

MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD ON WEDNESDAY, DECEMBER 13, 2023 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS.

MAYOR: David Romero

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

ALSO PRESENT: Leo Maestas, 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 Ulibarri asked for a moment of silence for all the City employees, residents and those who have passed away.

APPROVAL OF AGENDA

Mayor Romero asked that they postpone the presentation by Recreation Director Arturo Padilla regarding events and programs.

Councilor Casey made a motion to approve the agenda as amended. Councilor Ulibarri seconded the motion. All were in favor.

City Clerk Fresquez advised the motion carried.

PUBLIC INPUT

Jose Maestas spoke about City Manager Maestas' extraordinary dedication. Mr. Maestas discussed when City Manager Maestas worked in the Office of Emergency Management during the COVID pandemic. Mr. Maestas also discussed how City Manager Maestas was out all hours of the night during the fire and flooding to ensure the water was not contaminated or the water wouldn't flood the City.

Ken Ulibarri spoke about small businesses that closed during the pandemic and the City Charter being amended. Mr. Ulibarri advised that the public is losing their confidence in City Government and if they have a plan to bring in other businesses since others have closed. Mr. Ulibarri advised that the streets are in horrible shape and in need of improvements and also asked if the water rates would be decreasing since the gas rates were decreasing.

Mayor Romero advised Mr. Ulibarri that he could schedule a meeting with the City Manager and himself to discuss the issues that he mentioned.

Lawrence Arellanes spoke about businesses closing in Las Vegas and asked why the City is hiring people from other places to run the Water Treatment Plant when there is a University with a Water Treatment program. Mr. Arellanes advised that the streets are in need of improvements.

MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

Mayor Romero advised that the Police Chief position would be posted until the 29th and HR stated they had one applicant. Mayor Romero advised that he would work with HR Director Arguello on conducting interviews. Mayor Romero advised that he was asked by Finance Director Tim Montgomery to be present during an exit interview for the audit and asked if one other Councilor would join him tomorrow at 3:30 pm.

COUNCILORS' REPORTS

Councilor Casey advised that she had several requests from residents on the 1200 block of 7th Street regarding their water bill being higher than normal and asked that the City check the lines in the area to make sure there is not a leak on the City side. Councilor Casey advised that most of them have had their properties checked for water leaks and they didn't have any but their water bill continues to grow. Councilor Casey asked City Manager Maestas if he followed up with the Litherlands in regards to the property.

City Manager Maestas advised that there was no direction that the Litherlands gave, and that they were contributing money towards the memorial for their family.

Councilor Casey advised that the area where the Litherland property is located used to be in Councilor Montoya's ward, which is now in her ward. Councilor Casey advised that he took the liberty of talking to people in that area and asked them how they felt about the food truck park. Councilor Casey advised that the City did receive a petition from people in that area saying they did not want a food truck park. Councilor Casey advised that she hoped they would honor those residents' requests to not have food trucks there. Councilor Casey advised that maybe they could find a more adequate place for food trucks. Councilor Casey asked about the Samaritan House contract and issues that Mr. Lyon had regarding the contract.

City Manager Maestas advised that Community Development Director Lucas Marquez met with Mr. Lyon and he chose to sign the contract but he hasn't spoken with him.

Councilor Casey asked if all Legislative requests had been approved by DFA.

City Manager Maestas advised that they were all in the CPMS system.

Councilor Ulibarri thanked all City employees and City Manager Maestas for doing a good job on the Riverwalk and around the city and advised that they were donated \$50,000 from T-Mobile.

CITY MANAGER'S REPORT

City Manager Maestas discussed the following;

- Welcomed new staff to the City of Las Vegas
- NALEO Training update

Councilor Casey discussed the San Miguel Family and Community Health Council having a listing of every healthcare provider in the city and surrounding areas. Councilor Casey advised that it needed to be updated for this year and asked that the City work with the previous Coordinator. Councilor Casey advised that there was also a Prescription Trails booklet that shows every park in the city and other valuable information.

Mayor Romero thanked Commissioner Garcia and the County.

City Manager Maestas discussed the following;

- Project updates
 - Great Blocks phase 2
 - El Creston Road project
 - Senior Center Parking redesign
 - Legion Drive road project-winter suspension
 - University Ave. project
 - Independence Ave-waterline replacement completed
 - Hot Springs-Waterline replacement (NMDOT permit approved)
 - Mid-year budget hearings with departments
- Holiday Events

Mayor Romero thanked Public Works Director Arnold Lopez and his staff for getting power in the Riverwalk area for the light displays. Mayor Romero also thanked all the organizations, businesses and community members who participated. Mayor Romero advised that Councilor Montoya also set up his display and spent \$500 on extension cords. Mayor Romero thanked Events Planner Charles Griego for helping to coordinate where the displays would go.

APPROVAL OF MINUTES

Councilor Casey made a motion to approve the minutes from November 15, and November 22, 2023. Councilor Ulibarri seconded the motion. All were in favor.

City Clerk Fresquez advised the motion carried.

PRESENTATIONS

Utilities Director Maria Gilvarry gave a lengthy presentation regarding water quality, regulations that relate to the water system, how often the water is sampled and monitored, public notices related to notice of violations, NMED procedures for violations and what to expect in the future. Utilities Director Gilvarry advised that public notices are for transparency by keeping the public informed on the water quality and so the public could make decisions on consuming the water. Utilities Director Gilvarry advised that they document the cause and severity of the violation and what is being done to address it. Utilities Director Gilvarry advised that the notices do go through NMED and EPA and if the water is unsafe to drink they are required to issue a boil advisory.

Mayor Romero asked for Utilities Director Gilvarry to clarify who does the specific monitoring of the water.

Utilities Director Gilvarry advised they have data loggers that collect all the results which is done by equipment, City staff reviews it, does the compilation and reporting and Souder Miller is the manager of the facility so they oversee the monthly reports. Utilities Director Gilvarry advised that Souder Miller and herself both sign off on the reports and provide them to the state.

Mayor Romero asked if Utilities Director Gilvarry was overseeing the data 100% of the time.

Utilities Director Gilvarry advised that everything that is reported to the state goes through her office for a final review. Utilities Director Gilvarry advised people could access data from Drinking Water Watch. Utilities Director Gilvarry advised as a result of the fire the total organics and total trihalomethane increased. Utilities Director Gilvarry advised that they are working on a brand new water treatment system and until then the plant will have turbidity, total organic and total trihalomethane issues until they could address it with enhanced coagulation or

the new water treatment plant. Utilities Director Gilvarry stated that she drinks the water every morning in her coffee and is safe to drink, if it's ever unsafe to drink she will announce a boil advisory. Utilities Director Gilvarry advised that almost every staff member put in 80 hours in one week including Souder Miller and City staff. Utilities Director Gilvarry told the public to feel free to contact her at (505) 454-3832 with any questions they may have.

Mayor Romero advised that he had asked City Manager Maestas to get an assurance from the Environment department regarding the last public notice that had gone out. Mayor Romero asked if the Environment department has a quarterly audit that they could give to the public.

Utilities Director Gilvarry advised there are hundreds of violations statewide and advised that the state does put out all the notices of violations but they don't put out reports or audits.

Mayor Romero asked to get the assurance from the Environment department that our water is safe to drink because the public does not feel safe with the Governing Body or with what is coming out from Utilities.

City Manager Maestas advised that he spoke with Joe Martinez from the Drinking Water Board and expressed the City's concerns. City Manager Maestas advised that Mr. Martinez stated that their board would come up with some type of supporting document that states that the City is in constant communication with them.

Utilities Director Gilvarry advised until there is no turbidity, total organic and total trihalomethane issues they will get violations every 3 months.

Mayor Romero asked who receives the violations .

Utilities Director Gilvarry advised that it gets emailed directly to her and the Environment department calls her. Utilities Director Gilvarry advised that the violations have always been addressed to the Utilities Director but she will make sure to forward it to the City Manager and stated that she notifies him to let him know there will be a public notice coming out.

CONSENT ITEMS

City Clerk Fresquez read the Consent Agenda (1-4) into the record as follows:

1. Request approval of Addendum #3 for Contract #3710-21 with D.A.G. Enterprises of N.M. for diesel maintenance and repair for the City of Las Vegas.
2. Request to donate a 2011 white ford ranger hot shot truck to the City of Santa Rosa Campos Senior Center.
3. Request approval of Memorandum of Understanding (MOU) between San Miguel County and Las Vegas Senior Center Program.
4. Request approval of MOU between San Miguel County and Las Vegas Senior Center Program for the San Miguel Senior Center.

Councilor Casey made a motion to approve the Consent Agenda (1-4). 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	Yes
David Romero	Yes		

City Clerk Fresquez advised the motion carried.

BUSINESS ITEMS

1. Discussion and Action on helping fund the New Mexico Counties Annual Summer conference to be held on June 17-21, 2024 in Las Vegas.

Chairman Harold Garcia advised that the County would be hosting the New Mexico Counties Annual Summer conference in 2024. Chairman Garcia advised it would not be possible without the support from the local Governing Body and the schools. Chairman Garcia advised the conference would be hosted at New Mexico Highlands University and they anticipate between 500-600 people to come to the conference. Chairman Garcia advised there was a requirement from the county to be able to host it by coming up with funding of about \$60,000 for an equipment

rodeo and a dinner reception. Chairman Garcia advised that they will need help with street cleaning, marketing, local businesses will need to be prepared and restaurants will need to host breakfasts, lunches and dinners.

Councilor Casey advised that she's been to the equipment rodeo and she loved it.

Councilor Ulibarri asked if there was a committee that was working on the conference.

Chairman Garcia advised yes, there is a committee through the County.

Mayor Romero advised that he had asked Finance Director Tim Montgomery to look into the fiscal impacts of the budget.

Finance Director Montgomery discussed a rough estimate if they invest in the \$30,000. Finance Director Montgomery advised that he estimated about \$16 to \$18,000 in grt and that would leave about \$12 to \$15,000 of unbudgeted funds from the cash balance.

Mayor Romero asked if they could find the \$30,000 in the budget.

Finance Director Montgomery advised that it would have to come out of the cash balance because it was not a budgeted amount.

Councilor Casey made a motion to approve the request of the County to help fund \$30,000. Councilor Ulibarri seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	David Romero	Yes
David Ulibarri	Yes		

City Clerk Fresquez advised the motion carried.

Chairman Garcia advised that he would have a disco made with the City logo on it and given to a participant at the rodeo.

2. Request approval to enter into an Encroachment Agreement with Mesa Financial of Las Vegas, Inc.

Community Development Director Marquez advised that the City was approached by Phil Warfield in reference to 1102 Lincoln Avenue that had an eave that hangs over the property line onto City property.

Councilor Casey made a motion to enter into an Encroachment Agreement with Mesa Financial of Las Vegas, Inc. Councilor Ulibarri seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	Yes	Barbara Casey	Yes
David Ulibarri	Yes		

City Clerk Fresquez advised the motion carried.

3. Request to change the Museum Organizational Chart replacing the two (2) Museum Clerk Part-Time positions to one (1) Museum Clerk Full-Time position.

City Manager Maestas advised its been hard to find applicants and advised that Finance Director Montgomery would provide the fiscal impact.

Finance Director Montgomery discussed the two part time positions being 18 hours per pay period and if they merge the two positions it would be 36 hours that was already budgeted including the salary and tax. Finance Director Montgomery advised if they have a full time position that would have an additional 4 hours per pay period and the position would become benefit eligible. Finance Director Montgomery advised that the salary impact would be \$2,665 and the benefits would be \$5,316 for a total of \$7,982 which could come out of the current budget from salary savings or supply and equipment.

Mayor Romero discussed the importance of Council knowing the fiscal impact and asked how many employees they currently had.

Community Services Director Wanda Salazar advised that they would be going from five person positions down to four.

Mayor Romero asked if the Museum was open.

Community Services Director Salazar advised that it was.

Mayor Romero asked how many days a week the Museum is open.

Community Services Director Salazar advised that it's open Tuesday through Saturday but they will be going into winter hours from Tuesday through Friday from 8 am - 5 pm.

Mayor Romero asked how many visitors they get on a weekly or monthly basis.

Community Services Director Salazar advised that she gives City Manager Maestas a monthly report and advised that the month of November was low due to plumbing issues but they had about 61 visitors. Community Services Director Salazar further advised that last month they had about 218 visitors and from July to November they had about 718 visitors.

Councilor Casey made a motion to replace the two (2) Museum Clerk Part-Time positions on the organizational chart to one (1) Museum Clerk Full-Time position. 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	Yes
David Romero	Yes		

City Clerk Fresquez advised the motion carried.

4. Discussion/Direction on the Ray Herrera property located next to the Las Vegas Police Station (318 Moreno Street).

Mayor Romero advised that it was brought to his attention that Ray Herrera and his brother had purchased the property next to the Police department. Mayor Romero advised that Mr. Herrera thought of starting a business but he was asked to consider the City having a discussion on either purchasing or leasing the property.

Mayor Romero advised that it is in the Masterplan to create more parking in the area.

John Herrera advised that he and his brother, Ray thought it would be right to bring it to the City's attention to possibly expand the parking lot for the Police department, or they could bring a small business.

Councilor Casey advised that the piece of property is valuable and thanked Mr. Herrera for bringing it to the attention of the City.

Mr. Herrera advised that they could make a covered parking area for personal or City vehicles or a staging area during the fiestas.

Mayor Romero advised when talking with his brother he was looking at a lease. Mayor Romero asked if they were open to possibly a purchase. Mayor Romero asked Council if it was okay for the City Manager and himself to proceed with the discussions.

Mr. Herrera advised that they were open to whatever, but they would have to have that discussion with Ray as he was unable to make tonight's meeting.

Councilor Casey recommended that Mayor Romero, City Manager and the Finance Director meet with both Mr. John Herrera and Ray Herrera to discuss if they want to lease or sell the property and to see if the City can afford to buy it.

Councilor Ulibarri advised that was fine with him because it could benefit the City.

Mayor Romero advised that there were requirements as a government entity that they would need to look at. Mayor Romero asked for a motion to give direction to the City Manager and himself to proceed with discussions with the Herrera family.

Councilor Casey made a motion to give direction to the City Manager and himself to proceed with discussions with the Herrera family. Councilor Ulibarri seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	David Romero	Yes
David Ulibarri	Yes		

City Clerk Fresquez advised the motion carried.

EXECUTIVE SESSION

Councilor Casey 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. Councilor Ulibarri seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	David Romero	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

Councilor Casey 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 no action was taken. Councilor Ulibarri seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	David Ulibarri	Yes
David Romero	Yes		

City Clerk Fresquez advised the motion carried.

EXECUTIVE SESSION ACTION ITEM

1. Direction/Action regarding the City Manager.

Councilor Casey made a motion to terminate the City Manager. Councilor Romero seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	No	Barbara Casey	Yes
David Romero	Yes		

City Clerk Fresquez advised the motion carried.

Mayor Romero advised they can't take away the good that Mr. Maestas has done but moving forward it would give the Mayor the opportunity to create his or her team.

BUSINESS ITEMS (continued)

5. Discussion/Direction and Possible Action on appointing a qualified elector to fill the Mayor's position.

Mayor Romero advised there was consultation from the Secretary of State's office, legal from the New Mexico Municipal League and also from the City's legal attorney. Mayor Romero advised that the opportunity of having a special election was not possible and the Governing Body must appoint a Mayor.

Councilor Casey advised that David Romero was the Mayor Pro Tem and the City Charter allows and requires the Mayor Pro Tem to take over the position of Mayor when there is a resignation, or the Mayor leaves for illness. Councilor Casey advised that during the last few weeks that David Romero's been acting Mayor, she saw a lot of positive changes taking place, a lot of forward movement in the City and thinks he could continue to do that work. Councilor Casey advised that she thought he would do a good job as Mayor. Councilor Casey advised that his heart is in the community and she heard comments from people that live in his

ward that they are very happy with him as Councilor and the work he has done. Councilor Casey advised that he continues to do extra work as acting Mayor.

Councilor Casey made a motion to appoint David Romero as the next Mayor until the term of 2025.

Mayor Romero thanked Councilor Casey and advised that being Mayor for this community is difficult and it takes a lot of time. Mayor Romero advised that moving forward they need to build relationships and accountability. Mayor Romero advised that he's willing to accept and give up his seat of four years to try and move the community forward. Mayor Romero advised that if he can't better the community in two years as Mayor then he's wasting his time spending four years as a Councilor. Mayor Romero thanked Councilor Casey for her comments and gladly accepted his appointment as Mayor.

Councilor Ulibarri seconded the motion.

Councilor Casey stated that she knows David Romero would do the best that he can to ensure that the city moves forward in a positive manner. Councilor Casey advised that Councilor Ulibarri and herself were open to working with him in that position and it was unfortunate that Councilor Montoya was unable to be there and hoped that everyone was safe in his home.

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

David Ulibarri	Yes	Barbara Casey	Yes
David Romero	Abstained		

City Clerk Fresquez advised the motion carried.

Councilor Casey asked if Mayor Romero would be sworn in.

City Clerk Fresquez advised that he was already sworn in.


Mayor Romero advised that he would have a formal swearing in with his family at a later time.

ADJOURN

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


City Clerk Fresquez advised the motion carried.

Meeting adjourned at 7:37 pm.



Mayor David Romero

ATTEST:


Casandra Fresquez, City Clerk