

MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD ON WEDNESDAY, NOVEMBER 15, 2023 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS.

MAYOR: David G. Romero *via Google Meets*

COUNCILORS: Barbara Casey
Michael L. Montoya
David Ulibarri *Absent*

ALSO PRESENT: Leo Maestas, City Manager *via Google Meets*
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 Montoya asked for prayers for the family of former Chief Donato Sena.

Councilor Casey asked to keep our former Mayor Trujillo and his family in our prayers.

APPROVAL OF AGENDA

City Clerk Fresquez advised there was a recommendation to move Executive Session and Executive Session Action Item to after the Business Items due to the Water Attorney not available until the end of the meeting.

Councilor Montoya made a motion to table Item 7 Executive Session Action Item until the December 13th Regular City Council meeting and for Executive Session to be moved before Adjournment. Councilor Casey 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

City Clerk Fresquez advised the motion carried.

PUBLIC INPUT

City Clerk Fresquez advised there was someone who signed up for Public Input to speak on the City Manager's position. City Clerk Fresquez recommended that be discussed during the next meeting when the discussion on the City Manager's position is brought back to Council.

Mayor Romero advised they still had Item 6 Executive Session that has the potential for discussing the City Manager's position.

City Clerk Fresquez advised it was her understanding that the discussion of the City Manager's position was also tabled. City Clerk Fresquez asked Councilor Montoya if that was his intention for his motion.

Councilor Montoya advised no, he thought the direction and action was tabled.

Mayor Romero allowed Virginia Marrujo to speak for Public Input.

Virginia Marrujo discussed the domino effect of things that have gone on with the City Manager and the Mayor during this term. Ms. Marrujo advised there were a lot of things going wrong from Lodgers Tax, to Animal Control, events, and the City trying to control everything. Ms. Marrujo advised that things that used to be approved by the Council are now approved by the City Manager.

MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

Mayor Romero recognized Mayor Trujillo and clarified that his resignation was not due to the wheels falling off at City Hall, he had personal issues. Mayor Romero advised that City Hall would continue to conduct business for the community. Mayor Romero thanked Mayor Trujillo for his time and effort and advised at the end of the day they are all human and sometimes they need to make decisions that best benefit their own health and family.

COUNCILORS' REPORTS

Councilor Casey advised that she wanted to ensure the people of Las Vegas that the Council was working as a cohesive team. Councilor Casey advised that she spoke with Councilor Ulibarri and he stated that one of his goals is to make sure the Council will remain steadfast in doing the best they can for the City. Councilor Casey advised that they do need to acknowledge all the work Mayor Trujillo did with the fires, the floods and everything that has happened, which wasn't easy. Councilor Casey advised that it has been a very difficult time for everyone and the responsibility was carried mostly on his shoulders. Councilor Casey advised as Mayor Romero stated, Mayor Trujillo did the best he could while he was there, no one is perfect and they all do the best they can as elected officials to ensure that everything they do is focused on benefiting the people of Las Vegas. Councilor Casey asked City Clerk Fresquez to briefly give them an overview of what the next process was regarding the Mayor's seat and Ward 4 Councilor seat.

City Clerk Fresquez advised as per the City Charter, the Mayor Pro Tem has taken the position of Mayor and will fill those duties until there is a Special Election. City Clerk Fresquez advised that she did not have dates for the Special Election yet. City Clerk Fresquez advised that she would be working with the County Clerk regarding dates specified in the Election Code such as 100 days after a Regular Local Election and 70 days prior to the Primary Election coming up. City Clerk Fresquez advised that she would get back to Mayor and Council regarding the dates for the Special Election. City Clerk Fresquez advised Mayor Romero would fill in and his Councilor seat would be vacant depending on Mayor and Council if they want to fill that position prior to the Election.

Mayor Romero advised that he would be scheduling a Special meeting next week so the Governing Body could have that discussion.

POLICE CHIEF'S REPORT

Interim Police Chief Caleb Marquez gave a detailed presentation regarding the statistics for the Month of October on the following:

- Field Operations Division (patrol) calls
- Communications Division (Dispatch) calls
- Animal Care Center updates
 - Dogs (90)
 - Feline (41)
 - Dogs Adoptions (11)
 - Cats Adoptions (8)
 - Dog Transfers (22)
- Animal Events
- Information Division/Records
- Street Crimes
 - Evidence seized
 - Attended Meetings
- Travel/Trainings
- Recruiting Events
- Community Events
- Department vacancies (30)

Mayor Romero thanked Mr. Marquez for filling the role as Interim Police Chief. Mayor Romero advised that the Animal Advocates commended Interim Police Chief Marquez.

Councilor Montoya also thanked Interim Police Chief Marquez for doing an awesome job during Chief Donato's funeral and also the Fire department for representing the City of Las Vegas.

Interim Police Chief Marquez advised that they're looking at advancing their Communications System and also cross training Firefighters and Police Officers.

FINANCE REPORT

Mayor Romero welcomed Finance Director Tim Montgomery.

Finance Director Tim Montgomery reported on the month of October, the General fund revenue was \$4,623,461, expenses were \$4,803,788 which resulted in a deficit of (\$180,327). Finance Director Montgomery advised there was a payment of \$655,000 for annual Liability Insurance which is typically done in January.

Mayor Romero asked what the reasoning was for that.

Finance Director Montgomery advised that the payment went out in September of this year and last year the payment went out in January.

Mayor Romero asked Deputy Finance Director Dominic Chavez if it fluctuates year to year or if it was a one time thing.

Deputy Finance Director Chavez advised it was a one time thing and last year they received it later than they normally do.

Finance Director Montgomery reported on the Enterprise fund revenue of \$4,875,894, expenses were \$4,472,822 which resulted in a surplus of (\$402,972), the Recreation department revenue was \$191,330, expenses were \$259,386 which resulted in a deficit of (\$68,056). Finance Director Montgomery advised that the basketball revenue of \$5,000 was deposited into the Wellness Center and they would have to have a transfer done so it could reflect in the basketball fund.

Finance Director Montgomery reported on the Lodger’s Tax fund revenue of \$173,758, expenses were \$200,167 which resulted in a deficit of (\$26,409) and Cannabis revenue of \$55,339, expenses were \$1,566 which resulted in a surplus of (\$53,773).

Finance Director Montgomery advised that the Finance department was preparing to meet with each department to review their overall financial performance of each department. Finance Director Montgomery mentioned the anticipated Health Insurance cost going up by 10% in January and potential revenue that would be discussed later regarding Lodgers Tax for Bed and Breakfasts.

Mayor Romero thanked Finance Director Montgomery and Deputy Finance Director Chavez for filling in.

APPROVAL OF MINUTES

Councilor Casey made a motion to approve the minutes from October 26, 2023. Councilor Montoya 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

City Clerk Fresquez advised the motion carried.

BUSINESS ITEMS

1. Request approval of Resolution No. 23-33, budget adjustment for the 2023-2024 Fiscal Year.

Finance Director Tim Montgomery advised that City of Las Vegas was in need of making a budget adjustment in the 2023-24 fiscal year budget to include a revenue/expense increase to Fund 205 – Law Enforcement Violent Crime Victim Assist. in the amount of \$91,608, a revenue/expense increase to Fund 214 Street Coop Projects – El Creston Circle Paving Improvements in the amount of \$2,000,000, a revenue increase to Fund 217 State Legislative Appropriations – LV Park Improvements in the amount of \$25,408 and an expense increase in the amount of \$20,722. Finance Director Montgomery advised all three budget adjustment requests pertain to grants where they receive grant funds or appropriations and it would not impact the General Fund.

Councilor Casey made a motion to approve Resolution No. 23-33, budget adjustment for the 2023-2024 Fiscal Year. Councilor Montoya seconded the motion.

Resolution 23-33 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 23-33**

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 a rev/exp increase to Fund 205 – Law Enforcement Violent Crime Victim Assist. in the amount of \$91,608, a rev/exp increase to Fund 214 Street Coop Projects – El Creston Circle Paving Improvements in the amount of

\$2,000,000, a revenue increase to Fund 217 State Legislative Appropriations – LV Park Improvements in the amount of \$25,408 and an expense increase in the amount of \$20,722.

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 November 2023.

Mayor David G. Romero

ATTEST:

Casandra Fresquez, City Clerk

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

Barbara Casey	Yes	Michael L. Montoya	Yes
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City Clerk Fresquez advised the motion carried.

2. Discussion/Direction on Lodger’s Tax projects.

Community Development Director Marquez provided a lengthy discussion regarding the following projects;

- Archway projects - Cost (\$150,000-\$650,000)
- Lighting projects (Rodriguez Softball Fields) - Cost (\$135,000-\$350,000)
- Food Truck Park - Cost (\$50,000-\$300,000)
- Red Caboose Restoration - Cost (\$15,000-\$45,000)
- CLV Reader Board - Cost (\$6,000 for landscape/remodel - \$116,000)

Councilor Montoya asked where they were thinking about placing the Archways.

Community Development Director Marquez advised Lee Drive and 7th Street, 7th Street by Hacienda, University and Grand Avenue, South Pacific Avenue, Bridge Street or the South end of town with the approval from the NMDOT. Community Development Director Marquez advised that they could also have Archways into the Riverwalk which are less expensive.

Councilor Montoya commended Community Development Director Marquez, his staff and City Manager Maestas for following through with the requests of Mayor and Council regarding the list of projects to be used with Lodgers Tax money. Councilor Montoya advised that he thinks the Archways would attract people to Las Vegas and stated that he would like one to say, "Welcome to the Original City of Las Vegas established 1892", "Welcome to Downtown Las Vegas", "Historical Downtown Las Vegas", or "Welcome to the Gallinas River Park". Councilor Montoya advised that they could also put "Thank you for visiting and Come Back" behind the Archway. Councilor Montoya asked if Community Development Director Marquez knew how much was in Lodgers Tax funding for infrastructure.

Community Development Director Marquez advised that he didn't know but would find out.

Mayor Romero advised that it's important to find out how much is available in the Lodgers Tax funding for infrastructure and suggested that Community Development Director Marquez get with the Finance department to see how much is available and then they could vote on which project.

Councilor Casey advised that they are all wonderful ideas and asked if the Archways could match some of the other signage so they aren't mismatching.

Community Development Director Marquez advised yes.

Councilor Casey advised that the Realtors had money to donate to the City for a project and she was told the money could not be used towards a Food Truck Park. Councilor Casey advised that the Realtors were concerned about the Food Truck Park being competitive against restaurants. Councilor Casey advised that it would need to be a big enough area for people to drive in, pick up their food, drive off

and take it home to eat it. Councilor Casey advised that the Red Caboose and the building behind it needs restoration.

Mayor Romero asked that Council make their motions clear so their direction is clear and specific.

Councilor Montoya asked if they were requesting Lodgers Tax funding for the Food Truck Park.

Community Development Director Marquez advised yes.

Councilor Montoya advised that the Lighting at Rodriguez Park would be a good idea. Councilor Montoya advised that the money being donated by the Litherlands was for the dedication for Mr. and Mrs. Litherland. Councilor Montoya advised that he spoke with some residents on Lee Drive regarding their thoughts about a Dog Park or a Food Truck Park. Councilor Montoya advised that most of the residents were in favor but one asked for a wall to separate residential from the business. Councilor Montoya advised that the Litherlands were very giving to the community and this would help the small business community that can't afford to open a restaurant.

Councilor Casey agreed with Councilor Montoya regarding the Lighting at Rodriguez Park and advised that should be a priority. Councilor Casey advised that Councilor Montoya applied for Legislative funding for the Litherland property in the amount of \$250,000 and suggested they wait to see if they get anything from the Legislature before using Lodgers Tax funding. Councilor Casey advised that the lighting at Rodriguez Park was essential, the Archways were a great idea but expensive and the Red Caboose would be her second priority because people see that when they drive into town.

Councilor Montoya advised that he had no objections to Councilor Casey's list of priorities because lighting is important, the Caboose was also important and he would place the Food Truck Park third and then the Archways. Councilor Montoya advised that he would like to include the Food Truck Park with Lodgers Tax for at

least the planning and design of it and then see if they get the \$250,000 from the Legislature.

Mayor Romero requested that City Manager Maestas and Mr. Marquez find out the availability of infrastructure money from Lodgers Tax funding along with the recommended priorities set forth by Councilor Casey.

Councilor Montoya made a motion directing City Manager Maestas and Community Development Director Marquez to find out the availability of infrastructure money from Lodgers Tax funding along with the recommended priorities set forth by Councilor Casey. Councilor Casey 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
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City Clerk Fresquez advised the motion carried.

3. Discussion/Direction regarding the Litherland property.

Councilor Montoya requested that City Manager Maestas make sure all the paperwork was in order for the Litherland properties, the funding that the Litherlands were contributing was in order and the legal aspect of the transfer of paperwork and properties was in order so they could move forward with the project.

City Manager Maestas advised that the transfer of the three lots had been transferred to the City three or four months ago, but Mr. Litherland had advised that the funding would be dependent on what the City decides to do with the property and the City had not received the funding from the Litherlands yet due to the City not choosing what they want to do with the property.

Discussion took place regarding the property being residential (R-2) and the process it would take to rezone the property.

Councilor Montoya gave direction to add the Litherland property as number 3 for Lodgers Tax priorities. Councilor Montoya advised that they also had a \$100,000 request for the Legislature for a building structure for the Animal Shelter.

Councilor Casey agreed with Councilor Montoya and advised that it would be beneficial if City Manager Maestas spoke with the Litherlands to find out exactly what they want.

City Manager Maestas advised that he would call Mr. Litherland next week to discuss what the intention of the donation would be to the City of Las Vegas.

Mayor Romero asked if Council was okay with giving City Manager Maestas a deadline for the next meeting to have the discussion with Mr. Litherland.

Councilor Montoya made a motion recommending that they put the Food Truck Park as item number 3 for the Lodgers Tax request and for City Manager Maestas to discuss the funding with Mr. Litherland regarding the memorial before the next Council meeting. Councilor Casey 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
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City Clerk Fresquez advised the motion carried.

4. Discussion/Direction on a new effluent system for Hanna Park and upgrades to the sprinkler system in the Plaza Park.

Councilor Montoya advised that the City had invested \$680,000 on running the effluent water line from Grand Avenue to Mountain View to Legion and stated that he wants to replace or redo the sprinkler/water system from 18 years ago. Councilor Montoya advised that his intentions are to make sure there is green grass next summer for the kids to play on and stated that the Tree Board wanted

to plant trees. Councilor Montoya advised that he wants to move forward with this project, which is not a Legislative request or a Lodgers Tax request and suggested that the funding come from the General fund. Councilor Montoya advised that he would like to discuss all projects with Mayor and Council to see what projects they have for the upcoming year. Councilor Montoya asked City Manager Maestas and Finance Director Montgomery to provide them with numbers that they could use from the budget for road projects, park improvements and sidewalk improvements.

Councilor Casey stated that all the parks need work but Hanna Park has been an issue for many years and agreed with Councilor Montoya. Councilor Casey asked to find the money for a new effluent line at Hanna Park, grass for the kids to play on and possibly picnic tables.

Councilor Montoya advised that City Manager Maestas was working on an assessment for all parks.

City Manager Maestas discussed meeting with a Landscape vendor from Las Cruces that is on a State contract and advised that they had given him an umbrella quote for Carnegie Library, Plaza Park and possibly Lincoln Park. City Manager Maestas advised that they got two quotes for Hanna Park for a new effluent line, and they would also have to re-sod or reseed Hanna Park.

Utilities Director Gilvarry discussed the current condition of the Hanna Park effluent line and advised they have a two directional line that is operated manually.

Mayor Romero advised that the quotes mentioned exceed the \$60,000 and they need to be careful on proceeding with that because it would become an RFP issue. Mayor Romero advised that all the parks need improvements and where would they get that money from. Mayor Romero asked if it would be fair to get an overall price and for the Parks Director to present on where the funding would come from.

Councilor Montoya asked that City Manager Maestas and Finance Director Montgomery look at the General Fund and see how much from that fund they could spend. Councilor Montoya advised that he’s looking at 4-5 million dollars that they could use to allocate to Mayor and Council to be used towards a new City Hall, \$200,000-\$250,000 for each ward for improvements, \$300,000 to each ward for park improvements and another 3 million for road reconstruction in the City. Councilor Montoya mentioned a bond that was passed for phase II of the Recreation Center, giving taxpayers a tax break and during the election in November 2025 present a quarter percent tax rate for road improvements.

Mayor Romero advised he spoke with Finance Director Montgomery about providing an update regarding the City’s loans and bonds so they know where they are financially.

Councilor Montoya made a motion requesting that City Manager Maestas and Finance Director Montgomery find monies they could allocate towards different projects throughout the City including the Hanna Park sprinkler system. Councilor Casey 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
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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 regarding the City Manager and for the purpose of discussing Purchase, acquisition of water rights, as permitted by section 10-15-1(H)(8) of the New Mexico Open Meetings Act, NMSA 1978, Discussion of the emergency water lease

agreement with Michael Quintana. Councilor Casey 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

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 regarding the City Manager and for the purpose of discussing Purchase, acquisition of water rights, as permitted by section 10-15-1(H)(8) of the New Mexico Open Meetings Act, NMSA 1978, Discussion of the emergency water lease agreement with Michael Quintana, and no action was taken. Councilor Casey 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

City Clerk Fresquez advised the motion carried.

Mayor Romero advised the public that he was officially sworn in as Mayor before the meeting took place.

ADJOURN

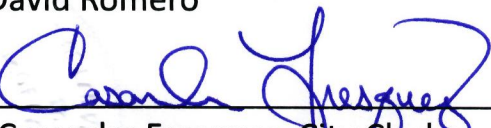
Councilor Montoya made a motion to adjourn. Councilor Casey seconded the motion. All were in favor.

City Clerk Fresquez advised the motion carried.

Meeting adjourned at 8:09 pm.



Mayor David Romero

ATTEST: 

Casandra Fresquez, City Clerk