

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD
ON WEDNESDAY, JUNE 18, 2025 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS.**

MAYOR: David Romero

COUNCILORS: Marvin Martinez
Barbara Casey
Michael L. Montoya
David Ulibarri

ALSO PRESENT: Robert A. Anaya, City Manager
Casandra Fresquez, City Clerk
Caleb Marquez, Sergeant at Arms

CALL TO ORDER

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

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Casey asked for a moment of silence to pray for those who have passed away.

APPROVAL OF AGENDA

Councilor Casey made a motion to approve the agenda as presented. Councilor Martinez seconded the motion.

Councilor Montoya stated he did not receive the information for Business Item #7 until Monday, June 16, 2025 and the revised document until the day of the meeting. Councilor Montoya asked if it was still abiding by the Open Meetings Act.

City Clerk Casandra Fresquez advised yes.

Councilor Montoya asked if the information had to be submitted 72 hours before the meeting was held.

City Clerk Fresquez advised the backup information did not have to be included, just the business item itself.

Councilor Montoya asked if the public had received the revised document of Business Item #7.

City Clerk Fresquez advised no.

Mayor Romero asked if all were in favor. All were in favor.

PUBLIC INPUT

City Clerk Fresquez advised there were 3 individuals that were going to speak on Business Item #1 and that they would speak during the public hearing.

Councilor Montoya made a motion to amend the agenda moving Business Item #7 to Business Item #2. Councilor Casey seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	No	Michael Montoya	Yes
Barbara Casey	Yes	Marvin Martinez	Yes

City Clerk Fresquez advised the motion carried.

MAYOR’S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

Mayor Romero advised Police Chief Caleb Marquez, City Manager Robert A. Anaya and himself had attended a meeting with Governor Michelle Lujan Grisham regarding her concerns from the Town Hall meeting on May 28, 2025. Mayor Romero advised Former Mayor Louie Trujillo and himself were conducting a Riverwalk cleanup in anticipation and preparedness for the 4th of July Fiestas on Friday, June 20, 2025 from 10:00 am - 12:00 pm and encouraged the citizens to join.

COUNCILORS' REPORTS

Councilor Casey advised she had received noise complaints from concerned constituents. Councilor Casey stated the residents who made the complaints were told the Police department did not have a decibel meter to measure how loud the noises were in order to issue a warning or ticket. Councilor Casey asked if the City could allocate money to provide the Police department with decibel meters for officers to do their due diligence.

Councilor Ulibarri asked City Manager Robert A. Anaya if Code Enforcement was informing residents in regards to the maintenance of their yards.

City Manager Anaya stated he had the opportunity to go out into the field on various occasions and asked Community Development Director Lucas Marquez to provide him with a list of Code Enforcement items that were outstanding to tend to the issues and present to the Governing Body what issues Code Enforcement was encountering.

Councilor Montoya recognized Public Works, Streets, and the Parks department for maintaining the streets and parks. Councilor Montoya advised that there were signs missing from Hannah Park, Lincoln Park, and Keys Park.

Councilor Martinez asked if Community Development Director Marquez could inform the residents of the importance of maintaining their yard.

Community Development Director Marquez advised that half of the alleyway was part of the homeowners responsibility including trees, weeds and from behind the curb to the homeowners fence line was also the homeowners responsibility. Community Development Director Marquez advised anything 4 inches and above

Code Enforcement would issue a verbal warning to the homeowner and if the owner did not comply Code Enforcement would issue a citation.

CITY MANAGER'S REPORT

City Manager Anaya stated he wanted to inform the public of the progress that the City of Las Vegas had made regarding the Hermits Peak/Calf Canyon Fire. City Manager Anaya asked Water Director Travis Martinez to give a summary of what the Veolia System was and what it was intended to do.

Water Director Martinez advised the Veolia pre-treatment was an active flow system that was brought in to help remove high ends of turbidity to help the water treatment plant process the water.

City Manager Anaya asked when they received the Veolia System and when it began operating.

Water Director Martinez advised they received the temporary pre-treatment in August and it was being utilized based on the high turbidity levels.

City Manager Anaya asked what the permitting process of the Veolia System was.

Water Director Martinez advised when they received the Veolia System, the City of Las Vegas was awarded a temporary pre-treatment permit. Water Director Martinez further advised the City of Las Vegas was then trying to obtain a permanent permit for the Veolia System due to the City being in contract for 3 years.

City Manager Anaya asked if the City had been issued another temporary permit.

Water Director Martinez stated yes, that the City was in the process of finalizing the contract but was delayed due to questions being raised about the chemicals being utilized that related to operations for full time use.

City Manager Anaya asked Dr. Kerry J. Howe with Howe Water Science, LLC to speak on the Veolia System and speak on what he had been assisting the City of Las Vegas with related to maintaining and supporting the maintenance of the current system.

Dr. Howe stated the reasoning for bringing in the Veolia System was to rid the water of any bacteria, particles, viruses and turbidity from the raw water and make it safe to drink. Dr. Howe advised the level of the turbidity after the Hermits Peak/Calf Canyon Fire and the floods were substantially higher. Dr. Howe advised the Veolia System was brought in early fall and ran through October - November and in December an effort was made to make the permanent application which had taken time due to the New Mexico Environment Department.

City Manager Anaya asked Water Director Martinez to speak on the challenges that existed associated with the water system.

Water Director Martinez advised that with the cascading event that took place of heavy rainfall it caused the dam to overtop. Water Director Martinez advised there was breakage in the levy systems on the Bradner and Peterson Reservoirs. Water Director Martinez advised that the Water Treatment Plant was not able to process water due to high turbidity levels. Water Director Martinez advised the equipment within the Water Treatment Plant was outdated and the department was in the process of making upgrades but was challenged due to low funding.

City Manager Anaya asked if he could speak on the responsibilities the City had under the regulatory responsibility of the Drinking Water Bureau and on how often they met, who was present and what the average running of tests was.

Water Director Martinez advised they were meeting with the Drinking Water Bureau twice a month and would change to once a month due to changes being approved.

City Manager Anaya asked Deborah Sulzer with the Sulzer Group to speak on some of the resources the City had expended and on other projects that needed final submittals.

Ms. Sulzer advised in response to the cascading event that took place in June of 2024 they dewatered the reservoirs, repaired the Taylor Wells that were not functioning at the time, and repaired the pumps at Storrie Lake. Ms. Sulzer advised that all of the claims for the impacts that took place in June 2024 had been submitted to FEMA for full reimbursement. Ms. Sulzer advised the current infrastructure of the City was unstable such as the Water Treatment Plant facility

not being able to withstand the aftermath post wildfire. Ms. Sulzer discussed several other projects and claims that were pending.

City Manager Anaya asked Police Chief Caleb Marquez, Fire Chief Steve Spann, and Community Development Director Lucas Marquez to speak on some of the challenges they were faced with during the event.

Police Chief Marquez stated some of the challenges that they were faced with were putting the emergency plan into place, initiating incoming tankers, development of roads and areas for the incoming tankers, breakage of the levy, preparing logistics for the dam to be drained at a safe rate to ensure preparedness for any future storms, and meeting with the Department of Homeland Security Emergency Management to mitigate all the issues the City was facing during the flooding event. Police Chief Marquez stated it was a rapidly evolving and unstable event for the citizens and the Water Treatment Plant.

Fire Chief Spann advised after the event had taken place the fire crew had attended a swiftwater training along with purchasing new gear to prepare for future disasters. Fire Chief Spann advised the department lost the only resource the department could utilize and had to obtain aerosol suppression devices (fire grenades) that could be thrown into a confined room fire and suppress the fire while saving 90% of the water. Fire Chief Spann stated there were multiple rescues that had taken place including 2 City employees.

Community Development Director Marquez stated it was a dire event that had staff who weren't trained for the event learning new tasks. Community Development Director Marquez advised they were setting up beds for those who were being evacuated, providing food, opening buildings and hauling water while pushing the limits of staff.

Water Director Martinez stated that anything having to do with the Water Treatment Plant was regulated and had undergone over 126 tests per month.

City Manager Anaya asked if Water Director Martinez could speak on how the running average affects the water quality over the course of a year.

Water Director Martinez advised the TOC's conducted quarterly testing and the City was based on the running annual average, which was then based on four

quarters of the year. Water Director Martinez advised the City of Las Vegas had met 2 of the quarters for byproducts and TOC's which was based on the administrative order that was set in place.

City Manager Anaya asked Mayor Romero if he could provide feedback and context due to him having direct contact.

Mayor Romero stated it was important to be transparent with the public and inform them of what issues were being addressed, particularly referring to the Water Treatment Plant. Mayor Romero advised the City was working collaboratively with the Governor's office to progress the Water Treatment Plant to be built and in operation sooner. Mayor Romero stated the City acknowledges the work was not being done quick enough but mentioned he wanted to assure the new water treatment plant being built was going to sustain the City of Las Vegas forever.

Councilor Montoya mentioned he had received feedback regarding the Veolia System not being in operation for some time. Councilor Montoya voiced his concern regarding FEMA not working quickly or diligently enough for the City when it came to reimbursement. Councilor Montoya stated it was unacceptable that the City had spent \$7 million for FEMA not to give the City anything in return.

POLICE CHIEF'S REPORT

Police Chief Caleb Marquez discussed the following:

- Field Operations(patrol)
 - Officer Lucas Lucero took Oath of Office on May 15th
 - Two graduates from New Mexico Law Enforcement Academy
- Communication Division(dispatch)
- Animal Care Center Statistics
- Information Division(records)
- Street Crimes Investigations/Narcotics/Evidence
- Evidence Seized:Agents/Investigators/Officers
- Travel/Training
- Recruiting
- Community Events Attended

- Vacancies

Councilor Casey asked if there was progress on the new animal shelter.

Police Chief Marquez advised they had entered into contract with the Shelter Planners of America and the scope of work was approved. Police Chief Marquez advised he was working with Community Development Director Marquez to obtain property for the new shelter and once completed the plan and design would take place.

Councilor Montoya asked how many Police Officers the Police department had.

Police Chief Marquez advised they had 18 Officers.

Councilor Montoya asked what the hourly rate of a Police Officer was.

Police Chief Marquez advised the pay increased with the previous contract agreement to \$30.00 an hour.

Councilor Montoya asked how many recruitments the department had recently.

Police Chief Marquez advised 3 recruitments.

Councilor Montoya encouraged the citizens of Las Vegas to work for the Police department.

Councilor Ulibarri asked if the incoming calls that were discussed were for Animal Control or for Code Enforcement as well.

Police Chief Marquez advised it was strictly for Animal Control.

Councilor Ulibarri asked what kind of permit the Police department gave to residents that had several animals.

Police Chief Marquez stated there wasn't a specific permit, however they did seek compliance with the residents. Police Chief Marquez stated if issues had occurred they would bring the residents into compliance and the majority would surrender the animal, however if not they would take them to court to surrender the animal.

Councilor Ulibarri stated he was unsure on what Code Enforcement was doing when they approached residents' homes.

Police Chief Marquez advised by Ordinance the residents are allowed to have four animals outside and two animals inside.

Mayor Romero asked if Police Chief Marquez could give a summary on the traps the Police department had been conducting on stray animals.

Police Chief Marquez advised they did selective trapping to bring down the number of strays, and would continue trapping when the number of animals in the Animal Care Center were lower to be able to house the animals. Police Chief Marquez advised there were 32 animals on court hold that were seized and only 32 kennels were available within the shelter.

Councilor Casey advised the Governing Body had passed an Animal Shelter Ordinance the year prior that required permits to be given and suggested advertising it on the website to ensure the public was aware they were in compliance with the Ordinance.

Police Chief Marquez advised that the Police department had received Junior Bill funds and Beatriz Gallegos with the animal shelter was creating pamphlets to hand out to schools for children to give to their parents.

Mayor Romero asked how soon Police Chief Marquez could get an Animal Control Officer to assist Animal Control Officer Leroy Ortega.

Police Chief Marquez advised as soon as the background checks and paperwork were finished he was going to push to get them hired as soon as possible.

FINANCE REPORT

Finance Director Morris Madrid discussed the following:

- General Fund
 - A journal entry would take place in June to distribute the charges the Finance department had for health insurance that was not processed properly through the system.
- Enterprise Fund
 - Water fund was negative \$5 million from the catastrophic event that took place in February 2025.
- Recreation
 - Revenue or expenditure side was not met due to lack of activities.
- Lodgers Tax
 - Slight drop in revenues
- Cannabis Fund
 - Execution of the plan for the acquisition of parks equipment took place and had met requirements.
- Opioid Fund
 - Funds would be carried over to the next fiscal year.
- FEMA
- Cash Report/ Investments
 - Expended \$3 million in revenues in the government investment pool

Councilor Casey asked how the final budget was coming along.

Finance Director Madrid advised he had a report to give that would show previous compensation, increases, current compensation and comments on how and why the compensation was given by position.

Councilor Casey asked if the compensation that certain staff had received was being reflected on their pay checks.

Finance Director Madrid advised yes.

Councilor Casey stated it was not legal to change compensation and mentioned she hoped changes would be made to make the salaries more equitable and justified.

Finance Director Madrid advised he did not have the authority to change staff compensation and it would be difficult to revoke the compensation once granted.

Councilor Casey stated it would be reviewed prior to the final budget being submitted to the Governing Body for approval.

Finance Director Madrid agreed and stated all cash balances must be reconciled completely before the final budget was submitted and if not it would limit the City's expenditures.

Councilor Montoya asked how many vacancies the City had on the list the year prior.

Finance Director Madrid advised an estimate of \$4 million dollars.

Councilor Montoya asked if the vehicles that were purchased for the departments were from vehicle funds or from the general fund.

Finance Director Madrid stated it was proceeds from the mid-year budget adjustment that was intended for building improvements and renovations. Finance Director Madrid mentioned the projects that were taking place were not going to be finished by the end of the fiscal year so the funding was transferred within the same framework as Capital Outlay to acquire the vehicles.

Councilor Montoya asked whose discretion it was.

Finance Director Madrid stated it was based on former City Manager Tim Montgomery's initiative and carried over to the former Acting City Managers Lucas Marquez and Caleb Marquez.

City Manager Anaya stated he had signed off on the vehicles and improvements to ensure that the staff and Governing Body had the ability to travel in an appropriate manner. City Manager Anaya mentioned he was informed by Acting City Managers Lucas Marquez and Caleb Marquez that recommendations had been made prior.

Councilor Montoya asked what the balance was of the account.

Finance Director Madrid advised an estimate of \$50,000 remaining.

Councilor Montoya asked if the money could be used to pay for the water from the crisis that had occurred in February.

Finance Director Madrid stated with the approval from the Governing Body yes.

Councilor Montoya asked when the City had received invoices for the water.

Finance Director Madrid advised he had received a statement the week prior.

Councilor Montoya asked how long the City had to pay for the water.

Finance Director Madrid replied 45 days.

Councilor Montoya asked if a project would be constructed and taken back to the Governing Body for approval.

Finance Director Madrid advised no, the Finance department would process the payment and cut the check. Finance Director Madrid stated the liability existed and the authorization was there.

Councilor Montoya asked where the funding would come from.

Finance Director Madrid stated it would have to be pulled from the negative balance from the water fund.

Councilor Montoya asked if it would be an audit finding.

Finance Director Madrid stated he was unsure and it would not mitigate a negative fund balance if there was not one.

City Manager Anaya asked if the City could do a budget adjustment request to avoid a negative balance.

Finance Director Madrid stated that within the fund itself it could not be negative and the budget adjustment would have to be accompanied by interfund loan agreements that would need to be paid back.

Councilor Montoya asked if Finance Director Madrid had received advice on the purchase of the water or if the City had the money.

Finance Director Madrid stated the Finance department had received orders from the former City Manager to establish purchase orders for both bottled water and water to be delivered by tank.

Councilor Montoya asked within 45 days if the bill would be paid.

Finance Director Madrid replied yes.

Councilor Ulibarri asked what happened to the summer fund program.

Finance Director Madrid stated he was unsure if it was in operation the previous year. Finance Director Madrid advised the revenues had not been collected yet due to the program not being in full swing and it would show in the next fiscal year report.

Councilor Ulibarri mentioned the streets needed to be repaired and prioritized before other bigger purchases were made or suggested waiting for other funding to come into place.

Councilor Martinez asked how much the invoice was.

Finance Director Madrid advised an estimate of \$150,000. Finance Director Madrid advised he believed the reason the amount was not paid in full was because it was interest free.

APPROVAL OF MINUTES

Councilor Casey made a motion to approve the minutes from May 28th and June 2, 2025 with minor corrections. Councilor Ulibarri seconded the motion. Mayor Romero asked if all were in favor. All were in favor.

City Clerk Fresquez advised motion carried.

CONSENT AGENDA

City Clerk Fresquez read the Consent Agenda (1-6) into the record as follows:

1. Request approval of a Memorandum of Understanding (MOU) between the County of San Miguel and the City of Las Vegas.
2. Request approval of a Memorandum of Agreement (MOA) Amendment #1 between the County of San Miguel and the City of Las Vegas for ARPA funding.

3. Request approval of a Professional Services Agreement Amendment #1 between the City of Las Vegas and John Arnold (Las Vegas Site) for FY26.
4. Request approval of a Professional Services Agreement Amendment #1 between the City of Las Vegas and Michael A. Demarco (Pecos Site) for FY26.
5. Request approval of a Lease Amendment #1 between the City of Las Vegas and the San Miguel del Bado Land Grant committee governing body.
6. Request approval of Addendum #2 to Contract #3984-23 with Souder Miller & Associates for design services on sewer repairs and replacement projects.

Councilor Casey made a motion to approve the Consent Agenda (1-6). Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	Marvin Martinez	Yes
Barbara Casey	Yes	David Ulibarri	Yes

City Clerk Fresquez advised motion carried.

BUSINESS ITEMS

1. Conduct a Public Hearing and consideration to uphold or overturn the Design Review Board & Board of Adjustment's decision to deny the application submitted by Tony and Jeannie Rubin.

Councilor Casey made a motion to enter into a public hearing for Business Item #1. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Marvin Martinez	Yes	David Ulibarri	Yes
Barbara Casey	Yes	Michael Montoya	Yes

City Clerk Fresquez advised motion carried.

City Clerk Fresquez swore in Community Development Director Lucas Marquez, City Planner Scott Zunker, Lawrence Quintana, Esperanza Pacheco, John Liddil, Lee Einer, Martha Johnson, Mike Sweeney, Tony Rubin and Jeannie Rubin.

Community Development Director Lucas Marquez advised the application was taken to the Design Review Board and was ultimately denied. Community Development Director Marquez advised it was appealed to the Board of Adjustments and was again denied. Community Development Director Marquez advised the house was registered within the Federal Registered Historical District.

Councilor Montoya asked Community Development Director Marquez to provide a summary on who the Federal Registered Historical District oversees, and who put it in place.

Community Development Director Marquez advised SHPO from New Mexico oversaw the Federal Registered Historical District and the City went through their historical advice due to them having the maps and justifications to tell if the home and property was a prominent structure or not.

Councilor Montoya asked when a house was being sold if the real estate agent disclosed such information to the buyers.

Community Development Director Marquez stated he was unsure.

City Planner Scott Zunker stated the real estate agent should, however that part was up to the agent to disclose. City Planner Zunker further stated he brought it to the Board of Realtors attention to take into consideration the City's historic districts, business licenses, and zoning issues.

Lawrence Quintana, a member of the Design Review Board gave a detailed discussion regarding the history of the home stating it was the only home that had an impact on the entire historical nature of the district. Mr. Quintana stated the Design Review Board was built to protect the historical and architectural heritage within the City of Las Vegas. Mr. Quintana advised the proposed structure that was being placed in front of the home did not fit the architectural quality of nature and it affected the lines of the particular district.

Esperanza Pacheco, a member of the Design Review Board, stated that during the previous public hearing that was held regarding the current situation, other alternatives and options were given to the Rubins. Ms. Pacheco advised there are specific rules and regulations when adding to a historical building, stating the materials being utilized must be materials that were already used within the residence. Ms. Pacheco voiced her concern stating she believed the Rubins did not do it intentionally and the Design Review Board wants to work with them knowing they were unaware of the requirements.

John Liddil who lives on 812 5th Street voiced his opinion regarding the community not appreciating the culture and beauty within the City of Las Vegas. Mr. Liddil stated the Governing Body was required to preserve the historical architectural structures of the City. Mr. Liddil stated he did not suggest overstepping the boundaries of the experts who had already denied the application twice.

Lee Einer, a member of the Design Review Board, stated that the construction for the carport had begun without a permit and was shut down by Code Enforcement to follow proper procedure. Mr. Einer stated that when reviewing the blueprints for the carport it was expected to be extended to the sidewalk covering the facade which went against the rules and regulations. Mr. Einer further stated that when the appeal went before the Board of Adjustment the Rubins stated the carport was to protect 2 vehicles from hail damage and the board came to a conclusion that 2 of the 4 vehicles were in a garage that the Design Review Board and Board of Adjustments were not aware of. Mr. Einer advised the Design Review Board had denied the application to preserve the historic figures within the City of Las Vegas.

Martha Johnson who lives on 800 5th Street voiced her opinion regarding the carport stating the pillars would be a hindrance to the neighborhood and history of Las Vegas if they were to be completed.

Mike Sweeney, a member of the Planning & Zoning Commission and Board of Adjustments, stated that the Rubins contractor was licensed in welding and not construction. Mr. Sweeney stated the carport did not fit the historic cultural identity that the district beheld.

Tony Rubin stated that the Board of Adjustments nor the Design Review Board gave them any legal justification as to why the application was denied. Mr. Rubin

stated there was no reference to any guidelines, regulations, ordinances, law or rule of law. Mr. Rubin stated that to date they had not received any written statement regarding reasons based on historic guidelines or standards. Mr. Rubin advised they had received 2 letters from Planning & Zoning Coordinator Charles Ortiz on May 28 and May 29, 2025 stating the application was denied without justification. Mr. Rubin stated the County Assessor and Territorial Title did not have any official records as to when the Rubins home was built.

Jeannie Rubin stated they had a U.S. Constitutional Right to protect their property through the 5th and 14th amendments. Ms. Rubin voiced her opinion stating the Design Review Board and the Board of Adjustments were biased and condescending and was told to live elsewhere and accept a lower standard of living in their neighborhood. Ms. Rubin stated there was a gazebo next door to their home that was not culturally relevant to the area and 2 pre-fabricated carports that were located near the Immaculate Conception Church that were approved. Ms. Rubin stated the standards were different depending on who the resident was. Ms. Rubin stated for the record that when their garage was being built the City had to move the sewer lines, water lines, gas lines and electrical lines that were inspected and approved. Ms. Rubin further stated the contractor had informed them he had a contract with the City and would handle the building permit for them.

Councilor Casey asked Community Development Director Marquez how the other individuals who had carports within the same district obtained a permit.

Community Development Director Marquez stated the projects were not approved through his department and the Design Review Boards main focus was the front yard. Community Development Director Marquez stated that residents should be receiving a permit for any construction being done on their property.

Councilor Casey asked if the carport the Rubins were requesting to build would lower the value of the Rubins property and the properties adjacent to them.

City Planner Zunker stated that the homes in the area where the Rubins live were all set on the same line that the National Historic Registry, Secretary of Interior, and SHPO requested. City Planner Zunker stated if there was a structure that was sticking out before other properties the line of sight would be taken and devalue the properties.

Councilor Casey asked who oversaw the Design Review Board and Board of Adjustments.

Planning & Zoning Coordinator Charles Ortiz advised he did.

Councilor Casey asked if the Rubins had received any documents in writing giving justification as to why their application was denied.

Planning & Zoning Coordinator Ortiz stated they were not given a document in writing but were verbally told at both the Design Review Board meeting and the Board of Adjustments meeting.

Councilor Casey asked why the Rubins had not received a document in writing as to why the application was denied by both boards.

Community Development Director Marquez stated that the department does not provide a reason as to why applications were approved, which was the same process for a denial where no reason was given as to why it was denied. Community Development Director Marquez stated if additional information was needed from the public the meeting minutes could be requested through an IPRA request to correctly build their project.

City Planner Zunker advised during the Design Review Board meeting the members had offered the Rubins alternative suggestions and the Rubins stated it wouldn't work to each one of their suggestions. City Planner Zunker mentioned there was no suggestion the Rubins would accept during the meeting.

Councilor Martinez stated without the project being completed there was no way for them to judge what was being utilized and the outcome of the final structure.

Councilor Montoya asked why proper justification could not be given to the Rubins.

Community Development Director Marquez advised the approval and denials were the same process and justification was never given.

Mayor Romero asked if the letters were sufficient for approval or denial.

Community Development Director Marquez stated the department had followed examples from previous years and stated they had never given justification for approval or denial.

Mayor Romero asked if statements were made during the Board of Adjustments meeting or the Design Review Board meeting as to what the denial was.

Planning & Zoning Coordinator Ortiz advised yes, statements were given as to why the application was denied at both meetings. Planning & Zoning Coordinator Ortiz advised that on the application it offered the applicant an option to amend the application and have the Design Review Board review the application again.

Councilor Montoya voiced his concern regarding the boards not being able to give justification for the denials. Councilor Montoya asked if the suggestions that were given to the Rubins met the guidelines and regulations.

Community Development Director Marquez stated if the Rubins decided to take one of the suggestions they would have to start the process again.

Councilor Montoya asked what were the suggested options that were given to the Rubins.

City Planner Zunker stated he remembered the board members suggesting downsizing the carport, and placing the carport in the backyard and mentioned the Rubins stated it would not work. City Planner Zunker advised one of the reasons the application was denied was because the carport would cover the majority of the property and was not only a part of the historic district but also the City's historic district.

Mayor Romero asked what entity gave the historic district designation to an area of the City.

City Planner Zunker advised the National Historic District which had gone through the National Park Service set up through the Secretary of Interior designated the National Historic Districts and at some point the Governing Body adopted the City of Las Vegas' historic districts. City Planner Zunker advised the City district lies within the national districts. City Planner Zunker advised the National Park Service

were the ones who set up the historic buildings for the national registry that had to be applied for.

Mayor Romero asked if the 200-22 Standards for Review were designated for landmark or district by the Secretary of Interior standards and were those the standards the department was abiding by. Mayor Romero asked if there were standards that the boards and community development had to follow.

City Planner Zunker advised the standards 200-22, pamphlets and other documents were given to both boards and mentioned the Secretary of Interior went more into depth. City Planner Zunker advised yes, and mentioned Planning & Zoning Coordinator Ortiz and himself attended the New Mexico Municipal League of Zoning Officials in Taos weeks prior. City Planner Zunker stated they were persuaded to do research and move forward to enforce the zoning laws.

City Manager Anaya advised the departments operated under the ordinances and advised the Governing Body that he would review the ordinances in communication and coordination with the boards to assure the communication mechanisms were clear.

Jeannie Rubin stated that there were no restrictions regarding putting up a carport within the historic district. Ms. Rubin stated their home was not listed on the historic registry but was listed on the historic district.

Tony Rubin stated that during the Design Review Board meeting there was conversation regarding the steps to construct a carport. Mr. Rubin stated they were going to build the carport pitch high to blend in with the roof and make it shorter so it didn't take away from the line of view.

Councilor Casey made a motion to exit the Public Hearing and reconvene into regular session. Councilor Ulibarri 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 Montoya	Yes	David Ulibarri	Yes

City Clerk Fresquez advised motion carried.

1. Conduct a Public Hearing and consideration to uphold or overturn the Design Review Board & Board of Adjustment's decision to deny the application submitted by Tony and Jeannie Rubin.

Councilor Casey suggested that Tony and Jeannie Rubin work in partnership with either boards or the Community Development department to obtain a preferable idea as to what they can do to meet the rules and regulations for the carport.

Councilor Casey made a motion to deny the application by Tony and Jeannie Rubin with the provision that they work diligently with City staff and board members to construct a project that could be reapplied for. Councilor Martinez seconded the motion.

Councilor Montoya asked if the denial would allow the application to return to the Design Review Board.

Community Development Director Marquez advised no, that the motion was the final decision.

Councilor Montoya asked if he was going to change the process of approvals and denials and let the applicant know why the application was denied.

Community Development Director Marquez stated he was reviewing the ordinance and it stated they must give a reason for the denial of the application not the actual case.

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

David Ulibarri	No	Michael Montoya	No
Barbara Casey	Yes	Marvin Martinez	Yes

City Clerk Fresquez advised there was a tie.

Mayor Romero voted yes and broke the tie.

City Clerk Fresquez advised the motion carried.

2. Consideration and possible action of the State of New Mexico Intergovernmental Agreement with the City of Las Vegas.

City Manager Anaya read into the record the letter Mayor Romero and himself sent to Governor Michelle Lujan Grisham as follows:

“June 12, 2025

Dear Honorable Governor Michelle Lujan Grisham:

We are writing this letter as a follow up to the town hall meeting of May 28, 2025, and the concerns you and your team raised, to the follow up with use and expenditure of resources associated with the Calf Canyon/Hermit's Peak Fire. We thank you for your work and commitment to help the City of Las Vegas, San Miguel and Mora Counties, and most importantly the thousands of residents and their families devastated by the Calf Canyon/Hermit's Peak Fire caused by human hands.

We respect your role and the immense responsibility it brings articulated in the constitution of the State of New Mexico. We fully and completely acknowledge and accept the reality and the magnitude of the post fire challenges that exist, known and unknown. We appreciate and respect all of the departments and agencies under your direction and accept a collaborative process to achieve shared objectives of recovery in the interest of the citizens of our region.

The Challenges Are Cascading and Compounding

We understand that in order to succeed, we must work across all entities local, State, Federal and private, coordinating and communicating in an organized manner to plan, design and construct projects directly associated with the ever-changing environment we are now part of. The flooding and the devastation that comes with it, along with frustration and anxiety of unpaid claims is an unacceptable reality of life for people now. This reality is due to a fire caused by human hands, under the direction and responsibility of the Federal government. The daily threats we face during this time of year is flooding that will continue to damage our water system and other essential infrastructure necessary for fundamental services essential to life. Yes, we recognize the urgency and the need

to act, but we also acknowledge the reality of making repairs and improvements at the risk that they may be compromised by cascading and compounding events related to the fire. The solution warrants action, but also warrants intentional and constant interface with all parties affected.

It Is About Our People Who Have Suffered and Continue To Suffer

We do our work in the service of the people of the City of Las Vegas. We will partner with San Miguel County to work through our shared challenges of serving our people. We share the responsibility with our neighbors to the North in Mora County and will work collaboratively with them and other stakeholders like New Mexico Highlands University, Luna Community College, Alta Vista Hospital, Acequia Groups, Forest Service, Behavioral Health and any and all people ready to help in the collective interest of the recovery now and for decades to come. It is about the people, devastated by an act of the Federal government caused by human hands!

We Are Committed:

1. To recovery and all it entails; and
2. To work with any and all who are willing to come to the table, stay at the table and work through the challenges; and
3. To transparency and financial accountability; and
4. To serve our residents in accordance with our City Charter; and
5. To clean water and improvements to our system in accordance and compliance with state standards and requirements of the Drinking Water Bureau and other regulatory entities of the state of New Mexico; and
6. To rebuilding our infrastructure across all areas devastated by the fire and the cascading events known and unknown we will face in the coming decades; and

Request

1. **A mutual agreement reflecting our respective roles yours under the constitution of the state of New Mexico, and ours under the constitution and our City Charter;**
2. **A mutual commitment to better coordinate and communicate our efforts; and**

- 3. Continued support from the agencies and resources under your direction; and**
- 4. Your continued support and leadership to hold the federal government accountable for this fire and its after effects caused by human hands.**

Thank you for your leadership, your assistance and your commitment to find solutions in partnership with local governments including the City of Las Vegas and all who were impacted, during uncertain times and challenges ahead.

Respectfully and Sincerely,

David G. Romero, Mayor

Robert A. Anaya, City Manager

Cc. Councilor Pro Tem Marvin Martinez, Councilor Michael Montoya, Councilor David Ulibarri, Councilor Barbara Perea-Casey, U.S. Senator Ben Ray Lujan, U.S. Senator Martin Heinrich, Congresswoman Teresa Leger Fernandez, State Senator Pete Campos, State Representative District-70 Anita Gonzales, State Representative District-40 Joseph Sanchez

Cc. James Kenney NMED Cabinet Secretary, Major General Miguel Aguilar DHSEM, Acting Cabinet Secretary, Ali Rye, DHSEM Deputy Cabinet Secretary, John Rhoderick, Deputy Cabinet Secretary, Jonas Armstrong, General Counsel, Ricky Serna, NMDOT Cabinet Secretary, Walter Adams, NMDOT Chairman, Commissioner (Chairman) Harold Garcia, San Miguel County, Joy Ansley, San Miguel County Manager, Richard Trujillo, Mora County Manager, President Neil Woolf, NMHU, Dr. Harpo Sanchez, Chair NMHU Board of Regents, President Carol Linder, Luna Community College, Helen Ballantyne, CEO of Alta Vista Regional Hospital, Tim Shields, Executive Director of Behavioral Health Institute.”

City Manager Anaya asked Dr. Howe to give a summary on his perspective of the City as it related to a recommendation moving forward with the water system.

Dr. Howe stated the June 2024 flood revealed that the planned improvements were based on addressing fire impacts and would not have sufficiently addressed flood impacts. Dr. Howe suggested changes for the wider range of need for changes in process for the new water treatment plant, adding resilience, and the handling of turbidity within the reservoirs. Dr. Howe recommended designing and constructing the improvements to the new water treatment plant and hiring

consultants who specialize in water treatment plants to assure no further issues occur.

City Manager Anaya asked if Dr. Howe recommended the City advancing a request to construct a design build operate option for the City of Las Vegas' water treatment plant.

Dr. Howe stated yes, that it would allow the plan to be directly connected to the plant that was designed and operated. Dr. Howe advised there was a DBO option that would help the operation process of the water treatment plant quicker. Dr. Howe advised the City was in a place where they were ready to begin constructing an RFP for the design build contract.

City Manager Anaya asked IT Manager Leon Trujillo if Contracted City Attorney Geno Zamora would be joining the meeting via zoom.

IT Manager Trujillo advised yes.

City Manager Anaya stated Contracted City Attorney Zamora helped the City with the communications of raising concerns and facilitating amendments to the agreements. City Manager Anaya recommended the City would want to maintain connection and contact throughout the entire process if it was the determining factor for the Council to engage in partnership. City Manager Anaya asked Contracted City Attorney Zamora if he could present a summary of the language that helps assure the engagement, communication, and coordination of the project.

Contracted City Attorney Zamora advised he was able to negotiate language with the State regarding prior coordination with the City and identify the departments that needed different assignments. Contracted City Attorney Zamora advised there was language indicating there would be communication and notification with the City when contractors were seeking employment.

City Manager Anaya asked if Contracted City Attorney Zamora could give a summary on his perspective of the temporary water treatment plant and the permanent water treatment plant.

City Attorney Zamora advised the State had offered to assist the City with a plan, design, procure, construct, test, deliver, and close out a temporary water treatment facility.

City Manager Anaya asked Contracted City Attorney Zamora to speak about the letter from the State with regard to its obligation under the agreement and exhibit A., for the temporary water treatment facility and the permanent water treatment facility and receive FEMA public assistance on behalf of the City and reimburse the natural disaster.

City Attorney Zamora advised the original language could have been read as the City was not eligible to seek reimbursement from FEMA public assistance and negotiated with the State to add language to allow the City to seek reimbursement from FEMA public assistance.

Mayor Romero stated during the Town Hall meeting on May 28th, the City went with good intentions to collaborate with the State. Mayor Romero stated he was pleased to be in partnership with the State to move forward alleviating some of the pressure the City was experiencing to assure a quicker process for a permanent water treatment facility.

Councilor Casey voiced her opinion stating she felt as if the State pressured the City to make a decision quickly based on what they wanted and coerced the City into the agreement. Councilor Casey voiced her concern regarding the language within the agreement and suggested changes be made. Councilor Casey asked what would happen to the contract with the Sulzer Group if the State was requesting all monies from FEMA. Councilor Casey stated she was not prepared to vote on something she did not agree with and wanted the agreement to be finalized and brought back to the Governing Body.

Councilor Martinez asked what the time frame was to return the agreement to the State.

City Manager Anaya stated the time frame was at the will of the collective Governing Body and was determined based on the Mayor and Council's decision.

Councilor Martinez stated there were better benefits being in partnership with the State; however, the City had an obligation to maintain the water within the

community. Councilor Martinez voiced his opinion stating he felt the Governing Body was being forced to agree at a limited time.

Contracted City Attorney Zamora stated it was not unusual language within the agreement and was to assure there was value being traded for value. City Attorney Zamora advised within the contract a listed amount may not be a set amount which would require the language that the City would provide the necessary funds to accomplish the project from the FEMA funds.

City Manager Anaya stated there was high value going into the agreement with the State to assure the proper construction of the water treatment facility. City Manager Anaya stated the decision was ultimately up to the Governing Body to go into agreement with the State.

Councilor Montoya asked where the City stood with the plan and design for the water treatment facility and if there were any engineers or consultants.

Water Director Martinez stated that all of the previous PER's that were being conducted were never finalized. Water Director Martinez advised the production of the PER's and the final draft had all been paid out.

Councilor Montoya asked who had put the PER's on hold.

Water Director Martinez advised it was at the directive of the former City Manager.

Councilor Montoya asked if the former City Manager had given justification as to why they were put on hold.

Water Director Martinez stated it was going based off of what was taking place with the former Utilities director to move forward with PER and other associated projects.

Councilor Montoya asked how long ago it was.

Water Director Martinez stated it was over a year ago between April and May 2024.

Councilor Montoya asked that nothing was being planned or designed for the water treatment plant for over a year.

Water Director Martinez stated he was unaware of the business the former City Manager and the consultants had.

Councilor Montoya asked if the City had any commitments.

Water Director Martinez stated no.

Councilor Montoya asked if Finance Director Madrid had reviewed the MOU agreement between the City and FEMA.

Finance Director Madrid stated he had reviewed the first draft but not any of the subsequent revisions.

Councilor Montoya voiced his concern and suggested changes within the MOU agreement between FEMA and the City of Las Vegas in regards to additional storage tanks being added, interest the City was receiving was not included in the \$98 million, information stated by Governor Michelle Lujan-Grisham about the new water treatment plant facility, and a secondary reservoir at the Montezuma pond for emergencies. Councilor Montoya asked if the State had approved the agreement.

City Manager Anaya stated the agreement was approved by Governor Michelle Lujan Grisham and the individuals who were contained within the agreement.

Councilor Montoya asked within the agreement if the City had to meet with the State once a week.

City Manager Anaya advised the City had to meet with the State once a month regarding the scope of work.

Councilor Casey stated she did not receive the revised agreement until 30 minutes before the meeting started and had no time to review it and was not going to make a motion on something she had not reviewed.

City Manager Anaya stated he took responsibility for the document being given on a late notice.

Councilor Casey stated she preferred emails sent to her personal email due to her not being able to receive others at her home.

City Manager Anaya stated that he would resolve the issue to prevent any future issues.

Mayor Romero advised City Manager Anaya had made every effort to update the Governing Body as the revised edits to the document were given by legal.

City Manager Anaya stated he would go through the agreement page by page and meet with the Governing Body to assure each Councilor understood the contents within the agreement. City Manager Anaya asked Contracted City Attorney Zamora if he would join the meetings with the Governing Body and himself to give his input and perspective on the agreement.

Contracted City Attorney Zamora stated he would be willing to attend the meetings if the Governing Body were able to schedule with him when he was available.

Councilor Martinez recommended conducting a work session within the Governing Body to discuss and review the agreement and then call for a Special meeting.

City Manager Anaya stated he supported Councilor Martinez' recommendation.

Councilor Casey made a motion to table Business Item #1 regarding Consideration and possible action of the State of New Mexico Intergovernmental Agreement with the City of Las Vegas until such time as a finalized copy of the agreement was ready to be distributed to the Council for review. Councilor Montoya 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 Montoya	Yes	David Ulibarri	Yes

City Clerk Fresquez advised the motion carried.

- 3. Request approval of the Cooperative Marketing Agreement between the City of Las Vegas and the New Mexico Tourism Department for the purpose of a grant acceptance in the amount of \$123,742.

Community Development Director Marquez stated it was the grant that the department had applied for and the City’s required match of funds would be in the amount of \$61,871.00. Community Development Director Marquez advised that the first payment would be due on July 10, 2025 in the amount of \$30,935.50. Community Development Director Marquez advised the second payment would be due on December 2, 2025 in the amount of \$30,935.50. Community Development Director Marquez stated he had been in contact with Finance Director Madrid and the monies were already saved and would just need to be approved.

Councilor Montoya made a motion to approve the Cooperative Marketing Agreement between the City of Las Vegas and the New Mexico Tourism Department for the purpose of a grant acceptance in the amount of \$123,742. Councilor Casey seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Michael Montoya	Yes
Marvin Martinez	Yes	Barbara Casey	Yes

City Clerk Fresquez advised the motion carried.

- 4. Request approval to award RFP #2025-29 for assessment and monitoring services for disaster debris and hazard tree removal to GMC Goodwyn Mills Cawood and enter into contract.

Councilor Montoya asked what contractors had bid on the project.

Water Director Martinez stated GMC and Goodwyn Mills.

Councilor Montoya asked where GMC was located.

Water Director Martinez replied GMC was a nationwide contractor.

Councilor Montoya asked how much he estimated the City would spend on the project.

Water Director Martinez stated each disaster that could potentially occur was different and there was no way of telling how much the City would have to spend.

Councilor Montoya asked if the contractors could be utilized to clean the Gallinas River between Mills and Independence.

Mayor Romero stated that there were four contractors through FEMA who had a way of accounting where FEMA would pay out vegetation, rock, boulder and debris which was a significant difference if the City were to utilize them.

Councilor Casey made a motion to approve to award RFP #2025-29 for assessment and monitoring services for disaster debris and hazard tree removal to GMC Goodwyn Mills Cawood and enter into contract. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Marvin Martinez	Yes
Barbara Casey	Yes	Michael Montoya	Yes

City Clerk Fresquez advised the motion carried.

- 5. Request approval to award RFP #2025-30 for debris removal services for disaster debris and hazard tree removal to Northeastern Construction, Cordova Contracting & Development LLC, Southwest Contracting & Associates LLC and DRC Emergency Services.

Water Director Martinez stated the reasoning for the amount of contractors that were requested was because of the potential assessment that could be done. Water Director Martinez stated he did not want to overwhelm a contractor with the work to be done while having other jobs on the line.

Councilor Casey asked if the contractors were going to be on an as needed basis.

Water Director Martinez advised yes, and the task order that will be conducted would have an exceedance.

Mayor Romero asked if the bonding capacity was a part of the RFP or if there was a minimum bonding capacity.

Water Director Martinez stated yes, the contractors were on call and if the project were to turn into a large-scale project the contractor would be required to pull a bonding out.

Mayor Romero asked what the requirements for the bonding were.

Water Director Martinez advised once the contractor had received the notice to proceed they had 24 hours to respond.

Councilor Montoya asked who DRC Emergency Services were and where they were from.

Water Director Martinez stated the DRC Emergency Services who applied for the project were located out of Galveston, Texas.

Councilor Montoya made a motion to approve to award RFP #2025-30 for debris removal services for disaster debris and hazard tree removal to Northeastern Construction, Cordova Contracting & Development LLC, Southwest Contracting & Associates LLC and DRC Emergency Services. Councilor Casey seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Marvin Martinez	Yes	David Ulibarri	Yes
Michael Montoya	Yes	Barbara Casey	Yes

City Clerk Fresquez advised the motion carried.

- 6. Request approval to award a renovation project for restoration of Carnegie Library roof, pillars, plaster walls and ceiling to J3systems through CES, Contract 2023-07-C311-ALL.

Councilor Casey made a motion to approve a renovation project for restoration of Carnegie Library roof, pillars, plaster walls and ceiling to J3systems through CES, Contract 2023-07-C311-ALL. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Michael Montoya	Yes
Barbara Casey	Yes	Marvin Martinez	Yes

City Clerk Fresquez advised the motion carried.

7. Request approval of Resolution No. 25-22, a resolution establishing reasonable notice of City Council Meetings in compliance with the Open Meetings Act (OMA).

City Manager Anaya suggested moving the City Council meetings to different weeks instead of one after another to assure proper documentation was given to members within a reasonable time period.

Councilor Montoya stated he supported City Manager Anaya’s response and also suggested it himself in previous meetings.

Councilor Montoya made a motion to approve Resolution No. 25-22, a resolution establishing reasonable notice of City Council Meetings in compliance with the Open Meetings Act (OMA). Councilor Martinez seconded the motion.

Resolution No. 25-22 was presented as follows: *Due to the length of the document, a copy may be obtained from the City of Las Vegas, City Clerk’s Office.*

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

David Ulibarri	Yes	Michael Montoya	Yes
Barbara Casey	Yes	Marvin Martinez	Yes

City Clerk Fresquez advised the motion carried.

ADJOURN

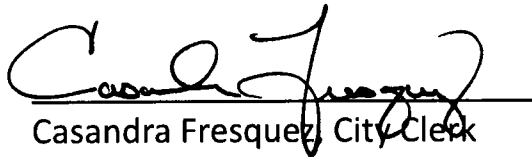
Councilor Casey made a motion to adjourn. Councilor Ulibarri seconded the motion.

Meeting adjourned at 10:30 pm.

A handwritten signature in black ink, appearing to read "David Romero", written over a horizontal line.

Mayor David Romero

ATTEST:

A handwritten signature in black ink, appearing to read "Casandra Fresquez", written over a horizontal line.

Casandra Fresquez, City Clerk