

MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD ON WEDNESDAY, FEBRUARY 21, 2024 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS.

MAYOR: David Romero

COUNCILORS: Marvin Martinez
Barbara Casey *via Cell Phone*
Michael L. Montoya
David Ulibarri

ALSO PRESENT: Tim Montgomery, City Manager
Casandra Fresquez, City Clerk
Matias Apodaca, Sergeant at Arms

CALL TO ORDER

Mayor Romero called the meeting to order at 5:30 pm.

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Ulibarri asked to keep Councilor Casey in their prayers, due to her having an accident and he hoped she gets stronger and heals quickly. Councilor Ulibarri also asked to keep everyone in the community in their prayers.

APPROVAL OF AGENDA

Councilor Martinez made a motion to approve the agenda as presented. Councilor Ulibarri seconded the motion. Mayor Romero asked if all were in favor. All were in favor.

City Clerk Fresquez advised the motion carried.

PUBLIC INPUT

City Clerk Fresquez advised that there was no public input.

MAYOR’S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

Appointment of Morris Madrid to the Utilities Advisory Committee.

Councilor Montoya made a motion to approve the appointment of Morris Madrid to the Utilities Advisory Committee. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Michael L. Montoya	Yes
Barbara Casey	Yes	Marvin Martinez	Yes

City Clerk Fresquez advised the motion carried.

Councilor Montoya mentioned the wealth of knowledge and experience that Morris Madrid would bring to the City.

Appointment of Councilor Casey to the San Miguel Chamber of Commerce Board as the City’s representative.

Councilor Montoya made a motion to approve the appointment of Councilor Casey to the San Miguel Chamber of Commerce Board as the City’s representative Councilor Ulibarri seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	Marvin Martinez	Yes
Michael L. Montoya	Yes	David Ulibarri	Yes

City Clerk Fresquez advised the motion carried.

Appointment of Lucas Marquez, Community Development Director to the MainStreet Board as the City's representative.

Councilor Montoya made a motion to approve the appointment of Lucas Marquez, Community Development Director to the MainStreet Board as the City's representative. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Marvin Martinez	Yes
Barbara Casey	Yes	Michael L. Montoya	Yes

City Clerk Fresquez advised the motion carried.

Mayor Romero advised that City Manager Tim Montgomery and himself would be attending the Las Vegas City School Board meeting tomorrow at 5:15 pm to discuss the possibility of a temporary lease of Legion Elementary due to staff from City Hall being scattered.

COUNCILORS' REPORTS

Councilor Casey advised that she fell and broke her right arm due to the sidewalk not being de-iced at the Recreation Center. Councilor Casey advised that she called the Police Department and the dispatcher was rude and unhelpful. Councilor Casey stated that she was very disappointed in the way things were handled and advised that they need to be more vigilant regarding the communities safety when they are going into City properties.

Mayor Romero told Councilor Casey that she was in their prayers for a speedy recovery.

Councilor Ulibarri voiced his concerns regarding the businesses around the Plaza and new town area that are not cleaning the snow off the sidewalk.

Councilor Martinez advised that he's still learning, he's still meeting with departments and also meeting with residents in his ward.

Councilor Montoya advised that it's an inconvenience for department directors being at different locations and asked City Manager Montgomery to check in with department directors and their staff to ensure everyone is doing okay.

POLICE CHIEF'S REPORT

Interim Police Chief Matias Apodaca gave a detailed presentation regarding the statistics for the Month of January on the following:

- Field Operations Division (patrol) calls
- Communications Division (Dispatch) calls
- Animal Care Center updates
 - Dogs (61) 1/1/24
 - Feline (26) 1/1/24
 - Dog end count (49)
 - Cat end count (18)
- Information Division/Records
- Street Crimes
 - Evidence seized
 - Attended Meetings
- Travel/Trainings
- Recruitment
- Community Events
- Department vacancies (31)

Councilor Martinez asked if Region IV was actively involved in the community.

Interim Police Chief Apodaca advised that they have Narcotic Agents but Region IV consisted of multiple agencies and due to the lack of funding there is not a Region IV task force. Interim Police Chief Apodaca advised that the Sheriff's Office and the DA's Office also have Narcotic Agents.

Councilor Martinez voiced his concerns regarding drugs being pushed into the community and the need to combat the drugs in the community. Councilor Martinez asked how they could get the resources to get Region IV back.

Interim Police Chief Apodaca advised that it would be a grant that they would need to apply for.

FINANCE REPORT

Interim Finance Director Dominic Chavez reported on the month of January and advised that the General fund had a revenue of (\$8,526,017), an expenditure of (\$7,827,359) and a surplus of (\$698,658), the Enterprise fund had a revenue of (\$9,262,381), an expenditure of (\$8,659,242) and a surplus of (\$603,139), the Recreation department had a revenue of (\$338,515), an expenditure of (\$382,969) and a deficit of (\$44,454), the Lodger's Tax fund had a revenue of (\$391,616), an expenditure of (\$309,925) and a surplus of (\$81,691) and Cannabis fund had a revenue of (\$78,483), an expenditure of (\$1,880) and a surplus of (\$76,603).

Mayor Romero asked City Manager Montgomery if the finances looked okay.

City Manager Montgomery advised that he felt good regarding the percentages and where they were.

Mayor Romero asked about a Financial Advisor.

Interim Finance Director Chavez advised that they were still working with RBC Capital.

Discussion took place regarding the State Investments program.

Councilor Montoya advised that the Finance Committee approved the Finance Report at their meeting.

BUSINESS ITEMS

1. Request approval of Resolution 24-03, budget adjustment for the 2023-2024 fiscal year.

Interim Finance Director Dominic Chavez advised that 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 203 – State Fire Grant in the amount of \$2,868, a rev/exp decrease to Fund 217 – State Legislative Appropriations – AG1016-30-2 PD Recruitment and Retention (Year 1) in the amount of \$112,500, a rev/exp increase

to Fund 217 – State Legislative Appropriations – AG1016-30-2 (Year 2) PD Recruitment and Retention in the amount of \$112,500, a rev/exp increase to Fund 217 – State Legislative Appropriations – 23-ZH5048-41 (Year 1) PD Recruitment in the amount of \$300,000, a rev/exp increase to Fund 217 – State Legislative Appropriations - A22G-5345 Kitchen Equipment in the amount of \$130,000, a rev/exp increase to Fund 217 – State Legislative Appropriations - A22G-5346 Purchase and Equip Vehicles in the amount of \$140,000, a rev/exp increase to Fund 647 – Water Acquisition/Rights in the amount of \$500,000 and an expense increase to Fund 771 ARPA in the amount of \$154,113.

Councilor Montoya made a motion to approve Resolution 24-03, budget adjustment for the 2023-2024 Fiscal Year. Councilor Casey seconded the motion.

Resolution 24-03 was presented as follows:

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 24-03

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 rev/exp increase to Fund 203 – State Fire Grant in the amount of \$2,868, a rev/exp decrease to Fund 217 – State Legislative Appropriations – AG1016-30-2 PD Recruitment and Retention (Year 1) in the amount of \$112,500, a rev/exp increase to Fund 217 – State Legislative Appropriations – AG1016-30-2 (Year 2) PD Recruitment and Retention in the amount of \$112,500, a rev/exp increase to Fund 217 – State Legislative Appropriations – 23-ZH5048-41 (Year 1) PD Recruitment in the amount of \$300,000, a rev/exp increase to Fund 217 – State Legislative Appropriations - A22G-5345 Kitchen Equipment in the amount of \$130,000, a rev/exp increase to Fund 217 – State Legislative Appropriations - A22G-5346 Purchase and Equip Vehicles in the amount of \$140,000, a rev/exp increase to Fund 647 – Water Acquisition/Rights in the amount of \$500,000 and an expense increase to Fund 771 ARPA in the amount of \$154,113.

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 February 2024.

Mayor David G. Romero

ATTEST:

Casandra Fresquez, City Clerk

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

Marvin Martinez	Yes	David Ulibarri	Yes
Barbara Casey	Yes	Michael L. Montoya	Yes

City Clerk Fresquez advised the motion carried.

2. Request approval of Lease Agreement between South West Off Road Racing LLC doing business as WeBe Racing Ltd Co. and the City of Las Vegas to lease property west of Rodriguez Park.

Community Development Director Lucas Marquez advised that WeBe Racing was asking to use the City's land by Rodriguez Park to have a dirt bike racing competition. Community Development Director Marquez advised that it would be a 2 day event. Community Development Director Marquez advised that it was taken to DRT for approval to ensure all safety protocols are followed. Community Development Director Marquez advised that all department directors were involved along with the Police Chief and Fire Chief. Community Development Director Marquez advised that they would have their own medical personnel, their own tent, porta potties and solid waste containers. Community Development Director Marquez advised that the dirt bike racing competition would be on March 23-24, 2024.

Councilor Casey advised that she spoke with people from the community who are excited about having the event in the town.

Councilor Martinez thanked them for choosing Las Vegas to have their event and advised that liability is a huge issue and asked if there would be seating available.

Community Development Director Marquez advised no but there would be a spectators section.

Discussion took place regarding waivers, rules and liability insurance being in place.

Councilor Montoya asked what the age limit was.

Community Development Director Marquez advised there were different age brackets starting at 5 years old to 70 years old.

Councilor Montoya asked if they anticipate a lot of people signing up.

Community Development Director Marquez advised that there are a lot of enthusiasts in town that are dirt bike racers.

Discussion took place regarding what brought WeBe Racing to Las Vegas, the amount of participants they're expecting and from where.

Councilor Montoya asked if they completed an event permit.

Community Development Director Marquez advised the event permit was completed and the business license would be secured once approved.

Councilor Montoya asked if the agreement was reviewed by an attorney.

Community Development Director Marquez advised yes it was sent to Randy Van Vleck and Scott Aaron.

Councilor Ulibarri thanked them for bringing the event to Las Vegas.

Councilor Montoya advised that the \$3,000 from the lease agreement should go towards Rodriguez Park.

Mayor Romero thanked them for choosing Las Vegas and if all goes well asked if they could fit Las Vegas into their schedule again for the year.

Councilor Montoya made a motion to approve the Lease Agreement between South West Off Road Racing LLC doing business as WeBe Racing Ltd Co. and the City of Las Vegas to lease property west of Rodriguez Park. Councilor Ulibarri seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Marvin Martinez	Yes	Barbara Casey	Yes
David Ulibarri	Yes	Michael L. Montoya	Yes

City Clerk Fresquez advised the motion carried.

3. Request approval of the restructuring of the Community Development Department Organizational Chart by adding Code Compliance Officer positions and removing them from the Police Department.

Community Development Director Lucas Marquez advised that Code Enforcement is needed in the Community Development department and should be moved back due to them not being certified Police Officers. Community Development Director Marquez advised they need to work on the codes, buildings and yards.

Mayor Romero asked what City Manager Montgomery's opinion was regarding the transfer.

City Manager Montgomery advised that he supported the transfer of Code Enforcement to Community Development. City Manager Montgomery advised

that Code Enforcement could start doing assessments within the City. City Manager Montgomery advised that there's been a perception that they are trained to serve as law enforcement and they want to create that separation and have them back under Community Development. City Manager Montgomery advised that they would potentially change their uniform and remove lights from their vehicles so they are known as Code Enforcement.

Councilor Ulibarri agreed that Code Enforcement should be under the Community Development department. Councilor Ulibarri advised that there are many businesses that are operating without a business license.

Councilor Montoya thanked the Police department for helping with Code Enforcement while there was no Community Development Director.

Councilor Martinez asked if Code Enforcement was previously under the Community Development department.

City Manager Montgomery advised that Code Enforcement has moved back and forth between the Community Development department and the Police department about four times. City Manager Montgomery advised that they felt like it should reside within the Community Development department.

Councilor Martinez asked how many Code Compliance Officers there were.

Community Development Director Marquez advised that there are currently three Code Compliance Officers.

Councilor Martinez asked what the role of Code Compliance Officers was.

Community Development Director Marquez advised that they handle nuisance properties, overgrown weeds, and code compliance.

Discussion took place regarding the process for reporting a nuisance property.

Mayor Romero advised that the Municipal League would be having Code Enforcement training in April and advised that it's important for their Code Enforcement Officers to attend that training.

Councilor Casey made a motion to approve the restructuring of the Community Development Department Organizational Chart by adding Code Compliance Officer positions and removing them from the Police Department. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	David Ulibarri	Yes
Marvin Martinez	Yes	Barbara Casey	Yes

City Clerk Fresquez advised the motion carried.

4. Consideration for emergency funding to Samaritan House in the amount of \$9,500.00.

Community Development Director Lucas Marquez advised that the Samaritan House has had an uptick in residents. Community Development Director Marquez advised that they had already budgeted \$50,000 that was given to the Samaritan House.

Councilor Martinez voiced his concerns regarding the area where the Samaritan House is located, wanting to know what the capacity was and how the Governing Body doesn't know what they're using the money on that they are providing to the Samaritan House.

Paul Hesch advised that they have requested from the Fire department what the capacity is for the Samaritan House and have yet to receive that number. Mr. Hesch advised that they need extra cots due to the cold months and averaging about 36 people. Mr. Hesch advised that the expenses during the winter months

are about \$26,000-\$27,000 a month. Mr. Hesch advised that they get \$50,000 from the City which is dispersed into \$8,333 a month and that goes towards the \$25,000-\$27,000 a month expenses. Mr. Hesch advised that they have spoken with Harold Garcia from the County and are looking at other funding sources.

Councilor Martinez advised that he felt like the items that the \$9,500 would be going towards should be incurred by the Samaritan House. Councilor Martinez advised that he felt like the City was the only funding source being asked by the Samaritan House.

Mr. Hesch advised that the City is not their only funding source and the money they have received from the City so far has not gone towards the list of items that Mr. Lyon mentioned last week. Mr. Hesch advised that they are trying to fund the deficit that they have.

Discussion took place regarding the purpose of the Samaritan House and programs available upon request to help individuals get back to being self sufficient.

Councilor Martinez advised that he understands that there are individuals that need help and the City provides \$50,000 annually but the City isn't seeing the benefit in providing that amount of money.

Mayor Romero asked Interim Police Chief Matias if the Samaritan House gave them access due to the drug issue.

Interim Police Chief Matias advised yes.

Mayor Romero advised that he spoke with Chief Spann about the occupancy count that Mr. Lyon had requested and Chief Spann advised that he had not received any calls from Mr. Lyon. Mayor Romero advised that it was concerning to him and he wants to make sure that they have the correct capacity.

Councilor Casey voiced her opinion regarding the need to help those who are in need.

Councilor Casey made a motion to approve the emergency funding to Samaritan House in the amount of \$9,500.00. Councilor Montoya seconded the motion.

Councilor Montoya voiced his concerns regarding the contract coming to Council for approval after the cold months and not having proof of what services were provided.

Councilor Casey called for a point of order and called for the question.

Mayor Romero advised that there was a motion by Councilor Casey and a second by Councilor Montoya. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Marvin Martinez	Yes
Barbara Casey	Yes	Michael L. Montoya	Yes

City Clerk Fresquez advised the motion carried.

EXECUTIVE SESSION

Councilor Martinez 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, Discussion on removal of Community Services Director and Professional Service Contracts for City Manager and City Clerk. Councilor Montoya seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Barbara Casey	No
Michael L. Montoya	Yes	Marvin Martinez	Yes

City Clerk Fresquez advised the motion carried.

Councilor Martinez 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, Discussion on removal of Community Services Director and Professional Service Contracts for City Manager and City Clerk, no other items were discussed and no action was taken. Councilor Montoya seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	Marvin Martinez	Yes
Michael L. Montoya	Yes	David Ulibarri	Yes

EXECUTIVE SESSION ACTION ITEMS

1. Request the removal of Wanda Salazar as Community Services Director.

Councilor Casey made a motion to approve the removal of Wanda Salazar as Community Services Director. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	David Ulibarri	Yes
Michael L. Montoya	Yes	Marvin Martinez	Yes

City Clerk Fresquez advised the motion carried.

2. Request approval of the Professional Service Contract for City Manager Tim Montgomery.

Mayor Romero advised that they were there to discuss the contract and salary for City Manager Montgomery.

Councilor Montoya made a motion to approve the Professional Service Contract for City Manager Tim Montgomery in the amount of \$120,000. Councilor Ulibarri seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Marvin Martinez	No	Barbara Casey	No
David Ulibarri	Yes	Michael L. Montoya	Yes

City Clerk Fresquez advised that there was a tie.

Mayor Romero advised that they budgeted \$130,000 for the position.

Mayor Romero broke the tie and voted no.

City Clerk Fresquez advised the motion carried.

Councilor Casey made a motion to approve the Professional Service Contract for City Manager Tim Montgomery in the amount of \$130,000. Councilor Montoya seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Marvin Martinez	Yes
Barbara Casey	Yes	Michael L. Montoya	Yes

City Clerk Fresquez advised the motion carried.

- Request approval of the Professional Service Contract for City Clerk Casandra Fresquez.

Councilor Casey made a motion to approve the Professional Service Contract for City Clerk Casandra Fresquez for a salary increase of \$5,000 to her current salary. Councilor Montoya seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	Michael L. Montoya	Yes
Marvin Martinez	Yes	David Ulibarri	Yes

City Clerk Fresquez advised the motion carried.

ADJOURN

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

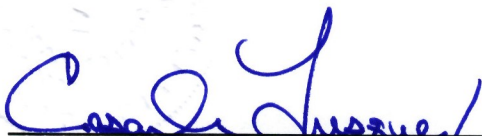
City Clerk Fresquez advised the motion carried.

Meeting adjourned at 8:00 pm.



Mayor David Romero

ATTEST:



Cassandra Fresquez, City Clerk