

MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD ON WEDNESDAY, OCTOBER 11, 2023 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS.

MAYOR: Louie A. Trujillo

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

ALSO PRESENT: Leo Maestas, City Manager
Casandra Fresquez, City Clerk
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 to thank everyone who works at the City of Las Vegas and thanked those who sponsored the Employee Appreciation picnic. Mayor Trujillo asked to keep everyone in their prayers to stay healthy.

APPROVAL OF AGENDA

City Clerk Fresquez advised there was an amendment to the agenda to remove the presentation by Mr. Lawrence Medina.

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

David G. Romero	Yes	David Ulibarri	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

PUBLIC INPUT

Gail Swan spoke on the Animal Spay/Neuter Clinic and advised she was with the Animal Advocates of Northern New Mexico. Ms. Swan discussed finding fosters for animals they pick up and those animals are given shots. Ms. Swan mentioned the Animal Shelter not being open most of the time and advised that the City of Las Vegas needed to start vaccination clinics soon due to cases of rabies in town.

Irene Kranenburg spoke about her support for Animal Spay/Neuter Clinic and the need to build a new Animal Shelter.

Ashley Arellanes spoke about her support for the Animal Spay/Neuter Clinic and the need for City Council to secure a large appropriation for a new Animal Shelter as a legislative priority during the upcoming Legislative Session.

Sara Jo Mathews spoke about the animal crisis in the community and her support for the Animal Spay/Neuter Clinic to help decrease the animal population. Ms. Mathews also spoke about having a better up to date Animal Shelter.

EXECUTIVE SESSION

Councilor Casey made a motion to convene into executive session for the purpose of discussing Collective Bargaining Strategy, as permitted by section 10-15-1(H)(5) of the New Mexico Open Meetings Act, NMSA 1978, Discussion regarding the International Association of Firefighters (IAFF) Collective Bargaining Unit

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

David Ulibarri	Yes	Barbara Casey	Yes
David G. Romero	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 Collective Bargaining Strategy, as permitted by section 10-15-1(H)(5) of the New Mexico Open Meetings Act, NMSA 1978, Discussion regarding the International Association of Firefighters (IAFF) Collective Bargaining Unit agreement, and no action was taken. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	David Ulibarri	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

COUNCILORS' REPORTS

Councilor Ulibarri asked City Manager Maestas to have someone from Public Works go out to South Pacific Park to look at the gazebo because it needs some work.

Mayor Trujillo recognized and thanked Councilor Romero for helping at the Balloon Fiesta.

CITY MANAGER'S REPORT

City Manager Maestas discussed the following;

- Welcomed new staff to the City of Las Vegas
- Project updates
 - LED street light conversion

- Legion Drive road project 15% completed
- University Ave. project
- Property loss forms submitted for all City buildings and City vehicles
- Property Clean Up (abatements)
- 2023 Albuquerque Balloon Fiesta update

APPROVAL OF MINUTES

City Clerk Fresquez stated that Councilor Montoya asked her to advise the public that a portion of the September 13th Council meeting was not live streamed on YouTube but that portion was reflected in the minutes.

Councilor Casey made a motion to approve the minutes from September 13th and September 20, 2023, with minor corrections. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	David G. Romero	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

PRESENTATIONS

Utilities Director Maria Gilvarry reported on the following Utility department projects; two sediment removal systems: Agua Pura and the Water Treatment Facility.

Discussion took place regarding other places using Agua Pura and people not wanting to drink effluent water. Also discussed was the process regarding Agua Pura.

Utilities Director Gilvarry provided an update regarding the Hot Springs Boulevard sewer and water line project.

Councilor Casey asked if the Streets department would be filling in the holes on Hot Springs due to it being washed out during the recent hailstorm.

Utilities Director Gilvarry advised that she would talk to Public Works Director Arnold Lopez about filling the holes in the area. Utilities Director Gilvarry discussed the Independence sewer line project, cleaning and stuccoing the wall on Moreno and South Pacific Street.

Mayor Trujillo advised that he's been getting numerous calls regarding the Montezuma Pond and concerns whether there will be a pond.

Utilities Director Gilvarry advised after the fire there was a lot of sediment coming down the river. Utilities Director Gilvarry advised that NRCS and Tierra Y Montes hired a contractor to remove the sediment caused by the fire.

Councilor Romero asked for a breakdown regarding money from FEMA and Legislative funding pertaining to Peterson.

CONSENT ITEMS

Councilor Romero made a motion to move Consent Agenda Item 1 to Business Items. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Barbara Casey	Yes
David G. Romero	Yes		

City Clerk Fresquez advised the motion carried.

City Clerk Fresquez read the Consent Agenda (2-4) into the record as follows:

2. Request approval of Resolution 23-31, Fiscal Year 2025 Section 5311 Grant Application Funding Requests for Transportation.

Resolution 23-31 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO
Resolution No. 23-31**

A RESOLUTION TO APPLY FOR AND ACCEPT A PUBLIC RURAL TRANSPORTATION GRANT OFFER FROM THE NEW MEXICO DEPARTMENT OF TRANSPORTATION TRANSIT AND RAIL DIVISION

WHEREAS, the City of Las Vegas Meadow City Express (“City”) has applied to the New Mexico Department of Transportation Transit and Rail Division (“NMDOT”) for the FY25 Section 5311 Public Transportation Grant; and

WHEREAS, the City expects the total amount to be \$653,875.00; and

WHEREAS, the City would have to contribute 20% (\$25,497.60) for administrative expenses, 50% (\$151,400.00) for operating expenses, 20% (\$44,717.40) for capital outlay in order to receive the Grant for a total amount of \$221,615.00, including New Mexico gross receipts tax; and

WHEREAS, transportation is vital for the residents of the City of Las Vegas;

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 agrees to contribute 20% (\$25,497.60) for administrative expenses, 50% (\$151,400.00) for operating expenses, 20% (\$44,717.40) for capital outlay in order to receive the Grant, and agrees to use the Grant for the operation of the City of Las Vegas Meadow City Express Transit System.

APPROVED AND ADOPTED this ____ day of October, 2023.

Louie A. Trujillo, Mayor

ATTEST:

Casandra Fresquez, City Clerk

3. Request approval to accept State Appropriations from the Department of Finance and Administration in the amount of \$525,000 over the next three years for Law Enforcement Recruitment to hire enforcement/support positions.
4. Request approval to destroy records included on the list for the Finance Department and Museum.

Councilor Casey made a motion to approve the Consent Agenda (2-4). Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara Casey	Yes
David Ulibarri	Yes		

City Clerk Fresquez advised the motion carried.

BUSINESS ITEMS

1. Request approval of Addendum #2 to Contract #3827-21 with Souder Miller & Associates for professional engineering services as needed for the water distribution system.

Utilities Director Gilvarry advised that the engineering services for the water distribution system was for the distribution lines throughout town, from the tanks to the distribution system and to the public's service tap.

Councilor Romero asked if it had to do with the treatment of water.

Utilities Director Gilvarry advised no.

Councilor Casey made a motion to approve Addendum #2 to Contract #3827-21 with Souder Miller & Associates for professional engineering services as needed for the water distribution system. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	David G. Romero	No
David Ulibarri	Yes		

City Clerk Fresquez advised the motion carried.

1. Las Vegas/San Miguel Chamber of Commerce 2023 Quarterly Report.

San Miguel Chamber of Commerce President Phillip Martinez discussed the amount of visitors that go into the Welcome Center, participating in small business events, collaboration with other entities for the Fast Cars and Film event, KNMX weekly radio program every Tuesday and working with not only business but other non-profit organizations and schools. Mr. Martinez advised that the Las Vegas/San Miguel Film Commission was planning a ceremony/event for the 40th anniversary of Red Dawn. Mr. Martinez discussed working at the Welcome Center on weekends and not feeling safe and the City saving a lot of money by not having to staff the Welcome Center.

Mayor Trujillo thanked Mr. Martinez and Angie Lyster for all their hard work.

Councilor Casey also thanked Mr. Martinez, Angie Lyster and others who work with them for their excellent hard work. Councilor Casey advised that their report was very informative.

Councilor Romero agreed with Councilor Casey and advised the importance of following what is put in the scope of work.

Mayor Trujillo asked that the report be placed under presentations during future meetings because it's not an action item.

- 2. Conduct a Public Hearing and Request approval to adopt Ordinance No. 23-08 repealing and replacing Ordinance No. 21-18, Article XIII, Cannabis Zoning.

Councilor Romero made a motion to enter into a Public Hearing for Business Item 2. Councilor Casey seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	David G. Romero	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

City Clerk Fresquez swore in David Bancroft, Joseph Jaramillo, Joseph Griego, Eugene Romero and Lucas Marquez.

Community Development Director Lucas Marquez discussed adjustments made to the Cannabis ordinance such as the fines being lowered from \$1,000 to \$500 and definitions clarifying the differences between a Manufacturing company and a Retail Commercial company.

Mayor Trujillo asked if there were any oppositions or concerns regarding the ordinance.

Community Development Director Marquez advised no.

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

David G. Romero	Yes	David Ulibarri	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

2. Conduct a Public Hearing and Request approval to adopt Ordinance No. 23-08 repealing and replacing Ordinance No. 21-18, Article XIII, Cannabis Zoning.

Councilor Casey made a motion to approve the adoption of Ordinance No. 23-08, repealing and replacing Ordinance No. 21-18, Article XIII, Cannabis Zoning. Councilor Ulibarri seconded the motion.

Ordinance 23-08 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk's Office.*

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

David G. Romero	Yes	David Ulibarri	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

3. Request approval of an encroachment agreement between Diana Padilla owner of 305 Rincon Street, Las Vegas, NM and the City of Las Vegas.

Community Development Director Lucas Marquez advised that the property of 305 Rincon Street had about 2 feet encroaching into City thoroughfare.

Mayor Trujillo asked if it went through all the proper channels.

Community Development Director Marquez advised yes.

Councilor Romero discussed a previous encroachment not having the correct language and the title company needing specific wording.

City Manager Maestas asked if our attorney had reviewed this encroachment agreement.

Community Development Director Marquez advised yes.

Councilor Romero made a motion to approve an encroachment agreement between Diana Padilla, owner of 305 Rincon Street, Las Vegas, NM and the City of Las Vegas. Councilor Casey seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Barbara Casey	Yes
David G. Romero	Yes		

City Clerk Fresquez advised the motion carried.

4. Discussion/Direction of legislative priorities for the 2024 Legislative Session.

Grant's Consultant Robert Archuleta discussed the breakdown of each priority from the Mayor and Council for this year's legislative session. Mr. Archuleta advised that he would need to start submitting Capital Outlay requests with different dollar amounts and he could submit them as soon as next week once the Legislature opens their portal. Mr. Archuleta advised that he added six new projects to the ICIP and they are being reviewed by DFA. Mr. Archuleta advised that the six new projects were an Animal Shelter facility, City of Las Vegas backup generators, Lutheran and Collins Street repairs, 8th Street road improvements, Litherland property improvements and a new City Hall & Administrative building.

Mayor Trujillo asked what he needed from the Mayor and Council.

Mr. Archuleta advised he would need the dollar amounts so he could submit the Capital Outlay requests. Mr. Archuleta advised that he would be putting together a brochure/pamphlet for the Governor's Office and for the Legislature so they know what the City's priorities are for this year's session.

5. Request approval to award RFP #2024-08 Agua Pura Las Vegas Public Engagement Campaign to Carroll Strategies and enter into contract.

Councilor Romero made a motion to approve RFP #2024-08 Agua Pura Las Vegas Public Engagement Campaign to Carroll Strategies and enter into contract. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	David Ulibarri	Yes
David G. Romero	Yes		

City Clerk Fresquez advised the motion carried.

6. Request approval to award RFP 2024-05 Water and Sludge Transfer and Temporary Storage to Hay’s plumbing & Heating.

Utilities Director Maria Gilvarry discussed removing sludge from the Wastewater facility to do maintenance on the equipment and/or the water facility. Utilities Director Gilvarry advised they had one respondent when they first put out the RFP so they put the RFP out a second time and again had one respondent. Utilities Director Gilvarry advised that they did reach out to other contractors but still only had one responder. Utilities Director Gilvarry advised she met with the contractor to make sure they had the tankers and the capability of doing the work.

Councilor Romero asked if they had the employee capability to do the work.

Utilities Director Gilvarry advised yes.

Councilor Romero made a motion to approve RFP 2024-05 Water and Sludge Transfer and Temporary Storage to Hay’s plumbing & Heating. Councilor Casey seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	David Ulibarri	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

7. Request approval to award RFP 2024-01 for On-Call Sediment Removal Services to North Eastern Construction and GM Emulsion LLC and enter into contract.

Councilor Ulibarri made a motion to approve RFP 2024-01 for On-Call Sediment Removal Services to North Eastern Construction and GM Emulsion LLC and enter into contract.

Councilor Romero asked if this item was pertaining to the area they had walked through with another vendor.

Utilities Director Gilvarry advised yes and stated that the contract could be used for the entire river, all City property including the reservoirs for sediment removal.

Councilor Romero advised that he thought special equipment was going to be needed and that small businesses would not be able to do the work.

Utilities Director Gilvarry advised that after they completed the proposal, she interviewed those who were eligible and asked about their equipment, their experience and spoke about the process.

Councilor Romero asked who put the RFP together.

Utilities Director Gilvarry advised that her staff put the RFP together.

Councilor Romero advised that he thought they were getting a consultant to put the RFP together.

Utilities Director Gilvarry advised no, they did make sure the scope of work was very clear on what they expected from the vendors.

Councilor Romero advised that he looked at the RFP and it seemed vague.

City Manager Maestas advised that the RFP targets mostly the river through city limits and doesn't target the reservoirs because they need special dredging equipment.

Councilor Casey advised that she had the same questions as Councilor Romero and advised that she recalled being informed it would require special work.

Utilities Director Gilvarry advised it would be challenging work.

Councilor Casey advised that the list of equipment from the proposers did not include any special equipment.

Utilities Director Gilvarry advised they would need long reach excavators to reach further out to remove the sediment, once removed they will let the sediment dry then load it in a dump truck and haul it off.

Councilor Casey advised that she had concerns.

Discussion took place regarding contractors being allowed to rent equipment to get the job done if they don't have that type of equipment, if the contractors are doing any other current projects for the City, and a timeline to have it done.

Mayor Trujillo advised there was a motion by Councilor Ulibarri. Mayor Trujillo asked for a second, no second was given, business item 7 died.

8. Request to award RFB 2024-07 Senior Center Parking Lot Project to Pacheco Construction in the amount of \$1,127,204 to include NMGRT.

Councilor Romero made a motion to approve RFB 2024-07 Senior Center Parking Lot Project to Pacheco Construction in the amount of \$1,127,204 to include NMGRT.

Mayor Trujillo asked for a second, no second was given, business item 8 died.

9. Discussion/Direction regarding Contracts, Agreements and Memorandum's of Understanding (MOU's).

Councilor Romero stated that he received a call pertaining to an MOU with Luna Community College and advised that City Manager Maestas was under the impression that he could sign off on all MOUs. Councilor Romero advised that he believed anything monetary needed to be taken to Council. Councilor Romero

advised that if it is pertaining to use a park or the Recreation Center for events then that would fall under City Managers title.

Mayor Trujillo asked City Clerk Fresquez what the established practices had been.

City Clerk Fresquez advised all RFPs and addendums to RFPs went to Council and at one point that stopped happening. City Clerk Fresquez advised in the last couple of years only certain contracts went to Council that were over \$60,000 and some MOUs were taken but most of them weren't.

Mayor Trujillo stated that anything that involves City funds should be taken to Council.

Councilor Casey advised that all MOUs should be taken to Council because they are a contract, they are binding whether it's \$10 or \$10,000. Councilor Casey advised that they need to see what agreements are being made between the City and other entities.

City Manager Maestas advised that almost every MOU has some type of compensation.

Councilor Casey made a motion that all MOUs, contracts and agreements with any other entity go before council regardless of the amount of money that is involved. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	No	Barbara Casey	Yes
David G. Romero	Yes		

City Clerk Fresquez advised the motion carried.

10. Discussion and Approval to fund \$10,000 for spay and neuter clinics.

Councilor Romero advised that San Miguel County was going to try to seek another \$10,000 to match and possibly another organization. Councilor Romero advised between both entities and that organization they'll be able to tackle the animal crisis in the community.

Mayor Trujillo asked if the money would come from the general fund.

City Manager Maestas advised yes, they would have to set aside general funds for that project.

Councilor Romero made a motion to approve \$10,000 for spay and neuter clinics. Councilor Casey seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	David G. Romero	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

Councilor Romero asked City Manager Maestas to make sure it goes through the Animal Shelter and that all procurement is followed to get the best obtainable price.

City Clerk Fresquez advised Mayor Trujillo that Community Services Director Wanda Salazar had a question for Council.

Community Services Director Wanda Salazar advised that her question was in regards to business item 8 that died. Community Services Director Salazar advised that they have deadlines for the funding of \$1.1 million that was approved through Aging and Long Term Services, which expires June 30, 2024. Community Services Director Salazar advised that they could submit another RFP but they're running out of time and Pacheco Construction was the only one out of three bidders that was within their budget.

Mayor Trujillo advised Community Services Director Salazar that she could bring the item back to the agenda for next week.

Councilor Casey asked if they could bring the item back now.

City Clerk Fresquez advised she believed an item could be reconsidered if a Councilor chooses.

Councilor Casey made a motion to reconsider business item 8; Request to award RFB 2024-07 Senior Center Parking Lot Project to Pacheco Construction in the amount of \$1,127,204 to include NMGRT. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Barbara Casey	Yes
David G. Romero	Yes		

City Clerk Fresquez advised the motion carried.

8. Request to award RFB 2024-07 Senior Center Parking Lot Project to Pacheco Construction in the amount of \$1,127,204 to include NMGRT.

Councilor Casey made a motion to approve Pacheco Construction to do the work for RFB 2024-07. Councilor Ulibarri seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara Casey	Yes
David Ulibarri	Yes		

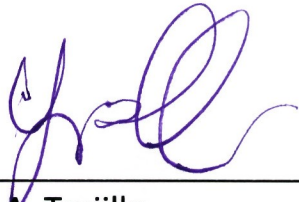
City Clerk Fresquez advised the motion carried.

ADJOURN

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

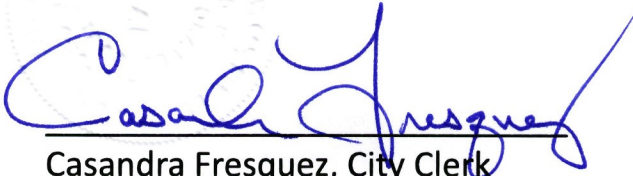
City Clerk Fresquez advised the motion carried.

Meeting adjourned at 7:45 pm.



Mayor Louie A. Trujillo

ATTEST:



Casandra Fresquez, City Clerk