



City of Las Vegas

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Mayor David Romero

CITY OF LAS VEGAS GOVERNING BODY/DIRECTORS RETREAT

April 29, 2024–Monday– 12:00 p.m.

**Castaneda Traskside
524 Railroad Avenue
Las Vegas, NM 87701**

AGENDA

LUNCH - 12:00 P.M. TO 1:00 P.M.

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF AGENDA**
- IV. PUBLIC INPUT (comments limited to topics on current agenda; not to exceed 3 minutes per person and individuals must sign up at least fifteen (15) minutes prior to meeting.)**
- V. APPROVAL OF MINUTES (April 10, 2024)**
- VI. WELCOME/INTRODUCTION BY MAYOR DAVID ROMERO**
- VII. RETREAT OVERVIEW AND OBJECTIVES**

Facilitator: Geno Zamora, Ortiz & Zamora Law Firm, City's legal counsel

- VIII. RETREAT PROGRAM**
 1. Governing Body and Administration Training
 - Transparency
 - Ethics
 - Effective Governance

David Ulibarri
Councilor Ward I

Michael Montoya
Councilor Ward 2

Barbara Casey
Councilor Ward 3

Marvin Martinez
Councilor Ward 4

IX . ADJOURN

ATTENTION PERSONS WITH DISABILITIES: The meeting room and facilities are accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office prior to the meeting so that arrangements may be made.

ATTENTION PERSONS ATTENDING COUNCIL MEETING: By entering the Castaneda you consent to photography, audio recording, video recording and its/their use for inclusion on the City of Las Vegas website and to be broadcast on YouTube.

NOTE: A final agenda will be posted 72 hours prior to the meeting. Copies of the Agenda may be obtained from Utilities, Office of the City Clerk, 905 12th Street, Las Vegas, NM 87701 or the City's website at www.lasvegasnm.gov

MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD ON WEDNESDAY, APRIL 10, 2024 AT 5:30 P.M. IN THE SAN MIGUEL COUNTY CHAMBERS.

MAYOR: David Romero

COUNCILORS: Marvin Martinez
Barbara Casey *Via Google Meets*
Michael L. Montoya
David Ulibarri

ALSO PRESENT: Tim Montgomery, City Manager
Casandra Fresquez, City Clerk
Caleb Marquez, 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 Martinez asked for a moment of silence for the Tafoya family whose daughter was hospitalized.

APPROVAL OF AGENDA

Councilor Montoya asked to move Business Items 1-4 to the Consent Agenda.

City Clerk Fresquez advised there was no Consent Agenda.

Mayor Romero asked Contracted City Attorney Ambrosio Castellano for his input.

Contracted City Attorney Castellano advised that it was best not to create a Consent Agenda since it was not listed on the agenda. Contracted City Attorney Castellano advised since the items were listed as separate action items, it was best to vote on them separately.

Councilor Martinez made a motion to approve the agenda as presented. Councilor Ulibarri seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	Barbara Casey	Yes
Marvin Martinez	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

Bob Wessely spoke about an upcoming Water Planning Open House being held at the NMHU Student Center on April 24th from 3pm-7pm.

Appointment of Councilor Michael Montoya and Councilor Marvin Martinez to the NMHU art selection team.

Councilor Martinez made a motion to approve the appointment of Councilor Michael Montoya and Councilor Marvin Martinez to the NMHU art selection team. Councilor Ulibarri seconded the motion. Mayor Romero asked if all were in favor. All were in favor.

Appointment of Councilor Michael Montoya to the Utilities Advisory Committee.

Councilor Martinez made a motion to approve the appointment of Councilor Michael Montoya to the Utilities Advisory Committee. Councilor Ulibarri seconded the motion. Mayor Romero asked if all were in favor. All were in favor.

Appointment of former Mayor Louie Trujillo to the Keep America Beautiful Committee.

Councilor Montoya made a motion to approve the appointment of former Mayor Louie Trujillo to the Keep America Beautiful Committee. Councilor Casey seconded the motion. Mayor Romero asked if all were in favor. All were in favor.

Luis Hernandez advised that he represents the NM Donor Services non-profit organization and the need for organ donation.

City Clerk Fresquez read a proclamation for "Donate Life Month".

Mayor Romero commended all City employees for doing their best and for all they do. Mayor Romero thanked the Public Works department for fixing potholes around the city.

COUNCILORS' REPORTS

Councilor Casey discussed having Police patrol the area on Mountain View during parent drop off/pick up. Councilor Casey discussed her concerns regarding staff from the Health Services on 4th and Friedman and parents picking up their kids getting citations for being parked in the area for a short period of time.

Councilor Martinez advised that he received calls about potholes and issues with the lighting in the area of Independence Avenue.

Mayor Romero advised that he spoke with Jamie Aranda from PNM regarding lights not being replaced in certain areas.

Councilor Montoya thanked staff for bringing WeBe Racing to Rodriguez Park, West Las Vegas for allowing them to use their parking lot on Moreno Street, the Community Development department and Code Enforcement for all they do and

also the San Miguel County Commission for allowing them to use their County Chambers. Councilor Montoya advised that he attended the Hermit's Peak/Calf Canyon Fire presentation at Indigo Theater and people from FEMA advised that they are making changes and they are hiring more people so the process is faster.

Councilor Ulibarri thanked the Recreation Center and Public Works department for getting the fields ready for Little League and also the Police department for keeping the City safe.

Mayor Romero thanked the Council for working together.

CITY MANAGER'S REPORT

City Manager Tim Montgomery discussed the following;

- Welcomed new staff to the City of Las Vegas
- Rodriguez Park phase II
- Code Enforcement update
- City Charter (working on RFP)
- Grant updates
- City Hall update
- Department updates
- Community Outreach/City Activities
 - WeBe Racing event
- Attended the Northern Region Workforce Development conference

Mayor Romero thanked City Manager Montgomery for his structure in leadership, direction and his trust within his team.

Councilor Montoya asked about having one person handle the City website so it stays updated and he also thanked City Manager Montgomery for all he does.

Councilor Martinez thanked City Manager Montgomery for meeting with Council and for participating in events.

Councilor Ulibarri also thanked City Manager Montgomery for all his hard work.

Councilor Casey also thanked City Manager Montgomery for moving the City forward.

APPROVAL OF MINUTES

Councilor Casey made a motion to approve the minutes from March 13, March 20 Special and March 20, 2024, with minor corrections. Councilor Ulibarri seconded the motion. Mayor Romero asked if all were in favor. All were in favor.

City Clerk Fresquez advised the motion carried.

PRESENTATIONS/POSSIBLE DIRECTION

Luis Hernandez spoke on promoting and marketing the 4th of July Fiestas. Mr. Hernandez discussed a possible sponsorship program to help the 4th of July Fiestas and the economic impact that the 4th of July Fiestas has.

Mayor Romero discussed how the possible sponsorship could help the City with the 4th of July Fiestas.

Councilor Martinez discussed the amount of effort it takes from several departments to get the 4th of July Fiestas ready.

Councilor Montoya thanked Mr. Hernandez for being the Master of Ceremonies during the fiestas.

Councilor Ulibarri discussed the need for a Fiesta Committee and also thanked Mr. Hernandez for all he's done.

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

City Manager Montgomery advised that they should try to move forward with developing sponsorships to help celebrate what their successes are since the fiestas are important to the community.

Mayor Romero suggested giving the City Manager direction to work on moving forward with a sponsorship plan and asked Council if anyone objected.

BUSINESS ITEMS

1. Request approval to Publish Ordinance No. 24-01 amending Gas Ordinance 06-08 and Section 255-11 of the Municipal Code.

City Manager Tim Montgomery advised there were discrepancies within the different utility ordinances, so contracted City Attorney Ambrosio Castellano reviewed the ordinances and incorporated state regulations and other principles into them so they are consistent.

Contracted City Attorney Ambrosio Castellano discussed what the City could do and when the City could take action for potential shut-off.

City Manager Montgomery advised that they want to prevent delinquent bills from becoming too large and cumbersome for customers.

Councilor Casey asked about renters who don't pay their bills and the property owners being stuck with the bill or vice versa.

Contracted City Attorney Ambrosio Castellano advised that it would be dependent on the landlord/tenant relationship and usually the tenant puts the utilities under their name so they wouldn't be able to open services at another location. Contracted City Attorney Ambrosio Castellano advised that if the landlord stipulates that they would pay the utilities on behalf of their tenant then they are assuming that responsibility and that would prohibit them from opening services at another property.

Councilor Casey advised that there was a correction needed on pg. 2, letter C, line 3, which stated "late payment fee in the even the customer" and it should state "late payment fee in the event the customer". Councilor Casey advised that issuance was misspelled on pg. 2, letter C, line 4.

Councilor Montoya discussed the amount of delinquent gas and water bills and advised that they could pass all the ordinances they want but they are not being followed.

Mayor Romero advised that the ordinances would eliminate putting people in a bind and not being able to catch up to a high bill.

Councilor Martinez discussed the consistency with having the ordinances the same and asked about a customer disputing a high bill.

Contracted City Attorney Ambrosio Castellano advised that it was stated in the delinquent notice that if a customer believes to have been overcharged or charged for services not rendered, they have a right to be heard and the City will evaluate their complaint.

Councilor Martinez made a motion to approve to publish Ordinance No. 24-01 amending Gas Ordinance 06-08 and Section 255-11 of the Municipal Code. Councilor Ulibarri seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised there was a tie.

Mayor Romero voted yes and broke the tie.

City Clerk Fresquez advised the motion carried.

2. Request approval to Publish Ordinance No. 24-02 amending Sewer Ordinance 05-12 and Section 340-53 of the Municipal Code.

City Manager Montgomery advised that the ordinance pertained to sewer.

Councilor Martinez made a motion to approve to publish Ordinance No. 24-02 amending Sewer Ordinance 05-12 and Section 340-53 of the Municipal Code. Councilor Ulibarri seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised there was a tie.

Mayor Romero voted yes and broke the tie.

City Clerk Fresquez advised the motion carried.

3. Request approval to Publish Ordinance No. 24-03 amending Water Ordinance 05-17 and Section 440-9 of the Municipal Code.

City Manager Montgomery advised that the ordinance pertained to water.

Councilor Martinez made a motion to approve to publish Ordinance No. 24-03 amending Water Ordinance 05-17 and Section 440-9 of the Municipal Code. Councilor Ulibarri seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised there was a tie.

Mayor Romero voted yes and broke the tie.

City Clerk Fresquez advised the motion carried.

4. Request approval to Publish Ordinance No. 24-04 amending Solid Waste Ordinance 10-20 and Section 361-10 of the Municipal Code.

City Manager Montgomery advised that the ordinance pertained to solid waste.

Councilor Martinez advised that a lot of time and effort was put into legal services and it's important that they move forward.

Councilor Montoya advised that he understood that there was time spent on legal services and didn't believe it was the direction of Mayor and Council. Councilor Montoya advised that they're going to be putting people in a bind.

Mayor Romero advised that he did not have any discussion about the ordinances and the Utilities Director had been working on it. Mayor Romero advised that previous City Managers never took her input.

Councilor Martinez made a motion to approve to publish Ordinance No. 24-04 amending Solid Waste Ordinance 10-20 and Section 361-10 of the Municipal Code. Councilor Ulibarri seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised there was a tie.

Mayor Romero voted yes and broke the tie.

City Clerk Fresquez advised the motion carried.

5. Request approval of Memorandum of Agreement (MOA) between the City of Las Vegas, San Miguel County and New Mexico Highlands University (NMHU) regarding the Gene Torres Golf Course.

City Manager Tim Montgomery advised last month Council approved to assist the Gene Torres Golf Course with \$60,000 for 2024 operations. City Manager Montgomery advised that there were additional items listed in the MOA to comply with the City's requirements such as providing golf access for high school

students and also NMHU reporting to Council so they could see the performance operations of the Golf Course.

NMHU Board of Regents Chairman Bill Garcia advised that they included two specifics into the MOA that Council asked for, the first one was NMHU providing free access to the golf teams of all the local schools and also providing Council with an update regarding the operations and the land development plan. Mr. Garcia advised that they need the City's help, support, input and guidance. Mr. Garcia advised that they would need to identify the utilities available to do map plotting and if it would be feasible. Mr. Garcia advised that they project approximately \$2 million per year benefit in tax increases to the community. Mr. Garcia advised that they appreciate the City's support that they have given in the past.

Councilor Martinez advised that he learned that the use of the Golf Course during the 4th of July Fireworks was not included in the MOA.

Mr. Garcia advised that everytime they change the MOA they cannot access the funds and that would mean another month that they won't be able to operate which is revenue for them. Mr. Garcia advised that they have cooperated in the past even though there was not an MOA and allowed the City to use the Golf Course for the fireworks. Mr. Garcia advised that they have never denied the City or any local community's request for the use of the Golf Course. Mr. Garcia advised that the management committee could agree to that type of use.

Aaron Flure with NMHU advised that he spoke with the Interim President and they have looked at the history and it was done in the past with a letter requesting the next two years.

Mr. Garcia advised that they would get a letter to the City affirming that there would not be charges to use the Golf Course.

Councilor Martinez asked when they anticipate the Golf Course opening.

Mr. Garcia advised that they estimate it opening the first of May.

Mayor Romero advised that they are partnering with Highlands University and when requesting the use of the Golf Course for the fireworks and the Ilfeld Auditorium for the pageant they were told it would cost \$5,000.

Mr. Garcia advised that they are open to meeting with him and working together.

Mayor Romero advised that he understands audits happen and since they had a MOA that would be the best time since they were assisting NMHU with money.

Councilor Montoya asked City Manager Montgomery if he was involved in creating the MOA.

City Manager Montgomery advised that he provided his input regarding the students having access and having the financial reporting taken to Council. City Manager Montgomery advised that it was also utilized with the County and was provided to him as a completed document. City Manager Montgomery advised that they did not have time to make adjustments.

Councilor Montoya voiced his concerns regarding the Management Committee and the Liability mentioned on pg. 4, letter H. Councilor Montoya asked why the City should be liable for something that happens at the Golf Course.

Mr. Garcia advised that the University was the owner of the Golf Course and they would be responsible. Mr. Garcia advised that the language in the MOA was boilerplate legal information that was also included in the last MOA and they only added the new requirements that that City asked for.

Councilor Montoya suggested that the MOA be for one year due to possible change in City Administration due to an election in November 2025.

Mr. Garcia advised that the MOA states that NMHU is to report to Council in a year and if they don't like the way it is being run or they don't like the Land Development, Council could decide not to provide additional funding.

Councilor Montoya advised that they should be working together and the City has always utilized the Golf Course during the 4th of July Fiestas and the Ilfeld Auditorium for the pageant.

Councilor Montoya made a motion to approve the Memorandum of Agreement (MOA) between the City of Las Vegas, San Miguel County and New Mexico Highlands University (NMHU) regarding the Gene Torres Golf Course for one year in the amount of \$60,000. Councilor Martinez 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.

Mr. Garcia thanked Mayor and Council and advised that they look forward to an ongoing improving relationship over time.

6. Conduct a Public Hearing and Approval of a Transfer of Ownership of Dispenser Liquor License No. 0290 with Package Sales only.

Councilor Montoya made a motion to enter into a Public Hearing for Business Item 6. 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
Michael L. Montoya	Yes	David Ulibarri	Yes

City Clerk Fresquez advised the motion carried.

City Clerk Fresquez asked if there was anyone speaking on the issue to stand and be sworn in.

HR Director Darlene Arguello swore in Vince Howell, Rami Yousif, Susan Montgomery and City Clerk Casandra Fresquez.

City Clerk Fresquez advised that Tomika, LLC was requesting a transfer of ownership of Dispenser Liquor License with package sales only, which is currently owned by Franken Oil Company (Better Stop Convenience Store). City Clerk Fresquez advised that they went through the process of applying through the Alcohol Beverage Control Division and they got preliminary approval. City Clerk Fresquez advised that they are now asking for Council's approval and consideration. City Clerk Fresquez advised that all publication and zoning requirements were met. City Clerk Fresquez advised that it was published twice as per Alcohol Beverage Control.

Councilor Montoya made a motion to close the Public Hearing and reconvene into regular session. Councilor Ulibarri seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised the motion carried.

6. Conduct a Public Hearing and Approval of a Transfer of Ownership of Dispenser Liquor License No. 0290 with Package Sales only.

Councilor Montoya voiced his concerns regarding drainage issues from the business going onto the Little League Fields.

Councilor Montoya made a motion to approve the Transfer of Ownership of Dispenser Liquor License No. 0290 with Package Sales only. Councilor Ulibarri seconded the motion.

Mayor Romero thanked the owners for investing in the city of Las Vegas.

Discussion took place regarding the hours of operation, employees having servers licenses, inspections done by ATF and renovations being done to the store.

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.

7. Request approval of an encroachment agreement with Bill and Kathleen Hendrickson.

Community Development Director Lucas Marquez advised that the property located at 825 7th Street is an existing encroachment, due to the sale of the property, Mr. Hendrickson needed to renew the encroachment agreement. Community Development Director Marquez advised that nothing has changed from the original encroachments which were 1.7 feet towards the alley.

Mayor Romero asked if the encroachment agreement was reviewed by legal.

Community Development Director Marquez advised yes.

Councilor Casey made a motion to approve an encroachment agreement with Bill and Kathleen Hendrickson. 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
Barbara Casey	Yes	Marvin Martinez	Yes

City Clerk Fresquez advised the motion carried.

8. Request approval of Resolution No. 24-11, the sale of obsolete City assets at an online auction.

Councilor Casey made a motion to approve Resolution No. 24-11, the sale of obsolete City assets at an online auction. Councilor Montoya seconded the motion.

Discussion took place regarding a trailer that was purchased and hasn't been used due to a specific semi that had a blown head gasket and is no longer usable.

Councilor Montoya asked if the trailer could be included in the auction due to it just sitting there.

Interim Finance Director Dominic Chavez advised yes.

City Manager Montgomery advised that Interim Finance Director Chavez would have to see what the funding source was and if there were any stipulations.

Councilor Montoya asked if the maker of the motion could include the trailer to be on the auction.

Mayor Romero advised that the City Manager could work on adding additional items to the auction. Mayor Romero advised there was a first and a second motion.

Resolution 24-11 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 24-11**

A RESOLUTION TO APPROVE THE SALE OF OBSOLETE CITY ASSETS AT AN ONLINE AUCTION

WHEREAS, the City of Las Vegas ("City") owns and possesses certain inventoried obsolete and surplus assets; and

WHEREAS, the City desires to hold an online auction to receive competitive bids for the obsolete and surplus assets; and

WHEREAS, the City desires to hold said online auction in the Spring of 2024; and

WHEREAS, the City will benefit from the sale and disposal of the obsolete and surplus assets.

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 sale of the inventoried and surplus assets.

ACCEPTED AND APPROVED this day ____ of April 2024.

Mayor David Romero

ATTEST:

Casandra Fresquez, City Clerk

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

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

City Clerk Fresquez advised the motion carried.

9. Request approval of Amendment 4 to Lease Agreement between the City of Las Vegas and the New Mexico Department of Veteran Services.

City Manager Tim Montgomery advised that he reached out to the Department of Veterans Services due to the prior lease agreement expiring. City Manager Montgomery advised that they had to work with the General Services Division to have the agreement authorized by their attorneys. City Manager Montgomery advised that there was a note on the prior lease agreement that stated that the lease would increase by \$1,000 annually. City Manager Montgomery advised that the lease agreement would run through November 30, 2028.

Councilor Montoya made a motion to approve Amendment 4 to Lease Agreement between the City of Las Vegas and the New Mexico Department of Veteran

Services. 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.

10. Request approval of the contract between the City of Las Vegas and Arch Consulting, LLC.

City Manager Tim Montgomery advised that RFP #2024-17 was awarded to Arch Consulting at the March 13, 2024 Council meeting. City Manager Montgomery advised that the contract would authorize payment to Arch Consulting Services. City Manager Montgomery advised that the contract does not specify a total budget amount and is based on \$90 per hour of services and the scope of the RFP was to cover grant monitoring of applications and administrative time to discuss their grants.

Councilor Martinez made a motion to approve the contract between the City of Las Vegas and Arch Consulting, LLC. 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.

11. Discussion/Request approval for additional funding in the amount of \$440,131.77 for an additional 1.5 inches of asphalt on the Legion Drive project.

Public Works Director Arnold Lopez advised that they had two alternates when they went out for bids, one was for 3.5 inches of asphalt and the other was for 5 inches of asphalt. Public Works Director Lopez advised that Desert Fox was the

lowest bidder and funding only allowed for a 3.5 inch application of asphalt. Public Works Director Lopez advised that during construction they noticed the amount of heavy traffic that utilizes that road and they felt like 3.5 inches of asphalt is not sufficient to withstand the heavy traffic. Public Works Director Lopez advised that there is a weight limit on the road but traffic does not obey it. Public Works Director Lopez advised that they would place a total of 5 inches and the additional funding would cover the 1.5 inches.

Mayor Romero asked about the funding.

City Manager Montgomery advised that the increase in thickness of the road would be an investment for the City in how long it would last and the weight load it could take. City Manager Montgomery advised that there are limited funds that could come from a FEMA claim. City Manager Montgomery advised that the Finance Advisory Committee and the Finance department could look at the investments and the government investment pool. City Manager Montgomery advised that there are high percentage rates and the funds could be reimbursed from interests earned. City Manager Montgomery advised that in order to spend the money they would have to do a budget adjustment request and take it out of the general fund or bank account, which would increase the budget.

Interim Finance Director Chavez advised that 75% of the portion would be used from the Streets department and 25% would be taken from the General Fund. Interim Finance Director Chavez advised that he already had a BAR prepared for the Council meeting next week.

Councilor Montoya thanked the staff and advised that with the amount of asphalt placed on Legion Drive there shouldn't be potholes until 25-30 years. Councilor Montoya advised that a lot of money is spent on pothole patching and a lot of streets are in dire need of pothole patching. Councilor Montoya advised that they need to look at the budget to see if they could appropriate funding for other projects. Councilor Montoya advised that they were told there was limited funding this year from NMDOT.

Discussion took place regarding infrastructure in place across from Sierra Vista so they aren't having to tear apart the road on Legion Drive.

Councilor Montoya made a motion to approve additional funding in the amount of \$440,131.77 for an additional 1.5 inches of asphalt on the Legion Drive project. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised the motion carried.

EXECUTIVE SESSION

Councilor Montoya 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 appointing a Finance Director. 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
Michael L. Montoya	Yes	David Ulibarri	Yes

City Clerk Fresquez advised the motion carried.

Councilor Montoya 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 appointing a Finance Director, no other items were discussed and no action was taken. 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

EXECUTIVE SESSION ACTION ITEMS

1. Discussion/Appointment on one of the two applicants for Finance Director:

- a) Arthur Gonzales
- b) Morris Madrid

City Manager Tim Montgomery recommended the appointment of Morris Madrid to the Finance Director position.

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

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

City Clerk Fresquez advised there was a tie.

Mayor Romero advised in support of the City Manager’s recommendation and the recommendation of the committee he voted yes and broke the tie.

City Clerk Fresquez advised the motion carried.

ADJOURN

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

City Clerk Fresquez advised the motion carried.

Meeting adjourned at 9:00 pm.

Mayor David Romero

ATTEST:

Casandra Fresquez, City Clerk