

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD
ON WEDNESDAY, JUNE 14, 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
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 thank all City employees for their hard work and a moment of silence for those members of the community who have passed away.

APPROVAL OF AGENDA

Councilor Casey made a motion to approve the agenda as presented. 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.

PUBLIC INPUT

There was no public input.

MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

Approval to appoint Mr. Joe Sandusky to the Library Board.

Discussion took place regarding two other citizens who wanted to be on the Library Board and those appointments being brought to the next Council meeting.

Councilor Casey made a motion to approve the appointment of Mr. Joe Sandusky to the Library Board. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised the motion carried.

Mayor Trujillo discussed the community utilizing City parks and having picnics for Senior Citizens and the community at various City parks during the months of July, August and September. Mayor Trujillo advised they would be having movies at Carnegie park starting July 7th.

COUNCILORS' REPORTS

Councilor Romero thanked the Finance department for working on the budget. Councilor Romero advised he received a call from a resident in the ETZ area regarding a moratorium on water taps.

Utilities Director Gilvarry discussed the ordinance regarding water taps.

Councilor Casey discussed concerns from constituents regarding flooding at the corners of Baca, 5th and 6th Street.

Utilities Director Gilvarry advised they do have a contractor looking into it.

Councilor Casey thanked Finance Director Martinez for doing a wonderful job and for sending her the check register every month. Councilor Casey advised they are spending a lot of money on CES and feels they need to plan ahead instead of spending a lot on CES.

Councilor Montoya recommended Andrea Love from Rollin Love to serve on the Marketing Committee.

Councilor Romero asked for an update from Utilities Director Gilvarry pertaining to the different projects that are happening around town.

Mayor Trujillo advised the kick off for Sunny 505 would be June 30th at the United World College and it's open to the public.

CITY MANAGER'S REPORT

City Manager Maestas discussed the following;

- Welcomed new staff to the City of Las Vegas
- Senior Center parking lot (design phase)
- Legion Drive road project (groundbreak next week)
- 5th and 6th Street paving and drainage
- NM Help program (youth program)
- University Avenue project
- Day camp at the Recreation Center
- Procured a surveillance trailer for properties or events
- Reimbursements received from U.S Forest Service

Mayor Trujillo gave a directive to City Manager Maestas and Finance Director Martinez regarding cash management for proper accounting.

Councilor Romero asked what department the surveillance trailer was purchased from.

City Manager Maestas advised it was purchased from the Executive Office and every department would have access to it.

Councilor Romero discussed the Community Development department being short staffed.

City Manager Maestas advised they have asked others that used to be in Community Development to help out until it gets filled.

Councilor Montoya advised they got complaints about the location of the band stand during previous fiestas.

City Manager Maestas advised they can speak with the merchant to see if they can come to an agreement.

Councilor Montoya advised the wooden statue in the park was in poor condition and recommended it be removed, and also the need to remove a tree stump at the north side of the park.

APPROVAL OF MINUTES

Councilor Romero made a motion to approve the minutes from May 10, May 17, and May 22, 2023. 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.

PRESENTATIONS

Utilities Director Maria Gilvarry gave a lengthy discussion about an overcharge to New Mexico Behavioral Health Institute. Utilities Director Gilvarry advised they found the issue, fixed the issue and credited New Mexico Behavioral Health Institute. Utilities Director Gilvarry discussed two components to the gas bill which are the meter read and pressure read, which is entered manually and it was entered incorrectly.

Councilor Montoya asked what she would be doing differently to avoid it from happening again.

Utilities Director Gilvarry advised whenever there is a work order that requires a meter change out, they will require a two person verification and a manager would review and sign off on it.

Councilor Montoya asked what the recommendation was from the Utility Advisory Committee.

Utilities Director Gilvarry advised she briefed them on what happened and there was not a recommendation requested.

Councilor Montoya asked how likely it is to happen again.

Utilities Director Gilvarry advised it is possible it could happen again but they have the two person verification.

Councilor Romero asked if the procedures that are in place would be documented and provided to employees.

Utilities Director Gilvarry advised it was documented.

CONSENT ITEMS

City Clerk Fresquez read the Consent Agenda (1-3) into the record as follows:

1. Request approval of Addendum #2 to Contract #3785-21 with Souder Miller & Associates for professional engineering and operation services for the waste water treatment plant.
2. Request approval of Addendum #2 to Contract #3786-21 with Souder Miller & Associates for professional engineering services for the solid waste system.

3. Request approval of Addendum #2 to Contract #3787-21 with Alpha Southwest for repair services on pump, motor and mechanical on an as needed basis.

Councilor Casey made a motion to approve the Consent Agenda (1-3) as presented. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised the motion carried.

BUSINESS ITEMS

1. Discussion regarding Charter amendments relating to the number of elected officials.

City Counsel Randy VanVleck gave a lengthy discussion regarding the Charter amendment that was taken to voters in 2022 to increase the governing body by one member elected at large. Mr. VanVleck advised that was unusual and was not sure how it got to the voters because it's contrary to law and not permitted. Mr. VanVleck advised there were some options on what to do regarding the Charter Amendment, those options are to take it back to the voters to repeal the 2022 Charter Amendment, the second option is to seek a Declaratory Judgement from District Court asking the Judge if the Charter Amendment is valid and the third option is do nothing, do not act on the Charter Amendment because to do something would be contrary to law. Mr. VanVleck's recommendation was the third option.

Councilor Romero advised they opted into the County handling the elections so elections won't cost the City anything. Councilor Romero discussed someone reviewing the Charter Amendments from the Municipal League who said the Charter Amendments were okay. Councilor Romero discussed the City's form of

municipal government which is Mayor and City Manager and the City Manager working for the entire governing body and not just one individual.

Councilor Montoya asked that the item be brought back as an action item to vote on the three options.

2. Request approval of Resolution 23-15 to apply for and accept a grant offer administered by Federal Aviation Administration (FAA) and the New Mexico Department of Transportation (NMDOT) Aviation Division in the amount of \$100,724.00.

Councilor Romero made a motion to approve Resolution 23-15. Councilor Casey seconded the motion.

Resolution 23-15 was presented as follows:

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 23-15

A RESOLUTION TO APPLY FOR AND ACCEPT A GRANT OFFER ADMINISTERED BY THE FEDERAL AVIATION ADMINISTRATION (FAA) AND THE NEW MEXICO DEPARTMENT OF TRANSPORTATION(NMDOT) AVIATION DIVISION FOR THE CITY OF LAS VEGAS MUNICIPAL AIRPORT ACTION PLAN(ALP) AND THE DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM AND GOALS.

WHEREAS, the City of Las Vegas ("City") will apply for a grant offer administered by FAA and NMDOT Aviation Division for updating of the City Municipal Airport Layout Plan(ALP) and the Disadvantage Business Enterprise (DBE) Program and Goals;

WHEREAS, the total requested amount of the Grant is \$100,724.00, with the FAA share being \$90,652.72 (90%) NMDOT share being \$9,065.00 (9%) and City's share being \$1,007.00 (1%) of the Grant offer;

WHEREAS, the City shall pay all costs, which exceed the total amount of \$100,724.72;

WHEREAS, the Grants will be used directly for the updating the ALP and the DBE upon the issuance of a Grant offer; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas that the recitals are incorporated herein by reference and the Governing Body hereby accepts the grant offer and agrees to contribute the City's portion, and to use the grant for the update of the Airport Layout Plan and the Disadvantaged Business Enterprise Program and Goals, which will be administered by Federal Aviation Administration and the New Mexico Department of Transportation Aviation Division.

PASSED, APPROVED AND ADOPTED this ____ day of June 2023.

Louie A. Trujillo, Mayor

ATTEST:

Casandra Fresquez, City Clerk

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.

Public Works Director Lopez advised the FAA share has been 90%, NMDOT's share 5% and the City's share 5% but this year NMDOT decided to share 9% leaving the City's share at 1% and this change was updated in the resolution.

3. Request approval for paving of the North bound lane of Hot Springs from Bernalillo Street to Mora Street.

Public Works Director Lopez advised paving half of the street and patching the other side of the street.

Discussion took place regarding why only one side of the road was going to be paved, the need to pave both sides of the road, the cost it would entail to do both lanes, and holding the contractor accountable for the damage they did during the sewer line project.

Councilor Montoya made a motion to approve paving of the North bound lane of Hot Springs from Bernalillo Street to Mora Street. 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.

EXECUTIVE SESSION

Councilor Casey 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 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.

Councilor Casey 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 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.

ADJOURN

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

City Clerk Fresquez advised the motion carried.

Meeting adjourned at 8:06 pm.



Mayor Louie A. Trujillo

ATTEST:



Casandra Fresquez, City Clerk