MINUTES OF THE CITY OF LAS VEGAS REGULAR CITY COUNCIL MEETING HELD ON WEDNESDAY, FEBRUARY 17, 2021 AT 5:30 P.M.- VIRTUAL MEETING HELD BY VIDEO CONFERENCE VIA GOOGLE MEET

MAYOR:	Louie A. Trujillo
COUNCILORS:	David Romero Elaine Rodriquez Michael Montoya David Ulibarri, Jr.
ALSO PRESENT:	William Taylor, City Manager Casandra Fresquez, City Clerk Scott Aaron, City Attorney Adrian Crespin, Sergeant at Arms

Meeting started at 5:35 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Ulibarri, Jr. thanked all City employees, also those who were keeping the streets clean, he hoped they were all safe and prayers went out for all families who were going through sickness.

APPROVAL OF AGENDA

City Clerk Fresquez advised she had an addition to Mayor's appointments, and she sent an updated list of appointments to Council via email, adding the Film Commission and Museum Board. She stated there were additional members added.

City Clerk Fresquez stated for informational purposes that the Business items on the agenda were numbered incorrectly with two #3s, informing on the second page, #3 would be #4 and so forth, resulting in there being 8 business items.

Councilor Romero made a motion to approve the agenda with those changes. Councilor Montoya seconded the motion. Mayor Trujillo asked if all were in favor. All were in favor and the motion passed.

Mayor Trujillo stated that there was an issue with the Extraterritorial Planning Commission regarding delay of appointments until ordinances would be updated.

City Attorney Scott Aaron informed that he spoke with the County Commissioner and Chairman of the Extraterritorial Planning Commission Harold Garcia in regard to updating an old agreement made back in 1984, in order to be in compliance with the state statute. He stated there was also an extraterritorial zoning ordinance that was adopted by both the city and the county in 1988 that needed updating and was working with the County Attorney and this was the reason for the delay of appointments.

Councilor Montoya recommended that County Commissioner Harold Garcia be appointed to the ETZ Commission.

PUBLIC INPUT

City Clerk Fresquez read into the record, a public input received via email from Pat Leahan, with Las Vegas Peace & Justice in regard to the support of the proposed Youth Commission.

MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

- Appointments to the following Commissions and Committees:

  - ▶ Marketing Committee
  - ▶ Extra Territorial Zoning Commission
  - ▶ Youth Commission

Councilor Romero asked City Clerk Fresquez regarding the additional appointees, was the public notified with enough time in order for them to take action on the commissions or boards?

City Clerk Fresquez stated the appointments had been added right after the packets had gone out and emailed to the Council.

Councilor Montoya made a motion to approve the appointments of the Marketing Committee, Youth Commission, Film Commission, and Museum Board and stated that the Extra Territrial Zoning Commission would be brought back at a later date. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	No	Elaine Rodriquez	Yes
Michael Montoya	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.

Mayor Trujillo stated he was very pleased with putting out the Youth Commission and felt it was very important for these young people to have a voice and made a suggestion of having a representative from the Youth Commission in joining the Council at the table. He thanked Pat Leahan for her work in putting this together.

Councilor Montoya wanted to advise the public that this was the first time there was full strength on City commissions and boards and Council was more than glad to receive their input and recommendations.

Mayor Trujillo stated to City Clerk Fresquez for the record that he was made aware that the agenda did not have the additional boards, and asked if it was fair to move on or should they not do the last two and wait until the next meeting?

City Clerk Fresquez stated that the agenda was approved with an amendment adding the additional appointments.

Councilor Montoya advised they received the additional members via email.

Councilor Romero advised that he did receive it also, and the reason why he voted no was that he was just made aware that even now, those items were not on the website and that was his concern.

Mayor Trujillo asked City Attorney Aaron for his advice on this issue.

City Attorney Aaron stated that it would be fine to move forward with it.

COUNCILORS' REPORTS

None at this time.

CITY MANAGER'S REPORT

City Manager Taylor reported on current ongoing projects as follows:

-Impact Analysis Complete for Park & Sports Complex at Rodriguez Park

-Covid Safe Practice Flyer (English/Spanish) to be included in Utility bills

-Volunteers needed: Covid Testing @ Rec. Ctr.

-Mtn. View, West National & Keen St.: paving & repair continues

-Movie/TV Show filming in Las Vegas w/ positive economic impact

-Special Events: Fiestas (Contingent on opening up (Covid safety)

-Covid Relief Legislation- future updates from Congresswoman Teresa Leger

Mayor Trujillo informed that along with Mayor Pro Tem Romero, he would be holding a Town Hall meeting next Wednesday regarding filming in the City and would give the business community the opportunity to bring discussion, questions or concerns they had and encouraged them to attend.

PRESENTATIONS

Executive Director for the New Mexico Municipal League AJ Forte gave a presentation, updating Mayor and Council on New Mexico House Bill 4.

Brief discussion and questions took place regarding amendments, need of reform and support of opposition on House Bill 4.

Utilities Director Maria Gilvarry gave a detailed presentation on the process of delinquent customer billing.

Discussion and questions took place regarding Covid related billing leniency, providing customers with assistance information, collecting past debts and plans to restart the Love Your Neighbor Fund for customers.

Mayor Trujillo stated the City went above and beyond to help customers and encouraged the public to call the City if they needed to make payment arrangements on their Utility bill.

FINANCE REPORT

Finance Director Jesus Baquera presented the Finance Report for the month ending January 31, 2021 reporting the General Fund revenue at 70%, expenditures at 50% with surplus at a little over 1 million dollars. He advised the Enterprise Funds revenue came in at 54%, expenditures were at 45% and surplus at $346,988. He reported the Recreation Department revenue at 52%, expenditures came in at 44% and surplus was $16,233 and also reported that Lodgers Tax revenue was at 177%, expenditures at 25% and surplus at 133,395.

Mayor Trujillo asked Mr. Baquera if there was anything of concern in the budget that should be brought to the attention of the Council.

Mr. Baquera stated there were no concerns to be brought to Council regarding the budget.

Councilor Montoya asked where the budget reflected the $70,000.00 received for the Recreation Center Little Leagues project and asked if we were near the projections of what had been appropriated, even though it had been closed most of the time due to Covid.

Mr. Baquera stated that he did not see it there, that he would have to research it and let him know and advised that the projections were reflected in the actuals.

Councilor Montoya mentioned several department needs that were part of the mid-year budget adjustment of $750,000 (business item) at the last meeting. He apologized for the lack of discussion at that time, due to having a full agenda.

BUSINESS ITEMS

1. Request to Publish Ordinance No. 21-02 an ordinance granting to Public Service Company of New Mexico (PNM), a New Mexico Corporation, a franchise to furnish electricity within the City of Las Vegas, San Miguel County, New Mexico and granting to PNM, the right to use any public Highway, street, alley, road or other public place within the present or future municipal limits of the City of Las Vegas.

City Clerk Casandra Fresquez advised that PNM had reviewed and approved the proposed franchise agreement. Franchise fee would remain at 3% for a term of 20 years. The effective date of Ordinance 21-02 will be at least thirty days after it is adopted in accordance with NMSA 3-42-1. She advised that Jamie Aranda from PNM was available to answer questions.

Brief discussion and questions took place regarding the 3% fee and thanks were given to PNM for their tremendous customer service to our community during this pandemic and at the time of outages during the recent snow storm.

Councilor Montoya made a motion to approve to publish Ordinance 21-02 an ordinance granting to Public Service Company of New Mexico (PNM), a New Mexico Corporation, a franchise to furnish electricity within the City of Las Vegas, San Miguel County, New Mexico and granting to PNM, the right to use any public Highway, street, alley, road or other public place within the present of future municipal limits of the City of Las Vegas. Council Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David Romero	Yes
Michael Montoya	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried and added that the agreement would be brought to the next meeting with the intent to adopt.

2. Request to Publish Ordinance No. 21-03 an ordinance to grant the Mora-San Miguel Electric Cooperative, Inc., a New Mexico corporation ("Coop"), a franchise to furnish electricity within the City of Las Vegas ("City"), San Miguel County, New Mexico, and granting to Coop, the right to use any public highway, street, alley, road or other public place within the present or future municipal limits of the City.

City Clerk Fresquez advised that the proposed franchise agreement was reviewed and approved by the Board of Trustees for Mora-San Miguel Electric Cooperative, Inc. The franchise fee will increase from 2% to 3% for a term of 25 years. The effective date of Ordinance 21-03 is at least thirty days after it is adopted in accordance with NMSA 3-42-1. She advised that Les Montoya with Mora-San Miguel Electric Coop was available for questions.

Les Montoya advised they were updating the status of the franchise agreement, they were holding up to their responsibility and the importance of informing the community of the agreement. He added that the increase of 2% to 3% would be seen directly by the customer.

Brief discussion and questions took place regarding the franchise fee and how much it would generate annually. Thanks were given to the Mora-San Miguel Electric Cooperative for their service to the community and to Les Montoya for his past long time service as City of Las Vegas City Manager.

Councilor Ulibarri, Jr. made a motion to approve to publish Ordinance No. 21-03 an ordinance to grant the Mora-San Miguel Electric Cooperative, Inc., a New Mexico corporation ("Coop"), a franchise to furnish electricity within the City of Las Vegas ("City"), San Miguel County, New Mexico, and granting to Coop, the right to use any public highway, street, alley, road or other public place within the present or future municipal limits of the City. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	Yes	Elaine Rodriquez	Yes
Michael Montoya	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.

Les Montoya made a recommendation that would benefit the City regarding the repair of non-working street lights by contacting PNM to reset those particular poles.

Mayor Trujillo advised City Manager Taylor to give Police Chief Adrian Crespin a directive to make a list of all the streetlights that were out, within the next week.

3. Request approval of Lodger's Tax Board recommendation of additional funding of the Wayfinding project to support completing Phase 1 for 15 signs in the amount of $11,000.00.

Community Development Director Bill Henderickson/Lodgers Tax Chairman Krutik Bhakta advised that at the last council meeting, Council continued this business item for the next council meeting requesting that additional information be provided. Total funding from the Lodger's Tax budget for the Wayfinding Project will increase from $52,000 to $63,000. He gave a brief overview of procurement and a project update regarding the signage.

Lengthy discussion and questions took place regarding the status of the $52,000 funding, inclusion of other entities benefiting from Lodgers Tax funding, project delays taken place and the potential of the Wayfinding project to benefit all the community.

Councilor Romero stated he was in full support of this project although he was concerned regarding the process of acquiring quotes and felt that other companies were not given the opportunity to quote.

Mr. Hendrickson advised they would look into the matter of quoting other companies.

Councilor Romero made a motion to approve of Lodger's Tax Board recommendation of additional funding of the Wayfinding project to support completing Phase 1 for 15 signs in the amount of $11,000.00 with the conditions that either we RFP because it is over $60,000 or we go with the CES Vendor in which we do not have to RFP.

Councilor Montoya asked for clarification of the motion.

Councilor Romero clarified the motion.

Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Stepped away	Michael Montoya	Yes
David Ulibarri, Jr.	Yes	David Romero	Yes

City Clerk Fresquez advised the motion carried.

4. Request approval of the preliminary plan to modify City property located adjacent to business parking lot on Douglas for public parking.

Community Development Director Bill Hendrickson advised that Carlos Lopez, owner and contractor of the new Buffalo Hall Restaurant/Tap Room/Game room on Grand Avenue, corner of Douglas & Grand Avenue would like to modify city property located adjacent to business parking lot on Douglas for public parking and he would cover the those expenses on City property. Final plan subject to approval by the City.

Mr. Lopez gave a brief overview of the proposed plan of modifications to the property for public parking.

Brief discussion and questions took place regarding the alignment/repair of sidewalks and of Utility lines on said property.

Councilor Montoya stated to Mr. Henderickson that he was making a second request to his department in regard to providing material that they could read and that it was hard to make determinations when you couldn't see what you were reading.

Councilor Romero made a motion to approve the preliminary plan to modify City property located adjacent to business parking lot on Douglas for public parking with the conditions that an MOU would be developed by the City Attorney and agreed by both parties. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri, Jr.	Yes	Michael Montoya	Yes
Elaine Rodriquez -Abstained		David Romero	Yes

City Clerk Fresquez advised the motion carried.

5. Request approval for modifying /moving/removing the planted islands that now exist within the Depot Parking Lot.

Community Development Director Bill Hendrickson advised the Great Blocks plan for Lincoln Avenue and Railroad included construction of bump outs for the sidewalks at the Depot entrance. Council and NM Mainstreet have approved these plans. However, this may not have anticipated the requirement for modifying/moving/removing the planted islands that now exist within the Depot parking lot. Removing the island at Railroad will be accomplished by the Great Blocks contract. Removing the inner island will be a cost to the City.
Mr. Henderickson presented several concepts of the proposed project to Council.

Brief discussion and questions took place regarding the additional parking and cost of the Great Blocks plan ($600,000).

Councilor Montoya made a motion to approve for modifying/moving/removing the planted islands that now exist within the Depot Parking lot with clarification of selecting Concept #1. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David Ulibarri, Jr.	Yes
David Romero	Yes	Michael Montoya	Yes

City Clerk Fresquez advised the motion carried.

6. Request approval of Resolution No. 21-03 applying for and assuring matching funds for the Municipal Arterial Program grant (MAP) for a total amount of $700,000.00.

Public Works Manager Daniel Gurule advised that the City of Las Vegas would be contributing their share of 25% (175,000.00), New Mexico Department of

Transportation's share being 75% ($525,000.00) for the Planning, Designing, Construction, Reconstruction, Pavement Rehabilitation, Construction Management, Drainage Improvements and Misc. Improvements to Mountain View Drive.

Mayor Trujillo wanted to recognize and thank City staff for keeping the roads clean and keeping our citizens safe during this snow storm.

Councilor Montoya made a motion to approve Resolution No. 21-03 applying for and assuring matching funds for the Municipal Arterial Program grant (MAP) for a total amount of $700,000.00. Councilor Rodriquez seconded the motion.

Resolution 21-03 was presented as follows:

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 21-03

A RESOLUTION TO APPLY FOR AND ACCEPT A GRANT OFFER FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT) FOR MOUNTAIN VIEW DRIVE

WHEREAS, the City of Las Vegas ("City") has applied to the New Mexico Department of Transportation ("NMDOT") for a Municipal Arterial Program (MAP) grant (the "Grant") for planning, designing, construction, reconstruction, pavement rehabilitation, drainage improvements, construction management, and miscellaneous construction; and

WHEREAS, the City expects the amount of the project to be a total of $700,000.00; and

WHEREAS, the City would have to contribute 25% ($175,000.00) in order to receive the Grant of (75%) $525,000.00 for a total amount of $700,000.00 excluding New Mexico gross receipts tax; and

WHEREAS, improvements are needed on Mountain View Drive for the safety and well being of the residents of the City and others who use Mountain View Drive; and

WHEREAS, if the City is successful in receiving the Grant, it will be used for road improvements on Mountain View Drive; 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 agrees to contribute 25% of the Grant amount in order to obtain the Grant, and agrees to use the Grant for road improvements on Mountain View Drive.

APPROVED AND ADOPTED this _____ day of February, 2021.

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Louie A. Trujillo, Mayor

ATTEST:

____

Casandra Fresquez, City Clerk

Reviewed and approved as to legal sufficiency only:

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Scott Aaron, City Attorney

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

Michael Montoya	Yes	David Romero	Yes
David Ulibarri, Jr.	Yes	Elaine Rodriquez	Yes

City Clerk Fresquez advised the motion carried.

7. Award request for bids #2021-12 for the Waste Water Treatment plant utility truck to Nesco LLC.

Utilities Director Gilvarry advised there were four bidders and Nesco LLC was the lowest bidder at $89,250.00, which will be paid out of budget line item number 611-0000-650-8007 through city funding. She added this truck would assist the Waste Water department in maintaining the pumps throughout the community and at the plant.

Councilor Romero made a motion to award request for bids #2021-12 for the Waste Water Treatment plant utility truck to Nesco LLC. Councilor Rodriquez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	Michael Montoya	Yes
David Romero	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.

8. Request the creation of a Business Advisory Committee.

Mayor Louie Trujillo advised that the Business Advisory Committee is a means for the business community to communicate with the City on business policies and practices.

Councilor Montoya advised he would be in favor of something like this although he would have to make sure that every ward would be equally represented and advised he had 40 businesses in his ward and not too much representation.

Mayor Trujillo asked Councilor Montoya to provide two names that may be considered for the advisory committee.

Councilor Romero advised he supported this idea and recommended that guidelines be set by the City Attorney in order for the committee to focus and have direction to follow.

Mayor Trujillo advised that he could create a Mission Statement that the committee could stay in line with.

Councilor Ulibarri, Jr. asked how many Councilors could serve in the committee.

Mayor Trujillo stated that Councilor Romero had expressed concern and if he was interested to serve he would entertain that too.

Councilor Romero made a motion to approve the creation of a Business Advisory Committee. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	Elaine Rodriquez	Yes
David Ulibarri, Jr.	Yes	David Romero	Yes

City Clerk Fresquez advised the motion carried.

EXECUTIVE SESSION

Councilor Romero 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 Montoya seconded the motion.

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

David Ulibarri, Jr.	Yes	Michael Montoya	Yes
Elaine Rodriquez	Yes	David Romero	Yes

City Clerk Fresquez advised the motion carried.

Councilor Romero made a motion to exit Executive Session and reconvene to Regular Session and advised that only matters mentioned in the motion were discussed and no action was taken. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriquez	Yes	David Romero	Yes
David Ulibarri, Jr.	Yes	Michael Montoya	Yes

City Clerk Fresquez advised the motion carried.

ADJOURN

Councilor Romero made a motion to adjourn. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Ulibarri, Jr.	Yes
Elaine Rodriquez	Yes	David Romero	Yes

City Clerk Fresquez advised the motion carried.

Meeting adjourned at 9:06 p.m.

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Mayor Louie A. Trujillo

ATTEST:

Casandra Fresquez, City Clerk