



City of Las Vegas

1700 N. Grand Avenue | Las Vegas, NM 87701 | T 505.454.1401 | lasvegasnm.gov

Mayor Louie A. Trujillo

**CITY OF LAS VEGAS
REGULAR CITY COUNCIL MEETING
March 9, 2022–Wednesday– 5:30 p.m.
City Chambers
1700 North Grand Avenue
Las Vegas, NM 87701**

Public comments can be made in person at the meeting **OR** submitted in writing to the City Clerk no later than 4:30 p.m. on March 9, 2022, via email to cfresquez@lasvegasnm.gov or faxed to (505) 425-7335.

AGENDA

*City Council Meetings are
Available via YouTube*

https://www.youtube.com/channel/UCNGDVGRRAL0qVevel5JYeRw?view_as=subscriber

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE**
- IV. MOMENT OF SILENCE**
- V. APPROVAL OF AGENDA**
- VI. 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.) Public Input submitted to the City Clerk via email or fax will be read into the record.**
- VII. MAYOR LOUIE TRUJILLO’S 2022 STATE OF THE CITY ADDRESS**
- VIII. COUNCILOR’S REPORTS**

IX. APPROVAL OF MINUTES (February 9th and February 16th, 2022)

X. BUSINESS ITEMS

Conduct a Public Hearing for Business Item 1 and 2 (*Public comments can be made in person for the public hearing OR submitted in writing to the City Clerk no later than 4:30 p.m. on March 9, 2022 via email to cfresquez@lasvegasnm.gov or faxed to (505)425-7335. Written comments will be read into the record during the discussion of the item it pertains to.*)

1. Adoption of Ordinance No. 22-01, an ordinance to amend the Code of the City of Las Vegas by adding a new Article XIV to Chapter 12, Traffic Regulations, to be entitled “Automated Speed Enforcement”.

Scott Aaron, City Attorney This is a system that utilizes an instrument that detects a speeding violation through camera and electronic speed detection equipment. Council approved the publication of Ordinance 22-01 at the February 9, 2022 council meeting. Publication requirements have been met.

2. Adoption of Ordinance No. 22-02, an ordinance to amend the Code of the City of Las Vegas by adding a new Section 4 to Chapter 22 to be entitled “Expenditure Accounting Report”

Scott Aaron, City Attorney The City of Las Vegas will require any recipient of funds to provide in writing a completed expenditure accounting report (EAR) to the City Council, City Manager and the City’s Finance Department with such EAR being signed and submitted under penalty of perjury by the recipient. Council approved the publication of Ordinance 22-02 at the February 9, 2022 council meeting. Publication requirements have been met.

3. Approval of Resolution 22-11 applying for and assuring matching funds for the Municipal Arterial Program Grant (MAP) for a total amount of \$1,043,200.00

Arnold Lopez, Public Works Director The City of Las Vegas will be contributing their share of 25% (\$260,800.00), New Mexico Department of Transportation’s share being 75% (\$782,400.00) for the planning, designing, construction, reconstruction, pavement rehabilitation, ADA compliant curb & ramps, construction management, drainage improvements and miscellaneous improvements to Mountain View Drive.

4. Approval of Resolution 22-12 applying for and assuring matching funds for the Cooperative Agreement Grant (COOP) for a total amount of \$458,731.02.

Arnold Lopez, Public Works Director The City of Las Vegas will be contributing their share of 25% (\$114,682.75), New Mexico Department of Transportation’s share being 75% (\$344,048.27) for the planning, designing, construction, reconstruction,

pavement rehabilitation, ADA compliant curb & ramps, construction management, drainage improvements and miscellaneous improvements to East National Street from Railroad Tracks to Commerce Street and Country Club Drive from Mills Avenue to 4th Street.

5. Request approval of Resolution No. 22-15 Run-Off Election for the City of Las Vegas.

Cassandra Fresquez, City Clerk In accordance with the City of Las Vegas Municipal Charter, a candidate must receive fifty percent (50%) plus one (1) of the votes cast for the particular office or a run-off election shall be held between the two candidates receiving the highest number of votes which shall be held within forty five (45) days after certification of the result of the election. This resolution will allow the City Clerk's Office to proceed with preparation for the Run-Off Election.

XI. EXECUTIVE SESSION

THE COUNCIL MAY CONVENE INTO EXECUTIVE SESSION IF SUBJECT MATTER IS EXEMPT PURSUANT TO THE OPEN MEETINGS ACT.

XII. 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 City Chambers 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 City Hall, Office of the City Clerk, 1700 N. Grand Avenue, Las Vegas, NM 87701 or the City's website at www.lasvegasnm.gov

MINUTES OF THE CITY OF LAS VEGAS REGULAR CITY COUNCIL MEETING HELD ON WEDNESDAY, FEBRUARY 9, 2022 AT 5:30 P.M. IN THE CITY OF LAS VEGAS COUNCIL CHAMBERS

MAYOR: Louie A. Trujillo

COUNCILORS: Michael Montoya
David Romero
Elaine Rodriquez
David Ulibarri, Jr.

ALSO PRESENT: Leo Maestas, City Manager
Casandra Fresquez, City Clerk
Scott Aaron, City Attorney
Antonio Salazar, Sergeant at Arms

CALL TO ORDER

Mayor Trujillo called the meeting to order at 5:30 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Trujillo took the opportunity to thank all the hard working City employees, he informed the Streets Dept. staff were out all night with both snowstorms and thanked them and all who were involved in that. He also thanked Police Officers, Fire Department and Clerical staff for their hard work as well.

APPROVAL OF AGENDA

City Clerk Fresquez advised there was a recommendation to amend the agenda, removing business item No. 4 which would be placed on next week's agenda.

Mayor Trujillo asked for the reason for the amendment to the agenda.

City Clerk Fresquez advised that the Finance Director needed to make some amendments to the resolution.

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

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

City Clerk Fresquez advised the motion carried.

PUBLIC INPUT

Mr. Rod Billingsley gave public input regarding his Aircraft Hangar Lease Agreement.

Dr. Bill Brainard spoke regarding his Aircraft Hangar Lease Agreement.

MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

Mayor Trujillo advised they were working on supporting and assisting residents near the Samaritan House as well as working on the homeless situation with the City Manager and Police Chief. He stated they would be doing everything possible to help residents and business owners. Mayor Trujillo further advised the Council had been lobbying at the state legislature and working on getting funding from the Department of Finance and Administration and thanked the Councilors for attending.

COUNCILORS' REPORTS

Councilor Rodriquez informed she attended the legislature along with her students who were working on solar energy and they spoke on behalf of Highlands University and the City of Las Vegas. She stated that they are all working

on different areas to represent the City as a whole and agreed that there were many issues regarding the Samaritan House that needed to be addressed. Councilor Rodriquez mentioned that everyone was loving the ice skating rink, that she had received many complaints regarding the reverse parking in the Plaza area, and she discussed some of the issues and recommended reconsideration of the parking.

Councilor Montoya informed the public about the two forums previously held by City Attorney Aaron and City Clerk Fresquez in regard to the Charter amendments on the upcoming election and that only two people showed up. He advised the Chamber of Commerce invited him to speak on KNMX radio on February 15, 2022 along with the City Attorney and City Clerk to discuss the Charter amendments and advised that sample ballots were available at City Hall.

Councilor Romero reported that he, City Manager Maestas and Councilor Montoya met with the Governor's staff and discussed the priority of the dam in regards to an expected severe drought situation. He also mentioned that he wanted to answer to many calls and emails received from the community stating that the City does not provide animal control services, he wanted to clarify that those services were being provided by other available City staff. He advised Mayor Trujillo that he read through the contract and there were some issues in it that needed to be addressed and assured that recruitment of animal control officers was taking place.

Councilor Ulibarri, Jr. thanked City Manager Maestas and Streets Department staff for their continued work on improvements to several west side streets.

CITY MANAGER'S REPORT

City Manager Leo Maestas gave a detailed report regarding the following projects:

1. New Hires (4)
2. New Businesses (3)
3. Community Events
4. Business License (Arrears)
5. Great Blocks Groundbreaking (3/2/22)
6. PSAs: Water Breaks, Fire Prevention: SW Trucks, Plaza area Street Project updates)
7. Discussion-Under utilized City properties for sale
8. Ice Skating Rink Closure (February 14, 2022)

Discussion and questions took place regarding the options of purchasing a tent for the ice skating rink, availability of City owned properties and upcoming Mother's Day Plaza Park event.

PRESENTATIONS

Ms. Anna Bannon with Nexamp provided a detailed overview of a proposal to lease City property to install a solar farm via zoom.

Brief discussion and questions took place regarding operational fees, PRC Credits, water lines and job opportunities.

Mayor Trujillo advised further discussion would take place and thanked Ms. Bannon for the informative presentation given.

APPROVAL OF MINUTES

Councilor Romero made a motion to approve the minutes of January 12th and January 19th, 2022. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised the motion carried.

Mayor Trujillo commended the City Clerk's Office staff for a job well done on preparing the meeting minutes, he thanked Danielle Sena for all her hard work.

CONSENT AGENDA

1. Approval of Addendum #1 to Contract #3717-21 with James, Cooke & Hobson, Inc. for the Flygt pump maintenance service in various City facilities on an as needed basis.

Utilities Director Maria Gilvarry informed that the Request for Proposal 2021-11 was awarded on 2/10/21 and Agreement #3717-21 was signed on 3/11/21. The

extended term for this agreement will be for 1 year. This item was discussed at the February 8, 2022 Utility Advisory Committee meeting and was recommended for approval.

2. Request approval of Addendum #1 to Contract #3721-21 with AGM Konstruktion & Environmental Services, Inc. for hazardous material clean up and removal on an as needed basis.

Utilities Director Gilvarry informed that Request for Proposal 2021-13 was awarded on 3/10/21 and Agreement #3721-21 was signed on 3/19/21. The extended term of this agreement will be for 1 year. The item was discussed at the February 8, 2022 Utility Advisory Committee meeting and was recommended for approval.

3. Request approval of Addendum #3 to Contract #3520-19 with Hays Plumbing & Heating, Inc. for plumbing services in various City Facilities on an as needed basis.

Utilities Director Gilvarry informed that Request for Proposal 2019-09 was awarded on 2/27/19 and Agreement #3520-19 was signed on 2/27/19. The extended term of this agreement will be for 1 year. This item was discussed at the February 8, 2022 Utility Advisory Committee meeting and was recommended for approval.

4. Request approval of Addendum #3 to Contract #3521-9 with The Electric Horseman, Inc. for electrical services in various City Facilities on an as needed basis.

Utilities Director Gilvarry informed that Request for Proposal 2019-08 was awarded on 2/27/19 and Agreement #3521-19 was signed on 2/27/19. The extended term of this agreement will be for 1 year. This item was discussed at the February 8, 2022 Utility Advisory Committee meeting and was recommended for approval.

5. Approval to award bid #2022-21 Re-Bid Clarifloc C-358 Polymer to Polydyne Inc.

Utilities Director Gilvarry informed this bid was advertised in the Las Vegas Optic, Albuquerque Journal and City Website. There was one (1) proposer. This item was discussed at the February 8, 2022 Utility Advisory Committee meeting and was recommended for approval.

Councilor Romero made a motion to approve the Consent Agenda.

Councilor Montoya advised he wanted to make an amendment regarding #3 on Consent Agenda, to the contract on page 4, #8, second paragraph on the second sentence to state "City Manager" instead of "City".

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

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

City Clerk Fresquez advised the motion carried.

BUSINESS ITEMS

1. Request approval to Publish Ordinance No. 22-01, an ordinance to amend the Code of the City of Las Vegas by adding a new Article XIV to Chapter 12, Traffic Regulations, to be entitled "Automated Speed Enforcement".

City Attorney Scott Aaron advised this is a system that utilizes an instrument that detects a speeding violation through camera and electronic speed detection equipment.

Councilor Romero informed that the intent of the ordinance was to aid the Police Department in monitoring speeders due to the department not being at full capacity. He advised it would eliminate speed bumps in many neighborhood streets and felt this was one way to address the issue of speeding and stated that the data would be reviewed by a Police Officer before handing out citations and that it would be legal.

Councilor Ulibarri, Jr. made a motion to approve to Publish Ordinance No. 22-01, an ordinance to amend the Code of the City of Las Vegas by adding a new Article XIV to Chapter 12, Traffic Regulations, to be entitled “Automated Speed Enforcement”. Councilor Romero 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
Michael Montoya	Yes	David Romero	Yes

City Clerk Fresquez advised the motion carried.

- 2. Request approval to Publish Ordinance No. 22-02, an ordinance to amend the code of the City of Las Vegas by adding a new Section 4 to Chapter 22 to be entitled “Expenditure Accounting Report”.

City Attorney Aaron advised the City of Las Vegas will require any recipient of funds to provide in writing a completed expenditure accounting report (EAR) to the City Council, City Manager and the City’s Finance Department with such EAR being signed and submitted under penalty of perjury by the recipient. He added it was a framework for organizations to be accountable and would provide transparency.

Councilor Romero added that accountability by profit and nonprofit agencies had been an issue in the past although this Council had made sure it was a priority and now the community would know where funding given by the City would be spent regarding this proposed ordinance.

Mayor Trujillo thanked Councilor Romero and City Attorney Aaron for their work on this proposed ordinance.

Councilor Romero made a motion to approve to publish Ordinance No. 22-02, an ordinance to amend the code of the city of Las Vegas by adding a new Section 4 to Chapter 22 to be entitled “Expenditure Accounting Report”. Councilor Rodriquez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	Elaine Rodriquez	Yes
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David Romero

Yes

David Ulibarri, Jr.

Yes

City Clerk Fresquez advised the motion carried.

3. Request approval of Resolution #22-06, budget adjustment in the 2021-2022 fiscal Year budget.

Finance Director Jesus Baquera advised the City of Las Vegas is in need of making a budget adjustment in the 2021-2022 fiscal year budget to include a revenue and expense increase to Fund 101 General Fund in the amount of \$45,500.00. A revenue and expense increase to Fund 214 Streets COOP in the amount of \$3,824,686.00. Mr. Baquera informed that the \$45,500.00 was for the Deputy Chief City Manager and the \$3,824.00 was for the street fund, Legion Drive.

Councilor Montoya made a motion to approve of Resolution #22-06, budget adjustment in the 2021-2022 fiscal year budget. Councilor Ulibarri, Jr. seconded the motion.

Resolution 22-06 was presented as follows:

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 22-06

A RESOLUTION TO MAKE BUDGET ADJUSTMENT FOR THE
2021-2022 FISCAL YEAR

WHEREAS, the Governing Body of Las Vegas has developed a budget adjustment request for fiscal year 2021-22; and

WHEREAS, said budget was developed on basis of increases in revenues, expenditures and transfer (in) out through cooperation with all user departments, elected officials and other department supervisors. Please see attached schedule: and,

WHEREAS, the City of Las Vegas is in need of making a budget adjustment in the 2021-2022 fiscal Year budget to include an increase to revenue and expenditure

increase to Fund 214 Streets COOP in the amount of \$3,854,686. An increase to revenue and expenditure to Fund 101 General Fund in the amount of \$45,500,

WHEREAS, the Governing Body finds that the budget adjustment request should be as it meets the requirements as currently determined for fiscal year 2021-22, and,

NOW, THEREFORE BE IT RESOLVED 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 request approval from the Local Governing Division of the Department of Finance and Administration.

ACCEPTED AND APPROVED this _____ day of February 2022.

Mayor Louie A. Trujillo

ATTEST: Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney

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

David Romero	Yes	Elaine Rodriguez	Yes
Michael Montoya	Yes	Davide Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.

(Removed)

- 4. Request approval of Resolution #22-07 repealing and replacing Resolution #21-44, a budget adjustment in the 2021-2022 fiscal year budget.

Finance Director Baquera advised the City of Las Vegas is in need of replacing resolution 21-44 with Resolution 22-07 to include a revue decrease fo Fund 435 in the amount of \$7,330.00; expense decrease to Fund 435 in the amount of \$5,124.00; revenue decrease to Fund 217 in the amount of \$25,360; expense

decrease to Fund 217 in the amount of \$25,360.00; revenue increase to Fund 217 in the amount of \$4,335,661; expense increase to Fund 217 in the amount of \$4,335,661.00; revenue increase to Fund 433 in the amount of \$20,000.00; expense increase to Fund 433 in the amount of \$20,000.00; expense increase to Fund 104 in the amount of \$10,000.00; expense increase to Fund 101 General Fund Dept. 5110 Parks in the amount of \$13,362.00; A revenue and expense increase to Fund 218 Street COOP in the amount of \$21,510.00.

- 5. Request approval to award RFB #2022-19 for the Hot Springs Blvd. water & sewer utility improvements to Hays Plumbing & Heating, Inc.

Utilities Director Maria Gilvarry took the opportunity to disclose that her son was employed with Hays Heating & Plumbing.

Utilities Director Gilvarry advised this bid was advertised in the Las Vegas Optic, Albuquerque Journal and city Website. There were two (2) bids. This item was discussed at the February 8, 2022 Utility Advisory Committee meeting and was recommended for approval.

Councilor Ulibarri, Jr. made the motion to approve to award RFB #2022-19 for the Hot Springs Blvd. water & sewer utility improvements to Hays Plumbing & Heating, Inc. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised the motion carried.

- 6. Request approval to proceed with the Professional Services Agreement between the City of Las Vegas and Arch Consulting.

City Manager Maestas advised the consultant services would include consultation and project management in the area of legislative appropriations and capital outlay, grant writing, development and preparation of policy writing, provide and conduct trainings to City staff and stakeholders and preparation for presentations.

He advised they reached out to Robert Archuleta with Arch Consulting, who had been employed with the City providing service to managing capital outlay projects, ICIP projects and he also went on to work for the County and would utilize his grant writing skills.

Councilor Romero made a motion to approve to proceed with the Professional Services Agreement between the City of Las Vegas and Arch Consulting. 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 Romero	Yes
Michael Montoya	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresuez advised the motion carried.

7. Request approval of a lease agreement with Rod Billingsley for hangar space (airport layout plan building 10) at the City of Las Vegas Municipal Airport.

Utilities Director Gilvarry advised Mr. Billingsley would like to renew his lease agreement with the newly updated land lease agreement for the purpose of storing an aircraft.

Lengthy discussion and questions took place regarding the increased lease amount, term of the agreement, liability. Also discussed was the inclusion of auditing documentation (GASB 87) to the agreement to justify the increased lease amount.

Councilor Montoya advised he supported the agreement, was thankful to the gentlemen for their part in keeping up the airport hangars and made a motion to approve the lease agreement with Rod Billingsley for hangar space (airport layout plan building 10) at the City of Las Vegas Municipal Airport. Councilor Ulibarri, Jr. seconded the motion. Mayor Truillo asked for roll call. Roll Call Vote was taken and reflected the following:

Councilor Romero stated he had concerns in regard to the lack of including auditing documentation (GASB 87).

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

City Clerk Fresquez advised the motion carried.

Mayor Trujillo asked City Attorney Aaron to make sure they were good with the GASB 87, that it was documented in his files of when he did the discovery for the contracts.

City Attorney Aaron advised that he would request in writing from different regional airports and get some price comparisons.

- 8. Request approval of a lease agreement with Cary Lane for up to 10 years of hangar space at the City of Las Vegas Municipal Airport.

Utilities Director Gilvarry advised Mr. Lane would like to renew his lease agreement for the purposes of storing an aircraft.

Councilor Montoya made a motion to approve the lease agreement with Cary Lane for up to 10 years of hangar space at the City of Las Vegas Municipal Airport. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised the motion carried.

- 9. Request approval of a lease agreement with Bill Brainard for up to 10 years of hangar space at the City of Las Vegas Municipal Airport.

Utilities Director Gilvarry advised Mr. Brainard would like to renew his lease agreement for the purposes of storing an aircraft.

Councilor Montoya made a motion to approve the lease agreement with Bill Brainard for up to 10 years of hangar space at the City of Las Vegas Municipal

Airport. Councilor Rodriguez 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 Rodriguez	Yes	David Romero	No

City Clerk Fresquez advised the motion carried.

10. Request approval of a lease agreement with Gabriel Vigil for up to 10 years of hangar space at the City of Las Vegas Municipal Airport.

Utilities Director Gilvarry advised Mr. Vigil would like to renew his lease agreement for the purposes of storing an aircraft.

Councilor Montoya made a motion to approve the lease agreement with Gabriel Vigil for up to 10 years of hangar space at the City of Las Vegas Municipal Airport. Councilor Rodriguez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

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

City Clerk Fresquez advised the motion carried.

Councilor Montoya noted that by doing this tonight, they would be in good standing with the applications for improving economic development and obtaining funding.

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 Rodriguez seconded the motion. Mayor Trujillo asked if all were in favor. All were in favor.

Councilor Romero made a motion to return to Regular Session, he advised that only discussion stated in the motion took place and no votes were taken.

Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked if all were in favor. All were in favor.

ADJOURN

Councilor Romero made a motion to adjourn. Mayor Trujillo asked if all were in favor. All were in favor.

Mayor Louie A. Trujillo

ATTEST:

Casandra Fresquez, City Clerk

MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD ON WEDNESDAY, FEBRUARY 16, 2022 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS.

MAYOR: Louie A. Trujillo

COUNCILORS: David G. Romero
Elaine Rodriguez
Michael L. Montoya
David A. Ulibarri, Jr.

ALSO PRESENT: Leo Maestas, City Manager
Casandra Fresquez, City Clerk
Scott Aaron, City Attorney
Antonio Salazar, Sergeant at Arms

CALL TO ORDER

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

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Trujillo asked for a moment of silence for all the people who have passed away in the community and to keep the family of Mary Judy Martinez in our prayers.

APPROVAL OF AGENDA

Councilor Montoya made a motion to approve the agenda. Councilor Ulibarri seconded the motion. All were in favor.

City Clerk Fresquez advised the motion carried.

PUBLIC INPUT

There was no public input.

MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

Mayor Trujillo read a Proclamation for Black History Month.

Mayor Trujillo reported on the Legislative Session coming to an end, and thanked Legislative delegates, Senator Campos, Representative Castellano, the Governor and the people from the Department of Finance Administration who have been working hard to bring much needed money to Las Vegas. Mayor Trujillo spoke about the Governing Body and City Manager Maestas lobbying during the Legislative Session. Mayor Trujillo advised he has a meeting with Annette Garcia from Friends of the Museum and stakeholders to discuss the display at the Museum. Mayor Trujillo thanked everyone and the employees for accomplishing a lot in the last year. Mayor Trujillo advised the State of the City Address would take place the second week of March.

COUNCILORS' REPORTS

Councilor Rodriguez gave an update on projects she's been working on regarding adding basketball courts and lighting at Keys Park, working on filling potholes and fixing sidewalks east on Railroad, wanting to change the ordinance regarding sidewalks, fixing drainage issues on the east side of Railroad and adding lighting on Railroad.

Councilor Montoya spoke about the Chamber of Commerce inviting him to the radio to discuss the charter amendments, meeting with the engineer on the Legion Drive project, and further added that Lodgers Tax marketing applications are being accepted for advertisements until April 1, 2022. Councilor Montoya thanked Mayor Trujillo for his leadership.

Councilor Romero advised they are making an effort to take care of employees, he acknowledged City Manager Maestas and Councilor Montoya for meeting with Debbie Romero from DFA and Victor Reyes and Dan Schlegel with the Governor's office, and advised in conversation with them they will be setting up a meeting with the Secretary of Environment to discuss potential funding opportunities. Councilor Romero advised they have been working hard as a Governing Body. Councilor Romero thanked City Manager Maestas and staff. Councilor Romero also discussed comments being made in the community that are not true.

Councilor Ulibarri thanked all the staff from the Police department, Fire department and the Streets department and advised the west side of town is coming along and they are working hard to accomplish a lot of things.

POLICE CHIEF'S REPORT

Police Chief Salazar gave a presentation regarding the statistics for the Month of January on the following:

- Field Operations Division (patrol)
 - Special Operations-Selective Traffic Enforcement Patrol (S.T.E.P.)
- Information Division (records)
- Street Crimes
 - Evidence Seized
 - Meetings and trainings
- Training/Recruiting
- Community Events
 - Coffee with a Cop
- Department vacancies (17)
- Animal Control
 - Community Service Aides/Code Enforcement are taking animal control calls

Discussion took place regarding the training that both CSA's and Code Enforcement have for handling animal control calls and the Animal Welfare Coalition being over capacity and also regarding the speed enforcement ordinance not replacing an officer but instead it would help to allow officers to attend to other important calls and/or issues.

Councilor Montoya discussed signage being placed at the Police department and Utility Customer Service department and other signs being placed to identify City facilities.

FINANCE REPORT

Finance Director Baquera reported on the month of January, General fund revenues were at 65%, expenditures were at 48%, with a surplus of \$1,221,496, the Enterprise fund revenues were at 53%, expenditures were at 42%, with a surplus of \$1,094,502, the Recreation department revenues were at 36%, expenditures were at 28%, with a surplus of \$50,870 and Lodger's Tax revenues were at 72%, expenditures were at 47%, with a surplus of \$96,065.

Mayor Trujillo asked if there was anything within his department or in the reports that are red flags and should be brought to their attention.

Finance Director Baquera advised not at this time.

BUSINESS ITEMS

1. Consideration of the International Association of Fire Fighters (IAFF) Local 4625 Agreement.

Interim Fire Chief Spann thanked the management team, IAFF Union management team and Fire Chief Billy Montoya for their time with negotiations. Interim Fire Chief Spann discussed the changes made in the contract and all the hard work the firefighters put in.

Councilor Romero thanked the team for moving it along.

Discussion and questions took place regarding the program to pursue an associates or bachelors degree, the number of certified EMTs, types of uniforms issued and the use of the gym at the Recreation Center.

Councilor Montoya advised they appreciate everything they do for them and the community.

IAFF Union President LA Sena advised both teams put a lot of time and effort into negotiating.

Councilor Romero made a motion to approve the International Association of Fire Fighters (IAFF) Local 4625 Agreement. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriguez	Yes	David Ulibarri	Yes
Michael L. Montoya	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

Mayor Trujillo thanked the Firefighters and advised he was proud of them.

2. Consideration of the Fraternal Order of Police (FOP) Agreement.

Mayor Trujillo acknowledged Human Resource Director Arguello, City Attorney Aaron and City Manager Maestas for a job well done.

HR Director Arguello advised all the credit goes to City Manager Maestas.

HR Director Arguello advised the City of Las Vegas completed contract negotiations for 2021/2022 with the Fraternal Order of Police. HR Director Arguello mentioned the following sections that were negotiated, Section 16 compensation, Section 22 hours of work/overtime, Section 37 take home vehicles and Section 44 terms of agreement.

City Attorney Aaron discussed the sections that were negotiated.

Councilor Romero thanked City Manager Maestas, HR Director Arguello and the Union team because they were able to get out of arbitration and come to an agreement.

Discussion and questions took place regarding the bilingual certification, the fifty five mile radius for take home vehicles, and if any employees are pursuing a degree.

Councilor Montoya commended and thanked FOP President Lujan and all officers for their service.

Councilor Romero made a motion to approve the Fraternal Order of Police (FOP) Agreement. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Michael L. Montoya	Yes
Elaine Rodriquez	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

3. Request approval of Lodger's Tax funding in the amount of \$3,770.12 for the marketing of Las Vegas Art's Council's People Fair.

Lodgers Tax Chairman Bhakta discussed the application for marketing of Las Vegas Art's Council's People Fair.

Councilor Rodriquez asked for a better copy regarding the project information.

Councilor Montoya asked if there would be any conflicts with other events that day.

Lodgers Tax Chairman Bhakta advised he was not aware of any conflicts.

Councilor Montoya advised the People Fair does bring economic development and tourism for the community.

Councilor Romero asked what type of invoice would be turned in.

City Manager Maestas advised they would request a receipt for payment.

Councilor Romero mentioned the proposed ordinance that would be affecting a lot of organizations.

Councilor Montoya made a motion to approve Lodger's Tax funding in the amount of \$3,770.12 for the marketing of Las Vegas Art's Council's People Fair. Councilor

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

David G. Romero	Yes	Elaine Rodriguez	Yes
Michael L. Montoya	Yes	David Ulibarri	Yes

City Clerk Fresquez advised the motion carried.

4. Request approval of Lodger's Tax funding in the amount of \$4,196.56 for marketing of Las Vegas First Business Alliance (LVFIBA) Friday's Al Fresco.

LVFIBA Representative Steve Leger discussed the funding from previous Friday's Al Fresco.

Councilor Ulibarri advised they do a wonderful job and they get a lot of tourism during Friday's Al Fresco.

Councilor Ulibarri made a motion to approve Lodger's Tax funding in the amount of \$4,196.56 for marketing of Las Vegas First Business Alliance (LVFIBA) Friday's Al Fresco. Councilor Rodriguez seconded the motion.

Councilor Montoya asked about item number 4.1 on pg. 3, regarding the financial information in the amount of \$15,623.15 plus \$10,000 for the total budget for the event.

LVFIBA Representative Leger advised that was what the City agreed to pay for the bands.

Councilor Montoya asked when that was approved.

City Manager Maestas advised there was a discussion to take over that portion since Lodgers Tax can't be used to pay for the PA system or musicians.

Lodgers Tax Chairman Bhakta advised it is only marketing/advertising that Lodgers Tax can pay for. Lodgers Tax Chairman Bhakta advised they could break up the marketing for Friday's Al Fresco into three segments for spring, summer and fall.

Councilor Montoya requested that the City of Las Vegas be included on banners and all advertisements.

LVFIBA Representative Leger advised they did do that last year.

Councilor Romero asked Lodgers Tax Chairman Bhakta if they reviewed the total budgeted amount.

Lodgers Tax Chairman Bhakta advised he did.

Councilor Romero advised on the financial information regarding a conflict of interest statement about LVFIBA Representative Leger being compensated for production and voice overs for radio ads and where that is reflected in the budget.

LVFIBA Representative Leger advised it is the sixth one listed on the budgeted amount.

City Manager Maestas advised it was listed as radio ad production 3 voiceovers at \$100.

LVFIBA Representative Leger advised he also does the MCing which wasn't listed there.

Councilor Romero advised his concern was with the conflict where he is proposing it and included in it.

Lodgers Tax Chairman Bhakta advised they are working with City Manager Maestas so someone can look through the applications to catch any conflicts.

Mayor Trujillo briefly addressed an audit finding in the last audit where board members benefited from the request and their trying to prevent that.

Councilor Romero recommended an amendment to the motion to include that someone other than Steve Leger will provide the voice overs (mcing) for radio during the spring session.

Councilor Ulibarri made a motion to approve Lodger's Tax funding in the amount of \$4,196.56 for marketing of Las Vegas First Business Alliance (LVFIBA) Friday's Al Fresco with the amendment to have Steve Leger find someone else to do voice overs in the spring due to a conflict of interest. Councilor Rodriguez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Elaine Rodriguez	Yes
Michael L. Montoya	Yes	David Ulibarri	Yes

City Clerk Fresquez advised the motion carried.

City Manager Maestas asked for clarification regarding if LVFIBA Representative Leger could or couldn't do the voice overs in spring.

Both Councilor Romero and Councilor Rodriguez advised someone else needed to do the voice overs in spring.

5. Request approval of Lodger's Tax funding in the amount of \$6,500.00 for the Hermit's Peak Watershed Alliance Gallinas River Park revitalization.

Lodgers Tax Chairman Bhakta discussed they are allowed to use funds regarding Lodgers Tax infrastructure for trash cans along the river park.

Mayor Trujillo asked if they're additional trash cans.

City Manager Maestas advised yes, they are additional trash cans.

Discussion took place regarding how much Lodgers Tax has given the Hermit's Peak Watershed Alliance, if breakdowns are being received regarding previous allocations that haven't been spent and the percentage spent on Lodgers Tax infrastructure.

Councilor Romero suggested that the Lodgers Tax Committee get those reports regarding the breakdowns of what's been spent.

Councilor Montoya advised it will benefit the entire community.

Councilor Montoya made a motion to approve Lodger’s Tax funding in the amount of \$6,500.00 for the Hermit’s Peak Watershed Alliance Gallinas River Park revitalization. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Elaine Rodriguez	Yes	David G. Romero	Yes
David Ulibarri	Yes	Michael L. Montoya	Yes

City Clerk Fresquez advised the motion carried.

Mayor Trujillo thanked Lodgers Tax for all their doing.

Councilor Romero advised they are really making an effort for all of them to be on the same page.

6. Request approval of Resolution 22-09 to appoint Leo Maestas, City Manager or his successor(s) as the authorized representative regarding all matters pertaining to lease agreements for the City of Las Vegas.

Councilor Montoya asked for clarification on the resolution that states, “City Managers successor(s).”

Mayor Trujillo advised there would be more City Managers in the future.

Councilor Romero made a motion to approve Resolution 22-09 to appoint Leo Maestas, City Manager or his successor(s) as the authorized representative regarding all matters pertaining to lease agreements for the City of Las Vegas. Councilor Ulibarri seconded the motion.

Resolution No. 22-09 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 22-09**

A RESOLUTION OF THE CITY OF LAS VEGAS APPOINTING THE CITY MANAGER OR HIS SUCCESSOR(S) AS THE AUTHORIZED REPRESENTATIVE REGARDING ALL MATTERS PERTAINING TO LEASE AGREEMENTS FOR THE CITY OF LAS VEGAS

WHEREAS, the City of Las Vegas (“City”) will lease items that are needed within the City for various projects;

WHEREAS, upon Council’s approval, any leased items will be used directly for the specific projects they are intended for and to maintain safe and efficient operations within the City;

WHEREAS, certain vendor's require the City to appoint an authorized representative to execute all lease agreements that pertain to the City.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas that the recitals are hereby incorporated herein by reference and the Governing Body hereby appoints City Manager, Leo Maestas, or his successor(s), as the authorized representative for all lease agreements for the City of Las Vegas.

PASSED, APPROVED AND ADOPTED this ____ day of February 2022.

Louie A. Trujillo, Mayor

ATTEST:

Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney

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

Elaine Rodriquez	Yes	David Ulibarri	Yes
Michael L. Montoya	Yes	David G. Romero	Yes

City Clerk Fresquez advised the motion carried.

Mayor Trujillo recognized Public Works Manager Gurule for all his work.

- 7. Request approval of Resolution #22-07 repealing and replacing Resolution #21-44, a budget adjustment in the 2021-2022 fiscal year budget.

Finance Director Baquera discussed his reason for repealing and replacing resolution #21-44, DFA would not accept it due to language in the resolution. Finance Director Baquera advised it was supposed to come before council last week but there was an error where he was adding instead of subtracting.

Discussion took place regarding how Finance Director Baquera found the mistake.

Councilor Romero advised they met with the Secretary of DFA and it's important that they build bridges with those departments.

Councilor Montoya advised he’s requesting again that he needs to show on his agenda requests that the Finance Committee did approve items during those meetings.

Councilor Montoya made a motion to approve Resolution #22-07 repealing and replacing Resolution #21-44, a budget adjustment in the 2021-2022 fiscal year budget. Councilor Ulibarri seconded the motion.

Resolution No. 22-07 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 22-07**

A RESOLUTION TO REPEAL AND REPLACE RESOLUTION NO 21-44 BUDGET ADJUSTMENT FOR THE 2021-2022 FISCAL YEAR

WHEREAS, the Governing Body of Las Vegas has developed a budget adjustment request for fiscal year 2021-22; and

WHEREAS, said budget was developed on basis of increases in revenues, expenditures and transfer (in) out through cooperation with all user departments, elected officials and other department supervisors. Please see attached schedule: and,

WHEREAS, the City of Las Vegas is in need of making a budget adjustment in the 2021-2022 fiscal Year budget to include an Revenue decrease to Fund 435 in the amount of \$7,330; Expense decrease to Fund 435 in the amount of \$5,124; Revenue decrease to Fund 217 in the amount of \$50,619; Expense decrease to Fund 217 in the amount of \$50,619; Revenue increase to Fund 217 in the amount of \$4,310,402; Expense increase to Fund 217 in the amount of \$4,310,402; Revenue increase Fund 433 in the amount of \$20,000; Expense increase Fund 433 in the amount \$20,000; Expense increase Fund 104 in the amount of \$10,000; Expense increase to Fund 101-5110, General Fund Parks Department in the amount of \$13,362; Revenue increase Fund 218 in the amount of \$21,510; Expense increase Fund 218 in the amount of \$21,510.

WHEREAS, the Governing Body finds that the budget adjustment request should be as it meets the requirements as currently determined for fiscal year 2021-22, and,

NOW, THEREFORE BE IT RESOLVED 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 request approval from the Local Governing Division of the Department of Finance and Administration.

ACCEPTED AND APPROVED this day of FEBRUARY 2022.

Mayor Louie A. Trujillo

ATTEST: Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney

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

David G. Romero	Yes	Elaine Rodriguez	Yes
Michael I. Montoya	Yes	David Ulibarri	Yes

City Clerk Fresquez advised the motion carried.

Councilor Romero asked for a meeting to be set up with Maria Perea so they could understand what the process is for getting a business license.

Mayor Trujillo suggested the steps for a business license be on the City's website and a work manual for everything Maria Perea does.

EXECUTIVE SESSION

There was no need for executive session.

ADJOURN

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

City Clerk Fresquez advised the motion carried.

Meeting adjourned at 6:59 pm.

Mayor Louie A. Trujillo

ATTEST:

Cassandra Fresquez, City Clerk



**CITY OF LAS VEGAS SPECIAL
COUNCIL MEETING AGENDA REQUEST FORM**

Meeting Date: March 9, 2022

Date Submitted: 2/23/22

Department: Executive/City Attorney

Item/Topic: Conduct a Public Hearing and Adoption of Ordinance No. 22-01, an ordinance to amend the Code of the City of Las Vegas by adding a new Article XIV to Chapter 12, Traffic Regulations, to be entitled "Automated Speed Enforcement".

This is a system that utilizes an instrument that detects a speeding violation through camera and electronic speed detection equipment. Council approved the publication of Ordinance 22-01 at the February 9, 2022 council meeting. Publication requirements have been met.

Fiscal Impact:

Attachments: Ordinance No. 22-01

THIS REQUEST FORM MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE NO LATER THAN 5:00 P.M. ON FRIDAY ONE AND A HALF WEEKS PRIOR TO THE CITY COUNCIL MEETING.

Approved For Submittal By:

Reviewed By:

Department Director

Finance Director

Leo Maestas

City Manager

City Attorney (Approved as to Form)

**CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN**

Resolution No. _____
Ordinance No. _____
Contract No. _____
Approved _____

Continued To: _____
Referred To: _____
Denied _____
Other _____

CITY OF LAS VEGAS, NEW MEXICO
Ordinance No. 22-01

AN ORDINANCE TO AMEND the Code of the City of Las Vegas by adding a new Article XIV to Chapter 12, to be entitled “Automated Speed Enforcement”. This Ordinance is enacted pursuant to Sections 2.02 of the City of Las Vegas Municipal Charter, and is an exercise of the City of Las Vegas home rule powers.

BE IT ENACTED by the Governing Body of the City of Las Vegas as follows:

Section 1. The Code of the City of Las Vegas, is hereby amended by adding to Chapter 12 “Traffic Regulations” a new Article XIV entitled “Automated Speed Enforcement” to read as follows:

§ 12-14-1 **SHORT TITLE.** This article may be referred to as the Automated Speed Enforcement Ordinance or “ASE”.

§ 12-14-2 **DEFINITIONS.** For the purposes of the ASE, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

ASE SYSTEM FINE. The fine assessed for a violation, as set forth in Section 12-6-1.8, or other provision under this article (or successor article of the city’s codified ordinances).

ASE SYSTEM FINE NOTICE. A written document mailed to the address of the registered owner or nominee stating that a violation has occurred and payment is due.

CAMERA SPEED DEVICE or “CSD.” The instrument that detects a violation of this article. The definition includes but is not limited to cameras and electronic speed detection equipment reasonably relied upon by police officers.

CONTRACTOR. A person or entity that enters into a contract with the City of Las Vegas to provide photographic or electronic evidence of a speed violation through a CSD.

DEPARTMENT. City of Las Vegas Police Department.

DRIVER. The person operating the vehicle at the time of a violation.

IDENTIFY. To submit information on the actual driver of a vehicle sufficient to allow the Department to locate and notify the driver in lieu of the registered owner, including but not limited to, the name, address and telephone number of the driver.

NOMINATE or **NOMINATION.** A written statement by the registered owner identifying the actual driver of a vehicle as the responsible party for a violation.

NOMINEE. The person or entity identified by the registered owner as the driver or responsible party of the vehicle at the time of the violation.

NUISANCE. The act of operating a vehicle in violation of this article.

OWNER’S AFFIDAVIT. A written statement signed under oath and submitted to the

Department or the Contractor under penalty of perjury by the registered owner of a vehicle who asserts therein that the registered owner was not driving the vehicle at the time of a violation.

REGISTERED OWNER. Pursuant to the State of New Mexico records, the owner of the vehicle involved in the alleged violation, at the time the violation occurred.

RESPONDENT. An accused violator who has received an ASE System Fine Notice and requested a hearing.

§ 12-14-3 VIOLATION. Any action or conduct constituting a violation under 12-6-1.8 of this Code of Ordinances, NMSA 66-7-104 of the New Mexico State Motor Vehicle Code, or any other city or state laws pertaining to speeding is a violation. This article does not apply to emergency vehicles responding to an emergency.

A. Violation recorded by CSD. The Contractor shall provide all evidence of a CSD-recorded violation to the Department. The Department shall review all CSD evidence provided by the Contractor.

(1) If the Department determines that a violation has occurred and that a citation is warranted, the Department shall cause an ASE fine notice to be delivered to the vehicle's registered owner.

(2) The registered owner is strictly and vicariously liable for the violation unless one of the defenses herein applies. If there is more than one registered owner, all registered owners shall be jointly and severally liable for the violation.

B. ASE fine notice.

(1) The ASE fine notice shall state and contain the name of the registered owner or nominee, the effective date of the ASE fine notice, the type of violation, the date, time, and location of the violation, a picture of the violation, the license plate number of the vehicle, the name and identification of the issuing Department official, the amount of the fine, the response due date and the return address. The ASE fine notice shall inform the registered owner or the nominee of the option to complete community service in lieu of payment of the ASE fine, and the right to request a hearing.

(2) Delivery. The ASE fine notice shall be delivered to the address of, posted on the property of, or personally served upon, the registered owner according to the address registered with the Department of Motor Vehicles, from information obtained from any court, from Department Records, or from any other documentation or records reasonably relied upon by City employees, or it shall be delivered to the address of, posted on the property of, or personally served upon, the nominee according to the owner's affidavit.

C. Response to an ASE fine notice. The registered owner shall timely pay the fine, elect to complete community service, file an owner's affidavit making a nomination, or request a hearing by the response due date as indicated by the ASE fine notice.

D. Nomination. A registered owner not driving the car at the time of the violation may either accept the responsibility for the violation and pay the ASE fine, or identify the driver so an ASE fine notice can be sent to the driver.

(1) If the registered owner claims that another person was driving the vehicle at the time of the violation, the registered owner shall so indicate on the owner's affidavit and identify the person who was driving the vehicle. Any registered owner who submits an owner's affidavit does so under penalty of perjury.

(2) A new ASE fine notice will be delivered to the nominee. If the nominee successfully appeals the allegation that they were the driver, the City may proceed against the registered owner. The registered owner shall be responsible for payment of the ASE fine if the City cannot assert jurisdiction over the nominee, subject to the remaining defenses available.

E. Default. If the city does not receive timely payment of the ASE fine, an election to complete community service, a nomination, or a request for a hearing, by the response due date as indicated by the ASE fine notice, the registered owner shall be in non-discretionary default. If the default is not cured, the City may pursue all remedies for collection of a debt and is entitled to an award of reasonable attorney's fees incurred.

F. Hearing. In the event of a demand for a hearing, the Judge or Hearing Officer shall hold a hearing. The hearing shall be conducted following the rules of evidence and civil procedure for the magistrate courts. The Department has the burden to prove the violation by a preponderance of the evidence. The respondent has the burden to prove any defenses by a preponderance of the evidence. If the Department prevails, the Respondent shall pay the fine within 30 consecutive days from the date of the decision. Following a hearing, and upon Respondent posting a bond in the amount of the fine, the respondent may appeal the decision of the Judge/Hearing Officer to the District Court within 30 days of the decision.

G. Defenses. At a timely requested hearing, the Respondent may present the following defenses:

(1) The vehicle was stolen or otherwise being driven without the registered owner's knowledge or permission at the time of the alleged violation. The registered owner shall have a relevant police report pertaining to the theft as a precondition to the owner qualifying for this defense.

(2) The ownership of the vehicle had lawfully been transferred and conveyed from the registered owner to another person before the time of the alleged violation.

(3) The evidence does not show that a violation was committed.

(4) The respondent is the registered owner, but was not driving the vehicle at the time of the violation. To assert this defense, the registered owner shall identify the actual driver and comply with the nomination provisions in subsection (D) of this section.

(5) The registered owner did not receive notice because the ASE fine notice was not mailed to the address of record with the New Mexico Department of Motor Vehicles or otherwise Respondent's constructive notice was not received by Respondent.

H. Penalty.

(1) A violation constitutes a non-discretionary civil infraction punishable by a fine of \$100.00 or completion of four (4) hours of community service.

(2) A violator may elect service to the City as an alternative to payment of fines.

A violator who elects the option of service to the City in lieu of payment of a fine does so voluntarily and is entitled to none of the benefits conferred upon City employees, including, without limitation, worker's compensation or the payment of any wages or benefits. The City is not responsible for damages incurred as a result of such service except as otherwise provided by law. The person seeking relief hereunder shall timely request the option of service to the City in lieu of payment of a fine. Services shall be rendered in not less than full hour increments and shall be credited against the fine payable at a rate of the federal minimum wage per hour. The Mayor or the Mayor's designee shall establish procedures for administering this paragraph including, but not limited to, the nature of services that may be performed, the timeframe in which a respondent must complete their community service, and consequences for failure to complete community service.

§ 12-14-4 ADMINISTRATION.

A. The Department shall be responsible for administration of this article. Reasonable rules and regulations may be promulgated by the City manager or the City Managers designee to carry out the intent and purpose of this article.

B. The revenue generated through ASE shall go into the City's general fund.

C. The Contractor hired to aid in the administration of this program will not be compensated based on the number of citations issued. The Contractor shall be compensated by a flat fee.

D. An independent third-party lab shall perform a calibration test on the CSD instruments used for speed detection at least annually.

Section 2. Severability. The provisions of this ordinance are declared to be severable, and if any portion of this ordinance, for any reason, is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 3. Effective Date. This ordinance shall become effective upon the execution by the Mayor and the affirmative vote of the majority of the Governing Body.

PASSED, ADOPTED and ENACTED this _____ day of March, 2022.

Mayor Louie A. Trujillo

ATTEST:

Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney



**CITY OF LAS VEGAS SPECIAL
COUNCIL MEETING AGENDA REQUEST FORM**

Meeting Date: March 9, 2022

Date Submitted: 2/23/22

Department: Executive/City Attorney

Item/Topic: Conduct a Public Hearing and Adoption of Ordinance No. 22-02, an ordinance to amend the Code of the City of Las Vegas by adding a new Section 4 to Chapter 22 to be entitled "Expenditure Accounting Report".

The City of Las Vegas will require any recipient of funds to provide in writing a completed expenditure accounting report (EAR) to the City Council, City Manager and the City's Finance Department with such EAR being signed and submitted under penalty of perjury by the recipient. Council approved the publication of Ordinance 22-02 at the February 9, 2022 council meeting. Publication requirements have been met.

Fiscal Impact:

Attachments: Ordinance No. 22-02

THIS REQUEST FORM MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE NO LATER THAN 5:00 P.M. ON FRIDAY ONE AND A HALF WEEKS PRIOR TO THE CITY COUNCIL MEETING.

Approved For Submittal By:

Reviewed By:

Department Director

Finance Director

Leo Maestas By A

City Manager

City Attorney (Approved as to Form)

**CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN**

Resolution No. _____
Ordinance No. _____
Contract No. _____
Approved _____

Continued To: _____
Referred To: _____
Denied _____
Other _____

CITY OF LAS VEGAS, NEW MEXICO
Ordinance No. 22-02

AN ORDINANCE TO AMEND the Code of the City of Las Vegas by adding a new Section 4 to Chapter 22, to be entitled “Expenditure Accounting Report”. This Ordinance is enacted pursuant to Sections 2.02 of the City of Las Vegas Municipal Charter, and is an exercise of the City of Las Vegas home rule powers.

BE IT ENACTED by the Governing Body of the City of Las Vegas as follows:

Section 1. The Code of the City of Las Vegas, is hereby amended by adding to Chapter 22 “Finance and Budget” a new Section 4 entitled “Expenditure Accounting Report” to read as follows:

§ 22-4 Expenditure Accounting Report. Any recipient of funds (including without limitation Lodger’s Tax, American Rescue Plan Act, City of Las Vegas general fund, or any State or Federal funding distributed through or by the City of Las Vegas), or other such payment or benefit, from the City of Las Vegas (“Recipient”), whether the organization operates in a non-profit capacity, for-profit capacity or some other capacity, shall provide in writing a completed expenditure accounting report (EAR) to the City Council, City Manager and City’s Finance Department, with such EAR being signed and submitted under penalty of perjury by the Recipient. The Recipient shall provide the EAR within fifteen (15) days of the request of the City Council, City Manager or City Finance Department, but in no case more than thirty (30) days after the date the Recipient receives any funds from the City, and by the first of each consecutive month thereafter until all funds received by the City are fully expended. The EAR shall include the amount of funds received, and any expenditure associated with the funds, detailed information as required and as included in the EAR form provided by the City, as well as any other information requested by the City, including without limitation financial and budget records and documents. Failure to timely deliver the complete EAR, and any further documentation as requested, shall disqualify the Recipient from consideration for receiving any funds or other benefits from the City for a two (2) year period, beginning on the date the EAR should have been received by the City. All Recipients shall conduct any and all organization meetings in a manner that is open to attendance by the City and its designees. All Recipients shall deliver, upon request of the City, a copy of minutes and other documentation from the Recipient’s organization meetings, with such information being available to the public. The Recipient shall also make available to the public their budget and expenditures, including a website, if the Recipient maintains a website. Failure to comply with the requirements in this section shall result in the City immediately discontinuing any payments and/or disqualification from future endeavors with the City. Each Recipient shall acknowledge under penalty of perjury that no member of their board is benefitting from the funds received by the City, either personally, through a separate business, as an employee, or through any other manner.

Section 2. Severability. The provisions of this ordinance are declared to be severable, and if any portion of this ordinance, for any reason, is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 3. Effective Date. This ordinance shall become effective upon the execution by the Mayor and the affirmative vote of the majority of the Governing Body.

PASSED, ADOPTED and ENACTED this _____ day of March, 2022.

Mayor Louie A. Trujillo

ATTEST:

Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney



**CITY OF LAS VEGAS
COUNCIL MEETING AGENDA REQUEST FORM**

Meeting Date: March 9, 2022

Date Submitted: 02/25/22

Department: Public Works

Item/Topic: Request for approval of Resolution No. 22-11 applying for and assuring matching funds for the Municipal Arterial Program grant (MAP) for a total amount of \$1,043,200.00. City of Las Vegas will be contributing their share of 25% (\$260,800.00), New Mexico Department of Transportation's share being 75% (\$782,400.00) for the Planning, Designing, Construction, Reconstruction, Pavement Rehabilitation, ADA Compliant Curb & Ramps, Construction Management, Drainage Improvements and Misc. Improvements to Mountain View Drive.

Fiscal Impact: Assuring availability of matching funds in the amount of \$260,800.00.

Attachments: Resolution No. 22-11, cost estimate, solicitation letter.

THIS REQUEST FORM MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE NO LATER THAN 5:00 P.M. ON FRIDAY ONE AND A HALF WEEKS PRIOR TO THE CITY COUNCIL MEETING.

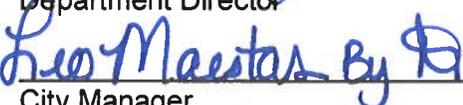
Approved For Submittal By:

Reviewed By:



Department Director

Finance Director



City Manager

City Attorney (Approved as to Form)

**CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN**

Resolution No. _____

Continued To: _____

Ordinance No. _____

Referred To: _____

Contract No. _____

Denied _____

Approved _____

Other _____

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 22-11

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”) will apply to the New Mexico Department of Transportation (“NMDOT”) for a Municipal Arterial Program (MAP) grant (the “Grant”) for planning, designing, construction, reconstruction, pavement rehabilitation, ADA compliant curb & ramps, drainage improvements, construction management, and miscellaneous construction for phase III of this project; and

WHEREAS, the City expects the amount of the project to be a total of \$1,043,200.00; and

WHEREAS, the City would have to contribute 25% (\$260,800.00) in order to receive the Grant of \$782,400.00 (75%) for a total amount of \$1,043,200.00 to include 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 street improvements on Mountain View Drive.

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 March 2022.

Louie A. Trujillo, Mayor

ATTEST:

Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney

PROJECT COST ESTIMATE

Mountain View Drive Improvements - Phase III- Vegas Drive to 7th Street
City of Las Vegas

MAP 2022-2023

ITEM NO.	DESCRIPTION	UNIT	ESTIM QUANT	UNIT PRICE	AMOUNT
Roadway Improvements					
1	Remove and Dispose of Existing Subgrade, Replace with Suitable Subgrade Material	CY	500	\$40.00	\$20,000.00
2	12" Subgrade Prep	SY	5880	\$9.00	\$52,920.00
3	Provide and Install Base Course including Compaction 12"	SY	5880	\$21.00	\$123,480.00
4	Tack Coat Material	TON	5	\$700.00	\$3,500.00
5	Prime Coat Material	TON	6	\$800.00	\$4,800.00
6	Cold Milling 4"	SY	7360	\$9.25	\$68,080.00
7	Provide and Install Geogrid	SY	5880	\$6.00	\$35,280.00
8	HMA SP-IV 1.5"	SY	7360	\$20.00	\$147,200.00
9	HMA SP-IV 2.5"	SY	7360	\$28.00	\$206,080.00
10	Concrete Valley Gutter	LF	400	\$31.00	\$12,400.00
11	Provide and Install 6" x 24" Concrete Curb and Gutter Upon Direction From Engineer	LF	200	\$28.00	\$5,600.00
12	Remove and Dispose of Existing Curb and Gutter Upon Direction From Engineer	LF	200	\$15.00	\$3,000.00
13	4-inch Concrete Sidewalk Removal	SY	400	\$17.00	\$6,800.00
14	4-inch Concrete Sidewalk installation	SY	800	\$75.00	\$60,000.00
15	Removal of Structures and Obstructions (remove and dispose of sign and base posts)	LS	1	\$2,500.00	\$2,500.00
16	Panel Signs	SF	60.00	\$30.00	\$1,800.00
17	Steel Post and Base Post for Aluminum Panel Sign	LF	100.00	\$15.00	\$1,500.00
18	Retroreflectorized Markings 4" White	LF	2320	\$0.75	\$1,740.00
19	Retroreflectorized Markings 4" Yellow	LF	2320	\$0.75	\$1,740.00
20	Retroreflectorized Pavement Marking 24" Wide	LF	200	\$11.00	\$2,200.00
Miscellaneous					
21	Mobilization	LS	1	\$45,000.00	\$45,000.00
22	Traffic Control	LS	1	\$20,000.00	\$20,000.00
23	Demobilization	LS	1	\$7,500.00	\$7,500.00
24	Video Taping	LS	1	\$1,000.00	\$1,000.00
25	SWPPP	LS	1	\$2,500.00	\$2,500.00
26	Post Construction Plans	LS	1	\$2,500.00	\$2,500.00
27	Pre-Authorized Construction Changes	ALLOW	1	\$35,000.00	\$35,000.00
28	Material Testing Allowance	ALLOW	1	\$12,500.00	\$12,500.00
29	Construction Staking	LS	1	\$7,500.00	\$7,500.00

CONST	Construction Subtotal	\$894,120.00
CONST	Construction Observation	\$3,500.00
CONST	Total Construction Costs	\$897,620.00
CONST	Est NMGR @ 8.3958%	\$75,362.38
CONST	Total Construction Costs with NMGR	\$972,982.38

ENGIN	Engineering	\$60,000.00
ENGIN	NMDOT Certifications/Coordination	\$5,000.00
ENGIN	Total Engineering Fees	\$65,000.00
ENGIN	Est NMGR @ 7.875%	\$5,118.75
ENGIN	Total Engineering Fee with NMGR	\$70,118.75

TOTAL PROJECT COST **\$1,043,200.00**

State Funding Requested @ 75%	\$782,400.00
City of Las Vegas Participation @ 25%	\$260,800.00



New Mexico DEPARTMENT OF
TRANSPORTATION
MOBILITY FOR EVERYONE

January 4, 2022

Mr. Danny Gurule, Project Manager
City of Las Vegas
1700 N Grand Ave
Las Vegas, New Mexico 87701

Dear Mr. Danny Gurule:

The Project Oversight Division is soliciting applications for the Department's Municipal Arterial Program (MAP) for fiscal year 2023. The purpose of the MAP program is to assist municipalities in project development; construction, reconstruction, improvement, maintenance, repair, and right-of-way and material acquisition of and for those streets that are principal extensions of rural state highways and of other streets not on the state highway system but determined to qualify under designated criteria. In general, the criterion for eligibility is the degree to which the route would assist in the distribution of state highway system traffic. As a "rule of thumb", the four general criteria are designated as:

1. A through extension of state highway routes;
2. Major connections between state highway routes;
3. Major streets of particular service to state highways; or
4. Major local service streets.

The request package shall include the following:

1. A map of the project limits (including proposed phasing),
2. Current and 20 year projected traffic volumes (ADT, DHV, and percent heavy traffic),
3. Pavement design criteria (10 year Minimum),
4. Typical section,
5. Major intersection and traffic signal analysis (including warrants),
6. Drainage reports,
7. A preliminary cost estimate (including department share and municipality share),
8. Local Government resolution of support for the project, and
9. A Project Data Sheet summarizing existing and Proposed Project information.

Please email application packets to Clarissa.Martinez@state.nm.us. The complete application must be received no later than close of business March 15, 2022. All incomplete applications will be returned to the municipality for submission the following year.

Sincerely,

Clarissa Martinez
POD State Grants Manager

Xc: James Gallegos, District 4 Engineer

**Michelle Lujan
Grisham**
Governor

Michael R. Sandoval
Cabinet Secretary

Commissioners

Jennifer Sandoval
Commissioner, Vice-Chairman
District 1

Bruce Ellis
Commissioner
District 2

Hilma E. Chynoweth
Commissioner
District 3

Walter G. Adams
Commissioner, Chairman
District 4

Thomas C. Taylor
Commissioner
District 5

Charles Lundstrom
Commissioner, Secretary
District 6



**CITY OF LAS VEGAS
COUNCIL MEETING AGENDA REQUEST FORM**

Meeting Date: March 9, 2022

Date Submitted: 02/25/22

Department: Public Works

Item/Topic: Request for approval of Resolution No. 22-12 applying for and assuring matching funds for the Cooperative Agreement Grant (COOP) for a total amount of \$458,731.02. City of Las Vegas will be contributing their share of 25% (\$114,682.75), New Mexico Department of Transportation's share being 75% (\$344,048.27) for the Planning, Designing, Construction, Reconstruction, Pavement Rehabilitation, ADA Compliant Curb & Ramps, Construction Management, Drainage Improvements and Misc. Improvements to East National Street from Railroad Tracks to Commerce Street and Country Club Drive from Mills Avenue to 4th Street.

Fiscal Impact: Assuring availability of matching funds in the amount of \$114,682.75.

Attachments: Resolution No. 22-12, cost estimate, solicitation letter.

THIS REQUEST FORM MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE NO LATER THAN 5:00 P.M. ON FRIDAY ONE AND A HALF WEEKS PRIOR TO THE CITY COUNCIL MEETING.

Approved For Submittal By:

Reviewed By:



Department Director

Finance Director



City Manager

City Attorney (Approved as to Form)

**CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN**

Resolution No. _____
Ordinance No. _____
Contract No. _____
Approved _____

Continued To: _____
Referred To: _____
Denied _____
Other _____

CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 22-12

A RESOLUTION TO APPLY FOR AND ASSURING THE AVAILABLE MATCHING FUNDS FOR THE NEW MEXICO DEPARTMENT OF TRANSPORTATION (NMDOT) COOPERATIVE AGREEMENT (COOP)

WHEREAS, the City of Las Vegas (“City”) will be applying to the New Mexico Department of Transportation (“NMDOT”) for a Cooperative Agreement Grant (the “Grant”) for planning, designing, construction, reconstruction, pavement rehabilitation, ADA compliant curb & ramps, drainage improvements, construction management, and miscellaneous construction to East National Street from the railroad tracks to Commerce Street and Country Club Drive from Mills Ave to 4th Street;

WHEREAS, the City expects the amount of the projects to be a total of \$458,731.02; and

WHEREAS, the City would have to contribute 25% (\$114,682.75) in order to receive the Grant of (75%) \$344,048.27 for a total amount of \$458,731.02 to include New Mexico gross receipts tax; and

WHEREAS, improvements are needed on these Street’s for the safety and well being of the residents of the City and others who utilize these streets;

WHEREAS, if the City is successful in receiving the Grant, it will be used for road improvements on these streets.

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 East National St. from the railroad tracks to Commerce Street and Country Club Drive from Mills Avenue to 4th Street in the City of Las Vegas.

APPROVED AND ADOPTED this ____ day of March 2022.

Louie A. Trujillo, Mayor

ATTEST:

Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney

ESTIMATED SUMMARY COSTS & QUANTITIES

ENTITY: City of Las Vegas

DO: _____

PROJECT _____

NO.: SP

CN: _____

TERMINI: Country Club Drive from 4th Street (Sta 10+00) to Mills Avenue (Sta 14+50) and

East National Avenue from Railroad ROW (Sta. 10+00) to Commerce Street (Sta. 14+00)

SCOPE

OF Planning, environmental certification, design, construction and reconstruction of a
existing asphalt pavement, curb and gutter, sidewalks, and new signage and striping.

SEQ. NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT COST	ESTIMATED COST
1	Unclassified Excavation	CY	600	\$ 30.00	\$ 18,000.00
2	Subgrade Preparation - 6"	SY	3,300	\$ 6.00	\$ 19,800.00
3	Base Course - 6"	SY	3,300	\$ 10.00	\$ 33,000.00
4	Removal of surfacing	SY	3,300	\$ 8.00	\$ 26,400.00
5	Minor Paving - 3"	SY	3,300	\$ 30.00	\$ 99,000.00
6	Concrete Curb & Gutter	LF	1,600	\$ 35.00	\$ 56,000.00
7	Concrete Sidewalks	SY	700	\$ 65.00	\$ 45,500.00
8	Removal of Structures and Obstructions	LS	1	\$ 7,500.00	\$ 7,500.00
9	Mobilization	LS	1	\$ 20,000.00	\$ 20,000.00
10	Laboratory Testing Allowance	ALLOW	1	\$ 7,500.00	\$ 7,500.00
11	Permanent Signage & Striping	LS	1	\$ 3,500.00	\$ 3,500.00
12	Traffic Control Devices & Management	LS	1	\$ 10,000.00	\$ 10,000.00
13	Construction Staking by the Contractor	LS	1	\$ 12,000.00	\$ 12,000.00
14	Survey & Engineering Design	LS	1	\$ 50,000.00	\$ 50,000.00
15	Construction Management	LS	1	\$ 15,000.00	\$ 15,000.00
SUBTOTAL					\$ 423,200.00
NMGR @ 8.3958%					\$ 35,531.03
TOTAL					\$ 458,731.03



January 1, 2022

Mr. Daniel Gurule, Public Works
City of Las Vegas
1700 North Grand Ave
Las Vegas, NM 87701

**RE: Proposed 2022/2023 Local Government Road Fund Program
Cooperative Agreement Program (SP)**

Dear Mr. Gurule:

In order to plan the distribution of funding to the various entities for the 2022-2023 Fiscal Year Cooperative Agreement program, we are requesting that you advise this office as to your intentions for participation in the program. The information requested should be submitted no later than **March 15, 2022**. **Please return page two of this letter to inform us of your intentions to participate in the program, an estimated cost summary that supports your requested amount, and letter of intent from your local governing body assuring that the proposed matching funds are available for participation on proposed project.**

If you have any questions or require further assistance, please contact my office at (505) 398-6748.

Sincerely,

Samantha Sandoval

Samantha Sandoval
LGRF Coordinator

xc:
LGRF Files

**Michelle Lujan
Grisham**
Governor

Michael R. Sandoval
Cabinet Secretary

Commissioners

Jennifer Sandoval
Commissioner, Vice-Chairman
District 1

Bruce Ellis
Commissioner
District 2

Keith Mortensen
Commissioner
District 3

Walter G. Adams
Commissioner, Chairman
District 4

Vacant
Commissioner
District 5

Charles Lundstrom
Commissioner, Secretary
District 6

City of Las Vegas

2022-23 Proposed Cooperative Agreement Program (SP)

January 2021

- o **No**, we do not wish to request participation in the 2022-23 Cooperative Agreement Program
- o **Yes**, we do wish to participate in the 2022-23 Cooperative Agreement Program in the proposed amount of \$_____. Attached please find the requested information.

Requested information is as follows:

- A. The location of the proposed project, including a map detailing the Street or parking areas, certification that it is a municipal street or school parking area(s).
- B. Scope of the proposed work including estimated quantities and funding amounts.
- C. The justification that the proposed project is necessary for the public's good and convenience.
- D. Source of matching funds including letter of intent from your local governing body assuring that the proposed matching funds are available for participation on proposed project.

As in the past, it is anticipated that the funding will be limited thus making it imperative that you comply with the above requested information. The District will utilize all information to determine priorities. Submittals after the deadline may result in exclusion from the program.

It is imperative that you supply information on the type of work you intend to undertake with the funding in order to avoid delays in the finalization of the paperwork.



**CITY OF LAS VEGAS SPECIAL
COUNCIL MEETING AGENDA REQUEST FORM**

Meeting Date: March 9, 2022

Date Submitted: 3/2/22

Department: City Clerk

Item/Topic: Request approval of Resolution No. 22-15 Run-Off Election for the City of Las Vegas.

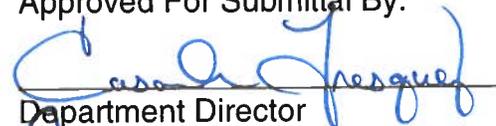
In accordance with the City of Las Vegas Municipal Charter, a candidate must receive fifty percent (50%) plus one (1) of the votes cast for the particular office or a run-off election shall be held between the two candidates receiving the highest number of votes which shall be held within forty five (45) days after certification of the result of the election. This resolution will allow the City Clerk's Office to proceed with preparation for the Run-Off Election.

Fiscal Impact:

Attachments: Resolution 22-15 in English and Spanish

THIS REQUEST FORM MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE NO LATER THAN 5:00 P.M. ON FRIDAY ONE AND A HALF WEEKS PRIOR TO THE CITY COUNCIL MEETING.

Approved For Submittal By:



Department Director


City Manager

Reviewed By:

Finance Director


City Attorney (Approved as to Form)

**CITY CLERK'S USE ONLY
COUNCIL ACTION TAKEN**

Resolution No. _____
Ordinance No. _____
Contract No. _____
Approved _____

Continued To: _____
Referred To: _____
Denied _____
Other _____

RESOLUTION NO. 22-15

RUNOFF ELECTION FOR THE CITY OF LAS VEGAS, NEW MEXICO

WHEREAS, the regular Municipal Officer Election for Municipal Officers was held March 1, 2022; and

WHEREAS, Article VIII, Section (F)(G) of the City of Las Vegas Charter provides: (F) The election of all municipal elective offices shall be by a simple majority, defined as fifty percent (50%) plus one (1), of the votes cast for the particular offices in question. (G) In the event that no candidate receives a majority of the votes cast for that office, a subsequent run- off election shall be held between the two candidates receiving the highest number of votes. The subsequent run-off election shall be held within 45(forty-five) days after certification of the results of the election; and

WHEREAS, at the Regular Municipal Officer Election held March 1, 2022, the results for the office of Ward 1 Councilor were as follows:

David Ulibarri	189 votes	43%
Doris R. Gallegos	168 votes	39%

with none of the aforementioned candidates receiving fifty percent (50%) plus one (1) of the votes cast for Ward 1 Councilor; and

WHEREAS, to fill the elected office of Ward 1 Councilor, a Runoff Election shall be held in accordance with Article VIII, Section G of the City of Las Vegas Charter.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAS VEGAS, NEW MEXICO that:

- A. A Runoff Election for the election of Ward 1 Councilor shall be held on Tuesday, April 12, 2022. Polls will open at 7:00 A.M. and close at 7:00 P.M.
- B. Only those voters registered in Ward 1 shall be qualified to vote for Councilor in Ward 1.
- C. At the Runoff Election, one person shall be elected to fill the office of Ward 1 Councilor, for a four-year term.
- D. The following location will be designated as the polling place for the conduct of the runoff election:

1. West Las Vegas “Gillie Lopez” Gymnasium, 157 Moreno Street.

- E. Absentee Voting-** Applications for absentee ballots may be obtained from the office of the Municipal Clerk beginning March 14, 2022 through April 7, 2022, during regular hours and days of business from 8:00 AM to 5:00 PM. Absentee ballots will be mailed out beginning Monday, March 28, 2022 through Friday, April 8, 2022 during regular hours and days of business from 8:00 AM to 5:00 PM. The Municipal Clerk will accept completed absentee ballots delivered by mail, in-person by the voter casting the absentee ballot, by a member of the voters' immediate family, or the caregiver of the voter, until 7:00 p.m. on April 12, 2022.
- F. Early Voting-** will be conducted in the office of the Municipal Clerk during regular hours and days of business, beginning Monday, March 28, 2022 through Friday, April 8, 2022 from 8:00 AM to 5:00 PM.
- G.** The casting of votes by qualified electors shall be recorded on electronic tabulators.
- H.** The Municipal Clerk shall conduct the Municipal Officer Runoff Election for the City of Las Vegas utilizing the City Charter, appropriate statutes and Election Code.

ADOPTED AND APPROVED THIS _____ day of March, 2022.

Louie A. Trujillo, Mayor

ATTEST:

Casandra Fresquez, City Clerk

ELECCIÓN DE SEGUNDA PARTE PARA LA CIUDAD DE LAS VEGAS, NUEVO MÉXICO

POR CUANTO, la elección regular de funcionarios municipales para funcionarios municipales se llevó a cabo el 1 de marzo de 2022; y

POR CUANTO, el Artículo VIII, Sección (F)(G) de la Carta Constitutiva de la Ciudad de Las Vegas dispone: (F) La elección de todos los cargos electivos municipales será por mayoría simple, definida como el cincuenta por ciento (50%) más uno (1), de los votos emitidos para los cargos particulares en cuestión. (G) En caso de que ningún candidato obtenga la mayoría de los votos emitidos para ese cargo, se llevará a cabo una segunda vuelta entre los dos candidatos que hayan obtenido el mayor número de votos. La segunda vuelta posterior se realizará dentro de los 45 (cuarenta y cinco) días siguientes a la certificación de los resultados de la elección; y

POR CUANTO, en la Elección Regular de Funcionarios Municipales celebrada el 1 de marzo de 2022, los resultados para el cargo de Concejal del Distrito 1 fueron los siguientes:

David Ulibarri	189 votos	43%
Doris R. Gallegos	168 votos	39%

sin que ninguno de los candidatos antes mencionados reciba el cincuenta por ciento (50%) más uno (1) de los votos emitidos para el Concejal del Distrito 1; y

POR CUANTO, para ocupar el cargo electo de Concejal del Distrito 1, se llevará a cabo una Elección de Desempate de acuerdo con el Artículo VIII, Sección G de la Carta Constitutiva de la Ciudad de Las Vegas.

AHORA POR LO TANTO, EL CONSEJO GOBIERNO DE LA CIUDAD DE LAS VEGAS, NUEVO MÉXICO RESUELVE QUE:

- A.** El martes 12 de abril de 2022 se llevará a cabo una elección de desempate para la del Concejal del Distrito 1. Las urnas se abrirán a las 7:00 a. m. y cierre a las 7:00 p.m.
- B.** Solo aquellos votantes registrados en el Distrito 1 estarán calificados para votar por Concejal en el Distrito 1.
- C.** En la Elección de Desempate, se elegirá a una persona para ocupar el cargo de Concejal del Distrito 1, por un período de cuatro años.
- D.** El siguiente lugar será designado como el lugar de votación para la realización de la elección de segunda vuelta:

1. Gimnasio "Gillie Lopez" de West Las Vegas, 157 Moreno Street.

E. Votación en ausencia: las solicitudes para boletas en ausencia se pueden obtener en la oficina del Secretario Municipal a partir del 14 de marzo de 2022 hasta el 7 de abril de 2022, durante el horario y los días hábiles habituales de 8:00 a. m. a 5:00 p. m. Las boletas de voto en ausencia se enviarán por correo a partir del lunes 28 de marzo de 2022 hasta el viernes 8 de abril de 2022 durante el horario habitual y los días hábiles de 8:00 a. m. a 5:00 p. m. El Secretario Municipal aceptará las boletas de voto en ausencia completas entregadas por correo, en persona por el votante que emite la boleta de voto en ausencia, por un miembro de la familia inmediata de los votantes, o el cuidador del votante, hasta las 7:00 p.m. el 12 de abril de 2022.

F. Votación anticipada: se llevará a cabo en la oficina del secretario municipal durante el horario habitual y los días hábiles, a partir del lunes 28 de marzo de 2022 hasta el viernes 8 de abril de 2022 de 8:00 a. m. a 5:00 p. m.

G. La emisión de votos por electores calificados se registrará en tabuladores electrónicos.

H. El Secretario Municipal conducirá la Elección de Desempate de Oficial Municipal para la Ciudad de Las Vegas utilizando la Carta de la Ciudad, los estatutos apropiados y el Código Electoral.

ADOPTADO Y APROBADO ESTE _____ día de marzo de 2022.

Louie A. Trujillo, Alcalde

Atestiguar:

Casandra Fresquez, Secretaria de ciudad