

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD  
ON WEDNESDAY, JANUARY 18, 2017 AT 6:00 P.M. IN THE CITY COUNCIL  
CHAMBERS**

**MAYOR:** Tonita Gurulé-Girón

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

**ALSO PRESENT:** Richard Trujillo, City Manager  
Casandra Fresquez, City Clerk  
H. Chico Gallegos, City Attorney  
Juan Montano, Sergeant at Arms

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

Mayor Gurulé-Girón asked Councilor Romero to lead the moment of silence.

Councilor Romero asked for prayers for the families who had recently experienced loss of family members and also asked for guidance for Council members in making the right decisions for our community.

**APPROVAL OF AGENDA**

City Manager Richard Trujillo made a recommendation of removing Item #1 from the Consent Agenda and place as Business Item #1 for further discussion.

Councilor Howell made a motion to approve the Consent Agenda with the recommended change of removing Item #1, to be placed as Business Item #1 for further discussion. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez re-read the motion and advised the motion carried.

### **APPROVAL OF MINUTES**

Councilor Casey made a motion to approve the minutes for December 14<sup>th</sup> and December 21<sup>st</sup>, 2017 with minor corrections already addressed to City Clerk Fresquez. Councilor Howell and Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez re-read the motion and advised the motion carried.

### **MAYOR'S APPOINTMENTS/REPORTS**

Mayor Gurulé-Girón advised that there were no appointments at this time although reported to Council that she was working on finalizing the Campaign and Ethics Committee with changes that would be brought to Council for confirmation.

### **MAYOR'S RECOGNITIONS/PROCLAMATIONS**

Mayor Gurulé-Girón recognized Councilor Barbara Casey and Councilor David Ulibarri, Jr. for their accomplishments of certification from the Municipal Official



Leadership Institute and advised that they would be recognized in Clovis, New Mexico for their accomplishments.

Mayor Gurulé-Girón thanked everyone for their participation in the 2016 Light Parade, Santa in the Park and the Home and Business Decoration Contest.

The Grand Marshals for the Light Parade were both the Bilingual Immersion Programs for both school districts, East and West Las Vegas; the Grand Marshals were recognized and acknowledged as follows:

Representing East Las Vegas School Educators: Lorraine Martinez

Representing West Las Vegas School Educators: Absent

Light Parade Contestants: Floats were judged by Veterans on Douglas Avenue. 1<sup>st</sup> Place Floating Trophy, 2<sup>nd</sup> and 3<sup>rd</sup> Place Plaques were presented as follows:

1<sup>st</sup> place – New Mexico Department of Transportation

2<sup>nd</sup> place – Benavidez Construction

3<sup>rd</sup> place – Luna Community College Hacienda

Home and Business Decorating Contest winners were presented:

Home Decorating:

1<sup>st</sup> Place- Casey Ortega, 605 Sabino St.

2<sup>nd</sup> Place- Paul Collins, 712 Coronado Dr.

3<sup>rd</sup> Place- Bill Tafoya, 624 El Creston Cir.

Business Decorating:

1<sup>st</sup> Place – Plaza Antiques, 1805 Plaza- Andy Kingsbury

2<sup>nd</sup> Place – Speedy Loans Mills, 201 Mills Ave.

3<sup>rd</sup> Place – Boracho's, 139 Bridge St. – Sara Matthews

Mayor Gurulé-Girón thanked the City staff for putting the event together and working exceptionally hard, and also thanked everyone who participated in one of the best Light Parade's that the City had ever had.

## **PUBLIC INPUT**

Bob Wessely expressed how pleased he was with the negotiation of a draft long-term sharing water agreement between the City of Las Vegas and the Rio Gallinas Acequias Association. Mr. Wessely hoped that the agreement addressed all of the disagreements between the City and the RGAA and added that any content of a water-sharing agreement was a vital concern to the Las Vegas community and stated "that such an agreement should be subject to critique by far more than just a few City staffers". Mr. Wessely asked that the Las Vegas public would be



given the opportunity to review and comment on the water sharing agreement before asking Council for approval.

EDC Executive Director, Bill Hendrickson thanked City Manager Trujillo and Community Development Director Annette Velarde for working with the EDC on finalizing the contract and advised that they looked forward to working with the City, providing their resources and for the numerous projects and programs that need to be implemented by the City in order to make the community the best that it can be.

Katherine Kahn commended City Manager Trujillo for a job well done in helping the city, for his knowledge of the water issues and for keeping the community informed by broadcasting over the radio. Ms. Kahn gave praise to Police Chief Juan Montano for his efforts and added that she was pleased with the positive direction the City had taken and hoped that the County would take the same direction.

City Manager Trujillo explained that City staff would also be reaching more listeners by broadcasting over KNMX Radio every Tuesday at 1:00 p.m., informing them of the progress made in the City.

City Manager Trujillo presented the award for Business Decorating to Speedy Loans at this time due to their late arrival.

Marshall Poole, Board President of the Animal Welfare Coalition (AWC) of Northeastern New Mexico and Tina Holguin, AWC Director spoke briefly regarding grants received and various services provided by the Animal Welfare Coalition. Mr. Poole advised that they supported the contract between the City of Las Vegas and the AWC and thanked City Manager Trujillo and Community Development Director Velarde for thoroughly negotiating a contract with the AWC.

Lalo Sanchez stated that he gave up his efforts regarding his many requests to change sewer and water billing and felt that the City should use the money that was being taken from him, to repair the many needs of the City.

Connie Trujillo, Owner of Alumbra Women's Health & Maternity Care spoke of several concerns regarding the loss of revenue to their agency due to not



obtaining Alta Vista reimbursement billing services, since the OBGYN Ward closure in March of 2016. Ms. Trujillo advised that it could result in losing a locally owned and operated business and explained many services they offered to the women in the community, being the only full time maternity care provider in the community. Ms. Trujillo advised that her worry was that many women would not receive quality women's health care if Alumbra Health Care would close and stated that they were asking for the City's support and partnership through the next few months until more funding could be obtained.

Mayor Gurulé-Girón stated that Public Information Officer, Lee Einer, on his own time, along with Alumbra Women's Health Care had recently started a fundraiser on the internet and asked Ms. Trujillo to give details on the process of donating online.

Ms. Connie Trujillo explained that donations could be made online at "*crowdrise.com*" and search "*Alumbra*". Ms. Trujillo advised that donations would be accepted at the Alumbra Women's Health Care Office, located at 1900 Hot Springs Boulevard, Suite A. and stated that any donations would be appreciated.

### **CITY MANAGER'S REPORT**

City Manager Trujillo advised that the City was facing many challenges, one being able to provide quality health care for women and families wanting to have families and stated that the City's commitment was to provide assistance and support to businesses so that they may remain open which contributes to the City's Gross Receipt Tax.

City Manager Trujillo informed that our schools needed the City's help as well and explained that each school district had lost 1600 students in the last 5 years with the possibility of losing Memorial Middle School, Legion Park and Paul D. Henry schools and added that West Las Vegas Schools were struggling as well. City Manager Trujillo stated that the City needed to focus on doing a better job of helping and supporting our schools with our resources.



City Manager Trujillo advised that we needed to improve the quality of life in our community and reported that the Recreation Center would be opening on Cinco de Mayo which would bring some excitement and hope.

City Manager Trujillo informed the Governing Body that the City needed to be prepared for the many challenges ahead, one being the trickle-down effect on Municipalities and Government regarding the 60-day Legislative Session outcome. City Manager Trujillo advised that the City was working diligently on the operating budget, continuing to cut spending and offering several online payment services to our community. City Manager Trujillo stated the City will continue to move in a positive direction.

Mayor Gurulé-Girón thanked Finance Director Ann Marie Gallegos and Department Directors for working diligently on the budget and having to deal with the huge impact of the five percent cut backs and hoped it would have a positive impact in the near future.

City Manager Trujillo advised that Community Development Director Velarde would be presenting on a promotional project for the City's local businesses.

Community Development Director Velarde gave a detailed overview of the promotional project called "You're the Proof" campaign, which would be a twelve month commitment from local businesses to their customers, also encouraging them to offer special rates during the promotional period. Community Development Department Velarde informed that businesses that participated in the promotional campaign would benefit by being featured in several advertisements and added that this would help our businesses and the ad campaign overall.

Mayor Gurulé-Girón stated that she felt this campaign was a great idea and that it would tie in to the City's future expansion of the Rough Rider Museum.

## **FINANCE REPORT**

Finance Director Ann Marie Gallegos reported the Finance Report for the month ending December 31, 2016 advising that the fifty percent requirement had been met on the General Fund revenues. Finance Director Gallegos advised that



expenditures came in at forty four percent and commended department Directors for closely monitoring expenses.

Finance Director Gallegos reported that the Recreation Department revenue came in at thirty eight percent and advised that expenditures were at fifty eight percent. Finance Director Gallegos stated that they have been meeting with Recreation Center Director Marrujo on a weekly basis regarding how to create more revenue, especially with the renovation nearly being completed.

Finance Director Gallegos reported that the Enterprise Funds revenue was at forty four percent due to more natural gas use in the colder months and advised that expenditures were at thirty eight percent.

## **CONSENT AGENDA**

2. Approval of contract for Las Vegas/San Miguel Economic Development Corporation.

3. Approval of contract for Animal Welfare Coalition to service and staff the City of Las Vegas Animal Shelter.

4. Approval of Open Meeting Resolution 17-01.

Due to the length of Resolution 17-01, Open Meetings Resolution, a complete copy may be picked up at the City Clerk's Office.

5. Approval of Resolution 16-45 establishing a convenience fee for credit and debit card payment transactions.

Resolution 16-45 was presented as follows:

### **CITY OF LAS VEGAS RESOLUTION NO. 16-45**

#### **A RESOLUTION ESTABLISHING A CONVENIENCE FEE FOR CREDIT AND DEBIT CARD TRANSACTIONS OFFSETTING TRANSACTION FEES CHARGED BY CREDIT CARD COMPANIES**

**WHEREAS**, the City of Las Vegas Utilities Department is currently absorbing transaction fees charged by credit card companies; and



**WHEREAS**, such transaction fees cost the Utilities Department an estimated \$2,700 per month; and

**WHEREAS**, that cost will rise along with the volume of credit and debit card transactions as online bill pay is made available to utilities customers; and

**WHEREAS**, it is common practice for government agencies to offset the expense of credit and debit card transactions by charging a fully disclosed convenience fee; and

**WHEREAS**, a \$1.25 per transaction fee will partially offset the expense incurred by the city for processing credit and debit card payments.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAS VEGAS, NEW MEXICO, THAT:**

1. The City hereby establishes a convenience fee of \$1.25 per transaction for customers choosing to pay their utility bills by credit or debit card.
2. This resolution shall be in effect five days after its passage and publication.

PASSED, APPROVED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor Tonita Gurulé-Girón

ATTEST:

\_\_\_\_\_  
Casandra Fresquez, City Clerk

APPROVED AS TO LEGAL SUFFICIENCY ONLY

\_\_\_\_\_  
H. Chico Gallegos, City Attorney

6. Approval of amendment to Bradner Dam Rehabilitation project scope of work.
7. Approval to purchase a 5 yard dump truck.
8. Approval to award request for bids #2017-12 for natural gas inventory supplies to multiple bidders.

Councilor Howell read the Consent Agenda into the record and made a motion to approve the Consent Agenda as is. Councilor Romero seconded the motion.



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

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

City Clerk Fresquez re-read the motion and advised the motion carried.

## **BUSINESS ITEMS**

1. Approval to adopt a graphically updated official City seal.

Councilor Howell asked if there was a cost to the City regarding the updating the City seal and if so, how much was the cost and advised that he wanted to know all the cost information before voting.

Community Development Director Velarde stated that the cost to develop the City seal was what she believed to be about \$1,500.00 to Cisneros Design, informed that there would be a cost to design the stationery for Administrative use and stated that costs would be dependent on the implementation of the stationery from the Governing Body.

Councilor Howell asked for clarification regarding what the Council would be voting on concerning the City seal.

Mayor Gurulé-Girón explained that Council would not be voting on any purchase at this point, they would be voting only to adopt the City seal.

Councilor Howell asked if the new seal would be used on City vehicles.

Community Development Director Velarde advised that the logo would be used on City vehicles and was currently in the design phase.

Councilor Howell made a motion to approve to adopt a graphically updated official City seal. Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:



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

City Clerk Fresquez re-read the motion and advised the motion carried.

2. Conduct a Public Hearing and Approval/Disapproval of application requesting a Restaurant Beer and Wine License with on Premise Consumption only submitted by 5<sup>th</sup> Grade Enterprises LLC, DBA B3-BBQ, Burgers & Beers, located at 131 Bridge Street, Las Vegas, NM 87701, Application No. 1026891.

Councilor Howell made a motion to go into Public Hearing. Councilor Casey and Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez re-read the motion and advised the motion carried.

City Attorney H. Chico Gallegos asked anyone who wished to speak on the issue, to stand and be sworn in. Casandra Fresquez and Joaquin Garofalo were sworn in.

Joaquin Garofalo stated he was requesting a new beer and wine license for his new LLC, located at 131 Bridge Street, operating in the name of B3-BBQ, Burgers & Beers.

City Clerk Fresquez advised that the Director of the Alcohol and Gaming Division had reviewed the referenced application and granted preliminary approval. It has been forwarded to our Governing Body for consideration of the liquor license application. City Clerk Fresquez stated for the record that all the zoning and publication requirements had been met therefore recommended approval of the liquor license.

Councilor Howell made a motion to accept the record proper and close Public Hearing. Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:



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

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Howell made a motion to reconvene into Regular Session. Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Howell made a motion to approve of the application requesting a Restaurant Beer and Wine License with on Premise Consumption only submitted by 5<sup>th</sup> Grade Enterprises LLC, DBA B3-BBQ, Burgers & Beers, located at 131 Bridge Street, Las Vegas, NM 87701, Application No. 1026891. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez re-read the motion and advised the motion carried.

3. Approval/Disapproval to apply for a New Mexico State Tourism Development Grant.

Community Development Director Annette Velarde advised that on January 6, 2017 the NM Tourism Office held a webinar to introduce its new Tourism Development Program. The purpose of the program is to provide financial assistance with regard to the development of new or expanded tourism initiatives which will lead to economic impact in New Mexico. The City requests approval to apply for \$50,000.00 in grant funding from the State of New Mexico Tourism Department for the purpose of developing the Montezuma Skate Pond



Recreation area and/or other project within the City of Las Vegas master plan that meets the criteria of the Tourism Development grant program.

Community Development Director Velarde advised that City Planner Robert Archuleta, City Manager Trujillo and herself had been working in collaboration with an engineer regarding costs and stated that they were pursuing this highly competitive grant for the main reason of improving the quality of life, which is one of the City's main priorities.

Councilor Casey questioned as to when the \$50,000.00 grant would be available, if the City would be awarded.

Community Development Director Velarde informed that the project would have to be completed by June 1<sup>st</sup>, 2017.

Councilor Howell wanted to know if the grant would be for architectural design or construction.

Community Development Director Velarde explained the New Mexico State Tourism looks for infrastructure, shovel ready projects that create a destination place for tourism and economic impact.

Questions were asked if the design phase was complete and shovel-ready.

City Manager Trujillo advised that this was an opportunity to begin fixing up the skating pond and to utilize funds to build a bridge, knowing that it would be a phase project. City Manager Trujillo stated that they wanted to develop the area using FEMA funds and City money and stated that they would continue to look for funding to complete the project in phases.

Councilor Howell asked if the skating pond project would include the community.

Community Development Director Velarde advised that it would be a partnership with several other entities.

Councilor Howell made a motion approving to apply for a New Mexico State Tourism Development Grant. Councilor Romero seconded the motion. Mayor



Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez re-read the motion and advised the motion carried.

3. Approval/Disapproval of 2<sup>nd</sup> Extension of Contractual Agreement for inmate confinement with the Las Vegas Police Department and San Miguel County Detention Center.

City Manager Trujillo advised that the purpose of this agreement was for the confinement for prisoners and/or inmates arrested by the City. The proposed contract is the 2<sup>nd</sup> extension of the agreement and was approved by the County Commission on October 13, 2016. City Manager Trujillo stated that they had several meetings with the Warden and informed that there had been an increase in cost for confinement, going from \$80.00 to \$90.00 a day, and asked to move forward with extending the contract.

Mayor Gurulé-Girón asked what was changed on the San Miguel County Detention Center contract and asked if any cost savings were involved.

City Manager Trujillo stated that their operations were more expensive; the method used to provide to inmates had an increase as well and advised that there were no cost savings.

Councilor Howell asked City Manager Trujillo if he thought there would be changes to the contract or possible repeal of the proposed contract, with the new County Commission coming in.

City Manager Trujillo advised that the contract was negotiated prior to the new Commissioners coming in and felt that there would be no changes and no repeal of the contract.

Councilor Casey made a motion to approve of the 2<sup>nd</sup> Extension of Contractual Agreement for inmate confinement with the Las Vegas Police Department and San Miguel County Detention Center. Councilor Romero seconded the motion.



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

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

City Clerk Fresquez re-read the motion and advised the motion carried.

## **COUNCILORS' REPORTS**

Councilor Casey took the opportunity to inform and invite the public regarding the 9<sup>th</sup> Annual Literacy Fair held by the Literacy Council of Southeastern New Mexico, at Highlands University Sala de Madrid on Saturday, January 28<sup>th</sup>, 2017 from 1:00 to 3:30 p.m., which would include giving books to everyone attending and activities from several volunteer organizations throughout the City. Councilor Casey informed that they would also offer adult tutoring services of learning to read or improve reading skills and added that all services were free.

Councilor Casey also advised that the San Miguel County Family and Community Health Council would hold a Health Community Forum on Tuesday, January 24<sup>th</sup>, 2017 from 6:00 to 8:00 p.m. at the Highlands University Student Union Building, Rooms 321 & 322 and encouraged Council to attend in order to take note of input from community members regarding health care issues that are of concern to them therefore helping Council prioritize those issues in order to take positive action on them. Councilor Casey advised that the results of the forum would be presented to City Council, the County Commission and to the New Mexico Department of Health.

Councilor Howell mentioned the issue regarding Mr. Lalo Sanchez having the opportunity to speak at the time of Public Hearing.

City Attorney Gallegos advised that during Public Hearings, statements need to be sworn in.

## **EXECUTIVE SESSION**

City Manager Trujillo advised there was a need to go into Executive Session.



Councilor Howell made the motion to go into Executive Session pertaining to Section B. matters subject to the attorney/client privilege pertaining to threatened or pending litigation to discuss broader legal aspects of the water litigations that are pending and to discuss a large financial component to the overall legal and litigation in which the City of Las Vegas is or may become a participant as permitted by Section 10-15-1H7 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 L. Romero	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Howell made a motion to exit Executive Session and advised that no action was taken and that only discussion took place. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez re-read the motion and advised the motion carried.

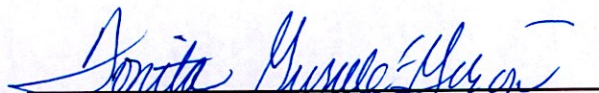
## **ADJOURN**

Councilor Casey 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:

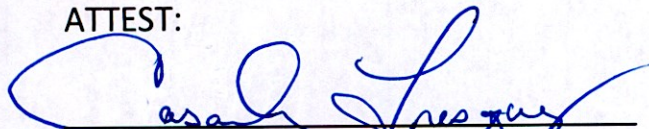
David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.



  
Mayor Tonita Gurulé-Girón

ATTEST:

  
Casandra Fresquez, City Clerk