fiscal year budget and the position would not be filled until July 1st.

Councilor Montoya asked if the salary would be noted when it's advertised.

City Manager Maestas advised yes.

Councilor Casey asked what the qualifications were for the position.

Public Works Director Lopez advised there were a lot of qualifications, they had revised the job description, which was lengthy. Public Works Director Lopez advised there are a lot of requirements to hold the position, including years of experience and education. Public Works Director Lopez advised they could provide the Council with a copy.

Councilor Casey advised yes, if he could because it's difficult to find specialized people.

Public Works Director Lopez advised they want to make sure they hire the right person for the position that meets the qualifications.

Mayor Pro Tem Casey 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.

4. Discussion and Direction regarding Municipal Charter ballot questions for the upcoming Regular Local Election in November of 2023.

Councilor Romero advised there were a few things needing to be addressed in the charter.

City Clerk Fresquez advised the County would start the process in July for the November 2023 Election.

Councilor Romero advised they didn't need to put a Charter Committee together as per the charter. Councilor Romero advised there were minor items that needed to be placed on the ballot like the fifth council member because having that would be in violation of the State Statute.

City Clerk Fresquez advised she had reached out to legal counsel Randy Van Vleck and he asked to be invited to the next meeting to discuss the fifth councilor.

Councilor Montoya asked City Clerk Fresquez if she had reached out to legal counsel regarding if grammar changes in the charter would be okay or if that would be a significant change.

City Clerk Fresquez advised she had reached out to legal counsel Randy Van Vleck but he has yet to get back to her.

Discussion took place regarding taking the item back to council 100 days prior to the election, which would allow them to think about possible questions they would want on the ballot and any suggestions that were missed from the last time.

5. Request approval of Resolution No. 23-14, Repealing and replacing all previous resolutions and adopting an updated City of Las Vegas Meadow City Express Zero Tolerance FTA Drug & Alcohol Testing policy.

Councilor Romero made a motion to approve resolution 23-14. Councilor Ulibarri seconded the motion.

Resolution 23-14 was presented as follows:

**City of Las Vegas Meadow City Express
Resolution No. 23-14**

**A RESOLUTION REPEALING AND REPLACING ALL PREVIOUS RESOLUTIONS AND ADOPTING
AN UPDATED CITY OF LAS VEGAS MEADOW CITY EXPRESS ZERO TOLERANCE FTA DRUG &
ALCOHOL TESTING POLICY**

WHEREAS, the City of Las Vegas Meadow City Express is required by the NMDOT Transit and Rail Division to have an FTA Drug and Alcohol Testing Policy in place; and

WHEREAS, the policy needs to be updated and adopted by the Governing Body, and distributed to Meadow City Express employees; and

NOW, THEREFORE BE IT RESOLVED THAT the Governing Body of the City of Las Vegas hereby approves the updated City of Las Vegas Meadow City Express Zero Tolerance Drug and Alcohol Testing Policy and directs its distribution to transit employees; and

IT IS FURTHER RESOLVED THAT this Zero Tolerance Drug and Alcohol Testing Policy shall be effective _____.

PASSED, APPROVED AND ADOPTED by the City of Las Vegas Governing Body this _____ day of _____, 2023.

Mayor

ATTEST:

Casandra Fresquez, City Clerk

Mayor Pro Tem Casey 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.

EXECUTIVE SESSION

Councilor Romero 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 of hiring a Community Development Director. Councilor Casey and Councilor Ulibarri seconded the motion. All were in favor.

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 of hiring a Community Development Director and only those matters were discussed and no action was taken. Councilor Casey seconded the motion. Mayor Pro Tem Casey 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.

ADJOURN

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

City Clerk Fresquez advised the motion carried.

Meeting adjourned at 8:25 pm.



Mayor Louie A. Trujillo

ATTEST:



Casandra Fresquez, City Clerk