

**MINUTES OF THE JOINT CITY OF LAS VEGAS CITY COUNCIL/SAN MIGUEL COUNTY COMMISSION SPECIAL MEETING HELD ON WEDNESDAY, JANUARY 15, 2025 AT 2:00 P.M. IN THE CITY COUNCIL CHAMBERS.**

**MAYOR:** David Romero

**COUNCILORS:** Marvin Martinez  
Barbara Casey *Via Zoom*  
Michael L. Montoya  
David Ulibarri **Excused Absence**

**ALSO PRESENT:** Tim Montgomery, City Manager  
Casandra Fresquez, City Clerk  
Caleb Marquez, Sergeant at Arms  
Ambrosio Castellano, Contracted City Attorney  
San Miguel County Commissioners

**CALL TO ORDER**

Mayor Romero called the meeting to order at 2:00 pm. Mayor Romero welcomed the San Miguel County Commissioners and staff.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

Councilor Casey asked for a moment of silence to be thankful for the wonderful community we live in and the ability to work together to address issues that they all represent. Councilor Casey asked to keep in mind everything they do is for the benefit of the community and not for themselves.

## **APPROVAL OF AGENDA**

Councilor Casey made a motion to approve the agenda as presented. Councilor Martinez seconded the motion. Mayor Romero asked if all were in favor. All were in favor.

## **PUBLIC INPUT**

Walter Rivera spoke about the need to fix the issues on 8th Street extension and advised that his home and his neighbors' homes get flooded.

Sara Matthews spoke about the animal welfare crisis in Las Vegas. Ms. Matthews advised they need to enforce laws and consider having an animal task force. Ms. Matthews advised that they will keep fighting for those who have no voice.

Ashley Arellanes advised that she was the chair of the Animal Advocates group, which started over a year ago. Ms. Arellanes spoke about the need to collaborate with each other and other groups. Ms. Arellanes advised there were multiple packs of dogs roaming the streets.

## **BUSINESS ITEMS**

1. Discuss, review and potential action regarding designated authority with San Miguel County of the 8<sup>th</sup> Street Extension.

Chairman Harold Garcia advised that there's a portion of 8th Street Extension that has not been considered County or City right of way for quite some time. Chairman Garcia advised that there has been significant flooding within private properties in the area. Chairman Garcia advised that the residents are residents of Las Vegas and San Miguel County and the project is much needed.

Commissioner Kenneth Medina advised as elected officials they aren't there to claim whose district it is or whose at fault. Commissioner Medina advised they need to work together as a team. Commissioner Medina advised that they need to take these priorities to the Senators and Representatives so they could help the people in that area and fix the road.

Councilor Martinez agreed with Commissioner Medina and advised that there are problems in that area because of Pork Chop Hill. Councilor Martinez advised all that matters is what they're going to do to take care of the problems on 8th Street Extension.

Commissioner Sena advised that he was excited to be collaborating with the City to work towards the betterment of the citizens of Las Vegas and San Miguel County. Commissioner Sena advised by working together they can move forward and resolve a lot of issues in the area.

Councilor Casey read the 2023 NM State Statute, Chapter 3 Municipalities, Article 7, Section 3-7-18 Annexation to include Streets. Councilor Casey asked if the County Commission had taken any action to renew the language they are using or if they have done anything to annex beyond the City limits.

Commissioner Trujillo advised that issues on 8th Street Extension have been ongoing since the 1970s, regarding the going back and forth whether it's City or County. Commissioner Trujillo advised that it was time they move towards a viable solution by going to the Legislature to find funding to solve those issues on 8th Street Extension. Commissioner Trujillo advised that the eastside of 8th Street Extension had been annexed into City limits.

Councilor Montoya advised that the City of Las Vegas has worked diligently with the County in regards to a contract with the jail, a contract with the Animal Care Center, a contract with AMR for ambulance services and a contract with the Samaritan House. Councilor Montoya discussed the ETZ Commission which consisted of half City members and half County members who used to take care of regulations and recommendations that happened within the ETZ zone within the City and County. Councilor Montoya advised that the ETZ Commission dissolved 18 years ago and has not been re-created since. Councilor Montoya advised past documents regarding who was responsible for 8th Street Extension went back and forth between NMDOT, the County and the City. Councilor Montoya advised that the City did receive money from FEMA but that money is solely dedicated towards the Water System. Councilor Montoya discussed the City's ICIP priority list and advised that they've been addressing erosion and damaged issues on west Roybal, Smith and Sperry Drive. Councilor Montoya

advised that they are also addressing the damages caused by flooding on Old National Road and Palo Verde. Councilor Montoya discussed waterlines from Hacienda to Laguna Vista, state road 250 going towards the Airport and one on hold on 8th Street. Councilor Montoya voiced his concerns regarding the legal aspect of asking for federal monies to be used on private land or on roads that are not designated and who would be responsible to continue the maintenance of the road. Councilor Montoya stated that they need to make sure all legalities are met before setting precedent for other roads such as Williams Drive, Palo Verde, Cinder Road and other roads before fixing roads within the City that have waited 50 years.

Mayor Romero thanked Chairman Garcia for wanting to have the discussion and advised that they all have received calls from both County and City residents. Mayor Romero stated that we need to recognize that we're one community. Mayor Romero discussed the cascading events since the Hermits Peak/Calf Canyon fire. Mayor Romero advised the ball was dropped somewhere down the line and the biggest issue was funding. Mayor Romero advised they have the opportunity to correct it and come to a compromise on the ownership. Mayor Romero advised there could possibly be a claim through FEMA for that area.

City Manager Tim Montgomery advised that he spoke with Deborah Sulzer with The Sulzer Group regarding potential funding opportunities to pay for repairs. City Manager Montgomery advised his focus is to ensure that the annexation process is being followed appropriately. City Manager Montgomery advised wherever the road sits needs to become a priority of the budget whether it's through the County or the City. City Manager Montgomery advised he would do whatever he needs to do to make sure the City priorities are brought forward but there would be ongoing maintenance needs regardless if FEMA pays for repairs and drainage.

County Manager Joy Ansley agreed with City Manager Montgomery and advised that she spoke with Deborah Sulzer about the road and she thinks it would be eligible for FEMA claims money. County Manager Ansley asked if the property was annexed why wasn't the road based on the statute read by Councilor Casey. County Manager Ansley advised that it would be best to answer questions like whose responsibility it is and who would continue to take responsibility for the road. County Manager Ansley asked if it was annexed by the City or not.

Chairman Garcia discussed the surface of the road and its dire need of repair and maintenance. Chairman Garcia advised that the County put in over three million dollars in the last six years from where the County line begins all the way to the Castle. Chairman Garcia advised if they don't do something about it now then they need to let the citizens know to expect that road never being fixed.

Attorney Ambrosio Castellano advised after brief research there are some challenges for both the City and County. Mr. Castellano advised that the statute states when you annex a piece of property you also annex the public thoroughfares. Mr. Castellano advised that there is some case law that could hold the annexation ordinance of that piece invalid for failing to include the public thoroughfare. Mr. Castellano advised that they need to understand where it stands with the City because if it hasn't been annexed and the County wants to adopt it then they could go through their procedures. Mr. Castellano advised if it has been annexed and it does not include the road, there would be other procedural issues they would need to address, which would require research. Mr. Castellano advised that the historical documents discuss what was done, what wanted to be done and what wasn't done. Mr. Castellano further advised that in his opinion they could move forward with a joint agreement for maintenance, while legal counsel researched legal implications.

County Manager Ansley asked if it would be appropriate if one of the entities volunteered to start working on some preliminary engineering regarding the drainage.

Mr. Castellano advised that it would be highly appropriate but to keep in mind potential implications in the future. Mr. Castellano advised that it would be highly appropriate for one entity to say they would proceed a certain way through an agreement.

Commissioner Medina thanked County Manager Ansley for her input and advised whatever they agree on needs to include planning and engineering of drainage from Pork Chop Hill. Commissioner Medina advised that he would like to see a joint agreement and see if FEMA would accept it to get funding for planning and design. Commissioner Medina asked in the meantime if they could temporarily fix the road because it's in bad shape.

Deborah Sulzer with the Sulzer Group mentioned she had discussions with the City Manager, County Manager, Chairman Garcia and Mayor Romero regarding an extensive study on the changes to the watershed that was caused by the wildfire. Ms. Sulzer discussed the changes to the watershed which has caused havoc all over the County and City in multiple ways, such as water issues, road issues and drainage issues.

Councilor Casey discussed the three different ways to annex property or streets such as, arbitration, boundary commission or petition method. Councilor Casey suggested creating a document that explicitly explains what the responsibility of each Governing Body would be.

Attorney Ambrosio Castellano discussed the County's process not requiring annexation due to not having annexation powers and they would have to adopt the road, should they assume responsibility. Mr. Castellano advised that the City followed a potential annexation process and moving forward the City would have to determine to what extent the annexation process took place.

Councilor Montoya advised that the determination of ownership of 8th Street Extension should take place before an agreement takes place.

Councilor Martinez advised that the City and County needs to figure out the cost and split it between them.

Mayor Romero advised that they want to move forward with one idea or one plan between the City and County so the topic doesn't keep coming up.

County Manager Ansley recommended having one entity pursue funding if they go through FEMA, that way both entities aren't asking for funding for the same project.

Chairman Garcia asked if it would be appropriate for the County to get the engineering done.

Attorney Castellano voiced his concerns regarding obligations being a factor if they start the engineering process.

Deborah Sulzer advised that they could put together preliminary estimates and preliminary designs.

Councilor Montoya asked Ms. Sulzer if she had a cost estimate for the project for plan, design and construction.

Deborah Sulzer advised she didn't have an estimate yet but she got verification that it was part of the damaged watershed.

Councilor Montoya asked how much the City has received other than the 98 million from FEMA.

Deborah Sulzer advised about 20 or 22 million with another 20 million that's pending.

Councilor Montoya asked if they receive 8 million dollars in funding for the 8th Street Extension project if it would be done within a year.

Deborah Sulzer advised that it should be.

Mayor Romero suggested having a three step plan that consisted of a MOU between the City and County for preliminary engineering, deciding who adopts the road and a final agreement on who would continue maintenance and upkeep.

Commissioner Medina made a motion to approve Mayor Romero's recommendation for a three step plan. Commissioner Baca seconded the motion. All were in favor.

Mayor Romero repeated his recommendation for a three step plan which consisted of preliminary engineering through Deborah, who adopts the road and who would continue the maintenance and upkeep.

Councilor Casey made a motion to approve Mayor Romero's three step recommendation. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	Michael L. Montoya	No
Marvin Martinez	Yes		

City Clerk Fresquez advised the motion carried.

2. Discuss, review and potential action regarding a joint partnership with San Miguel County for Animal Shelter Services.

Mayor Romero advised in 2022 the City budgeted \$147,000 towards the animal shelter and the City has spent \$590,000. Mayor Romero advised that there are a lot of things that need to be addressed such as the lack of animal control officers and packs of dogs roaming the streets.

Chairman Garcia advised if the City and County work together as two Governing Bodies with one intent and one purpose it would have a better impact on the community.

Sheriff Chris Lopez advised that there have been discussions on a Joint Powers agreement and creating a board specifically to oversee the animal shelter.

County Manager Ansley advised that they had an idea of creating a Joint Powers entity and creating a board with City and County Officials.

Chairman Garcia discussed regionalizing an association to include members of the public and having a unified group.

Mayor Romero advised that they need to empower the community again with a Joint Powers agreement.

City Manager Montgomery advised that resource issues and skill sets in the community could help bring input from the community. City Manager Montgomery advised that the animal shelter has taken a toll on the employees and the Police department. City Manager Montgomery advised if they could bring in additional expertise, knowledge and guidance it could become more successful.



Sheriff Lopez advised that the Joint Powers board could consist of local officials as well as local experts to serve and focus on the well being of animals in the community.

Police Chief Marquez advised that the Joint Powers agreement could help with the amount of animals and issues they have.

Commissioner Medina applauded Sheriff Lopez and Police Chief Marquez and advised that it's not just a City or County problem, it's a people problem. Commissioner Medina advised that they need to work together and help each other.

Commissioner Sena also thanked Sheriff Lopez and Police Chief Marquez for all they've done and what they plan on doing. Commissioner Sena advised there's a need to educate the community regarding the responsibility of caring for animals.

Councilor Martinez advised during the wildfire there were numerous animals abandoned. Councilor Martinez stated if they don't work together to eliminate the issues they have they will never get it under control.

Discussion took place regarding the number of animals that have been taken into the animal shelter.

Councilor Montoya voiced his concerns regarding not wanting to regionalize the animal shelter and would like to see an MOU that is better cost effective.

Mayor Romero discussed joint lobbying efforts between the City and the County.

County Manager Ansley advised that it would be a lengthy process should both Governing Bodies move towards a Joint Powers agreement.

Councilor Casey voiced her concerns regarding sharing the cost more equitably between the City and County and advised that the City budgets \$500,000 while the County contributes \$50,000. Councilor Casey suggested outsourcing the animal shelter and both City and County sharing the cost of the source that provided services.

Chairman Garcia advised that they do want to share costs fairly and agreed that \$50,000 wasn't enough but the City hadn't asked them for more money.

Commissioner Trujillo agreed with having a separate entity overseeing the animal shelter along with the City and County contributing equally.

Sheriff Lopez advised that they need to put their resources together and work together as the animal problem has increased.

Animal Care Center Manager Beatriz Gallegos advised that a Joint Powers would be a great idea. Ms. Gallegos discussed how much she's dealt with in the last two years at the shelter. Ms. Gallegos stated they need a board who understands what's going on, has an understanding of what animals need, what a shelter should be like and how it should operate.

Chairman Garcia asked Deborah Sulzer if she could help with costs due to animals being abandoned during the wildfires.

Deborah Sulzer advised that it's well documented after the disaster and it has become a serious problem in the community and if they don't try submitting a claim then they wouldn't know whether or not it gets approved.

Mayor Romero clarified that they aren't entering into a Joint Powers agreement yet, he advised that both Managers need to work together and put something together then bring it back to both the City and County to agree on.

County Manager Ansley advised that she drafted the MOU and if needed they're open to any changes. County Manager Ansley advised that direction should be given to both City and County Managers to further explore the idea of a Joint Powers and creation of a committee.

Councilor Montoya made a motion to give direction to City Manager Montgomery to proceed with a draft joint partnership with San Miguel County and look into a separate entity to run the Animal Shelter and review an MOU at a later meeting. Councilor Casey seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Marvin Martinez	Yes	Barbara Casey	Yes
Michael L. Montoya	Yes		

City Clerk Fresquez advised the motion carried.

Commissioner Trujillo made a motion to follow the process of having a committee with City and County Officials, along with community members for the future of animal welfare in the community. Commissioner Baca seconded the motion. All were in favor.

Mayor Romero thanked everyone for being there.

**ADJOURN**

Councilor Montoya made a motion to adjourn. Councilor Martinez seconded the motion.

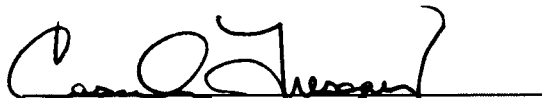
City Clerk Fresquez advised the motion carried.

Meeting adjourned at 4:55 pm.



Mayor David Romero

ATTEST:



Casandra Fresquez, City Clerk