

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD  
ON WEDNESDAY, JUNE 12, 2024 AT 5:30 P.M. IN THE SAN MIGUEL COUNTY  
CHAMBERS.**

**MAYOR:** David Romero

**COUNCILORS:** Marvin Martinez  
Barbara Casey ***Via Google Meet***  
Michael L. Montoya  
David Ulibarri ***Absent***

**ALSO PRESENT:** Tim Montgomery, 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 everyone to reflect on all the wonderful things Las Vegas has to offer, to be thankful for all those who live in Las Vegas and for making the community a wonderful place to live. Councilor Casey also asked to mourn those who have passed away and to keep the family of Dr. Robert Vander Meer in our prayers.

## **APPROVAL OF AGENDA**

City Clerk Fresquez advised there was a recommendation from Judge Trujillo to remove Business Item 8.

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

## **PUBLIC INPUT**

There was no public input.

## **MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS**

Mayor Romero provided recognition certificates for WLVS State Champion Athletes and Coaches in Powerlifting, Wrestling, E Sports and Softball.

Mayor Romero advised he represented the City of Las Vegas in Israel and was one of thirteen Mayors. Mayor Romero advised that he met with Mayors from different cities in Israel.

## **COUNCILORS' REPORTS**

Councilor Casey discussed concerns from people in the area of Garfield Street and Railroad regarding heavy trucks using those streets and destroying the road. Councilor Casey advised that she's received calls regarding dogs loose on the 700 block of Legion Drive.

Councilor Martinez advised that he's been approached by several people regarding racing in the area of Chavez Street and advised that they are lacking speed bumps in that area.

## **CITY MANAGER'S REPORT**

City Manager Tim Montgomery discussed the following;

- Welcomed new staff to the City of Las Vegas
- Changes to the Utilities Department
  - David Marquez serving as Interim Director for Gas
  - Travis Martinez serving as Interim Director for Water and WasteWater
  - Arnold Lopez serving as Interim Director for Solid Waste
- Department updates
- City Hall update
- Municipal Court fees
  - Fees eliminated (effective 7/1/24)
- San Miguel County Detention Center
  - Contract needs to be negotiated
- Recreation Center revenue updates
- Rodriguez Park scoreboard (installed 6/13/24)
- Replacement of broken sprinkler heads at multiple parks
- Reservoir storage
  - Peterson 130 acre feet
  - Storrie Lake 800 acre feet
  - Bradner 300 acre feet
- Projects within the City
  - Road projects
  - Preparing for Fathers Day event
  - 4th of July Fiestas
- Grant monies to clean out old City Hall
- NMHU Artwork to be placed along the Riverwalk

Councilor Montoya asked if there was a back up plan for hauling trash to Wagon Mound during Amnesty Day on June 22, 2024.

City Manager Montgomery advised that they are in the process of an emergency PO to ensure that the facility is prepared for trash coming in. City Manager Montgomery advised if someone shows up on June 22nd close to the 1 pm they would provide them with a certificate and be allowed to throw their trash the following week.

Councilor Montoya advised that staff should speak on the radio to let the public know about the rules, fees and what the hours are. Councilor Montoya advised that during Amnesty days it becomes overwhelming for staff and for the facility

and four hours was not enough time. Councilor Montoya advised that they were supposed to be involved regarding the Artwork with NMHU.

Mayor Romero advised that City Manager Montgomery met with NMHU and the class had already started and they had selected the artwork. Mayor Romero advised that he was not happy that they didn't have input but felt like they were getting their money's worth.

Discussion took place regarding why there were 56 rereads of gas meters and the Hot Springs Blvd project .

Councilor Martinez thanked City Manager Montgomery for taking the steps that he did in regards to the Interim positions for the Gas, Solid Waste, Water and WasteWater departments.

Mayor Romero asked if Souder Miller was still under contract for WasteWater and Water.

City Manager Montgomery advised yes.

Mayor Romero advised that under Souder Miller's contract, Level IV operators are required and they are the ones who have been maintaining the Water and WasteWater system for the past six or seven years.

Interim Water and WasteWater Director Travis Martinez advised that they were in the process of hiring a Level IV operator for WasteWater and they also interviewed a Level IV operator for the Water Treatment Plant.

City Manager Montgomery advised that they would continue working with Souder Miller for assistance, guidance and sufficient coverage.

### **APPROVAL OF MINUTES**

Councilor Montoya made a motion to approve the minutes from May 22 and May 29, 2024. Councilor Casey seconded the motion. Mayor Romero asked if all were in favor. All were in favor.



## **PRESENTATIONS/POSSIBLE DIRECTION**

John Spencer with the Tree Board discussed the Tree Board's effort to seek the production of an Urban Forest Management Plan for the City of Las Vegas at no cost to the City and to ask for Council support.

Councilor Montoya made a motion to proceed with the Tree Board's effort to seek the production of an Urban Forest Management Plan for the City of Las Vegas at no cost to the City. Councilor Martinez 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.

## **CONSENT AGENDA**

1. Request approval of the Grant Agreement between the City of Las Vegas and Carroll Petrie Foundation in the amount of \$15,000.00.

Councilor Montoya made a motion to approve the Grant Agreement between the City of Las Vegas and Carroll Petrie Foundation in the amount of \$15,000.00. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	Michael Montoya	Yes
Marvin Martinez	Yes		

City Clerk Fresquez advised the motion carried.

## **BUSINESS ITEMS**

1. Request approval to enter into a Cooperative Agreement with the New Mexico Tourism Department for the purpose of a grant acceptance in the amount of \$200,674.00.

Community Development Director Lucas Marquez advised that the New Mexico Tourism Department had approached him in regards to applying for a grant. Community Development Director Marquez advised that they received an award letter in May and advised the total of the grant is \$301,011 with a match of \$100,337. Community Development Director Marquez advised in August the City would apply to have the monies reimbursed by Lodgers Tax.

Councilor Casey made a motion to approve to enter into a Cooperative Agreement with the New Mexico Tourism Department for the purpose of a grant acceptance in the amount of \$200,674.00. Councilor Montoya seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Marvin Martinez	Yes	Michael L. Montoya	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

2. Request approval of Lodgers' Tax funding in the amount of \$148,964.71 to the City of Las Vegas, Fiestas de Las Vegas.

Community Development Director Lucas Marquez advised that they had a Special Lodgers Tax meeting to see if they could get funding for the entertainment for the Fourth of July Fiestas. Community Development Director Marquez advised that the funding would cover the 41 artists who will perform during the fiestas, audio and stage, restrooms and television advertisements.

Mayor Romero advised that they did seek legal advice to make sure they were able to seek funding from Lodgers Tax as promotional.

Community Development Director Marquez advised that the bands would be considered a promotional item.

Councilor Martinez discussed having a fiesta committee to help promote the community and possibly purchasing a stage for the City to have.

Community Development Director Marquez advised that they are looking into having a fiesta committee to be involved with the entertainment and have staff involved with the vendors and parade. Community Development Director Marquez advised that Jerry Dean, Darren Cordova and Al Hurricane were approached for the fiestas but they disputed the City's contract and wanted to have their own contract.

Councilor Montoya thanked staff and City Manager Montgomery for utilizing Lodgers Tax funding for the fiestas and advised when promoting the fiestas the City logo needs to be included along with Lodgers Tax.

Discussion took place regarding the Emcee for fiestas, having a permanent stage, having the Grand Marshal included in the schedule and having each band provide a CD to be raffled off at \$10 a raffle and the money be given back to cover the pageant.

Councilor Martinez made a motion to approve Lodgers' Tax funding in the amount of \$148,964.71 to the City of Las Vegas, Fiestas de Las Vegas. Councilor Montoya seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	Barbara Casey	Yes
Marvin Martinez	Yes		

City Clerk Fresquez advised the motion carried.

3. Request approval for the use and lease of City property to house a manufactured home for American Medical Response Ambulance Services (AMR) as per contract 3983-23 with AMR and San Miguel County for Emergency Medical Services.

Fire Chief Steven Spann advised during negotiations the City and County agreed to provide a facility and property to house AMR staff. Fire Chief Spann advised that they would save \$20,000 a month by providing the facility and property. Fire Chief



Spann advised that the County would be responsible for all maintenance and utilities of the property. Fire Chief Spann advised that it would have a 20 year lease but the City is able to end the lease with a 180 day written notice. Fire Chief Spann advised that the facility and property is to be used for any ambulance service the City and County contract with in the future or if the City decides to take over its own ambulance services.

Councilor Montoya asked why the language was not included in the contract regarding the City providing the property and advised on pg 3, Article 3 of the contract states that “the San Miguel County shall provide an ambulance station and two ambulances in the western part of San Miguel County, as well as property to house an ambulance station”.

Fire Chief Spann advised that due to the City having the largest call volume, the City pays 60% of the contract and in order to lower the cost by saving \$20,000 a month the City agreed to find the property to place the building on.

Councilor Montoya asked again why that language was not included in the contract last year.

Fire Chief Spann advised that the original contract states that the County would provide the property but it would save the City from paying \$90,000 a month if the City provided it.

Councilor Montoya asked where they are at with getting others certified as paramedics so the Fire department could take over ambulance services.

Fire Chief Spann advised that they are working on it but it would require about 2 years of schooling, five days a week, not including an internship or rotations at the hospital. Fire Chief Spann advised they need to figure out how to do that and cover their shifts since they are short handed.

Discussion took place regarding Luna only teaching the EMT basic level and to send them to paramedic school they would have to go to Santa Fe Community College, UNM or CNM.



Councilor Montoya advised that the property was donated by the Aragon's and asked if it had a specific use for the property.

Community Development Director Marquez advised that according to the paperwork and contracts, the City purchased the property for about two hundred and fifty thousand dollars along with a donation of one hundred forty three dollars from the Aragon's to the City of Las Vegas. Community Development Director Marquez advised that there are no restrictions or no stipulations on the property.

Councilor Montoya thanked the Aragon's for donating the property to the City.

Councilor Montoya made a motion to approve the use and lease of City property to house a manufactured home for American Medical Response Ambulance Services (AMR) as per contract 3983-23 with AMR and San Miguel County for Emergency Medical Services. Councilor Martinez seconded the motion.

Discussion took place regarding the process of bringing on an EMS Consulting Agency to help with training.

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

Barbara Casey	Yes	Marvin Martinez	Yes
Michael L. Montoya	Yes		

City Clerk Fresquez advised the motion carried.

4. Request approval of a Professional Services Agreement for legal services with Holcomb Law Office.

Human Resource Director Darlene Arguello advised that the Human Resource department was in need of Professional Legal Services that specialize in Human Resource Law and Labor Management Relations. HR Director Arguello advised that she solicited five quotes and received two qualified bidders.

Councilor Montoya asked Finance Director Madrid if the agreement price of \$55,000 was acceptable.

Finance Director Madrid advised that it is allowed and the state Procurement Code limits \$60,000 per vendor, per fiscal year.

Councilor Montoya made a motion to approve a Professional Services Agreement for legal services with Holcomb Law Office. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	Marvin Martinez	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

5. Request approval of Professional Services Agreement for legal services with New Mexico Local Government Law.

Councilor Martinez made a motion to approve a Professional Services Agreement for legal services with New Mexico Local Government Law. Councilor Montoya seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	Michael L. Montoya	Yes
Marvin Martinez	Yes		

City Clerk Fresquez advised the motion carried.

6. Request approval to award RFP 2024-19 for Disaster Recovery Services for the City of Las Vegas, NM current and future disasters with The Sulzer Group and enter into contract.

City Manager Tim Montgomery advised that Council had approved to go into negotiations and brought forward a contract with The Sulzer Group. City Manager Montgomery advised that page 3 of 7 under compensation states that the City

would pay no more than \$750,000 with written permission and is based on Exhibit A of hourly rate. City Manager Montgomery advised that the services are to assist the City with filing claims regarding destruction from the fire.

Mayor Romero advised that as a Governing Body they should meet with both entities to work together.

Councilor Montoya made a motion to approve RFP 2024-19 for Disaster Recovery Services for the City of Las Vegas, NM current and future disasters with The Sulzer Group and enter into contract. 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.

7. Request approval to award RFP 2024-18 for Disaster Legal Services for the City of Las Vegas, NM for damages sustained from the Hermit's Peak/Calf Canyon Wildfires with Singleton Schreiber and enter into contract.

City Manager Tim Montgomery advised that Council had approved the proposals from the RFP and move forward with Singleton Schreiber Law Firm and negotiate legal services for Disasters that are being filed through FEMA. City Manager Montgomery advised that the compensation for services would be fifteen percent of all gross amounts recovered by FEMA. City Manager Montgomery advised that they are not guaranteeing any hours or committing to any level of service and it would be a collaborative effort between the Disaster Recovery specialists and the Legal team.

Councilor Montoya asked if moving forward then Mayor and Council wouldn't be able to go directly to FEMA and request or have any type of settlement.



City Manager Montgomery advised that there should be routine communication so they know what claims they are submitting.

Mayor Romero asked if City Manager Montgomery would clarify whether the percentage was fifteen or eighteen percent.

City Manager Montgomery stated on page 2, section 2.1 under Attorney Fees, the compensation for legal services to be rendered by the Firm, Client agrees to pay the Firm fifteen percent of all gross amounts recovered by the way of settlement, trial, arbitration or similar proceeding. City Manager Montgomery advised that they agreed on fifteen percent but he would clarify if page 2, section 2.2 regarding the eighteen percent was a typo.

Councilor Martinez asked if there was a time restraint.

City Manager Montgomery advised that he felt that they need that representation.

Mayor Romero advised that they would give City Manager Montgomery the authority to move forward whether it's the fifteen percent or eighteen percent.

Councilor Montoya made a motion to approve RFP 2024-18 for Disaster Legal Services for the City of Las Vegas, NM for damages sustained from the Hermit's Peak/Calf Canyon Wildfires with Singleton Schreiber and enter into contract and giving the City Manager the authority to negotiate the fifteen or eighteen percentage. Councilor Casey seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Marvin Martinez	Yes	Michael L. Montoya	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.



8. Request approval to amend the current Professional Services Agreement, #4042-24 with Advise| A Modern Law Firm and the City to increase the maximum compensation payable from \$20,000.00 to 35,000.00.

City Manager Tim Montgomery advised that they had gone out for quotes for additional legal services and opted to retain three different law firms. City Manager Montgomery advised that the contract was prepared and stated not to exceed \$20,000 in total of \$60,000 within three different law firms. City Manager Montgomery advised that the \$60,000 ran out and are requesting a contract amendment for the three law firms for an increase from \$20,000 to \$35,000 for a total of \$105,000. City Manager Montgomery advised that there were concerns regarding the Attorney needing to be within San Miguel County and after consultation with legal services and auditors it was acceptable to add \$15,000.

Discussion took place regarding \$15,000 being enough until they go out for an RFP in the new fiscal year.

Councilor Montoya asked if there were any applicants for an in-house attorney.

City Manager Montgomery advised no, but they are hoping with the increase in salary in the amount of \$175,000 people will apply.

Councilor Montoya made a motion to approve to amend the current Professional Services Agreement, #4042-24 with Advise| A Modern Law Firm and the City to increase the maximum compensation payable from \$20,000.00 to 35,000.00. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	Marvin Martinez	Yes
Michael L. Montoya	Yes		

City Clerk Fresquez advised the motion carried.

9. Request approval to amend the current Professional Services Agreement, #4041-24 with New Mexico Local Government Law, LLC and the City to

increase the maximum compensation payable from \$20,000.00 to \$35,000.00.

Councilor Casey made a motion to approve to amend the current Professional Services Agreement, #4041-24 with New Mexico Local Government Law, LLC and the City to increase the maximum compensation payable from \$20,000.00 to \$35,000.00. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	Barbara Casey	Yes
Marvin Martinez	Yes		

City Clerk Fresquez advised the motion carried.

10. Request approval to amend Professional Services Contract #4043-24 with Ortiz & Zamora Attorneys at Law, LLC and the City to increase the maximum compensation payable from \$20,000.00 to \$35,000.00.

Councilor Casey made a motion to approve to amend the current Professional Services Agreement, #4041-24 with New Mexico Local Government Law, LLC and the City to increase the maximum compensation payable from \$20,000.00 to \$35,000.00. 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 L. Montoya	Yes		

City Clerk Fresquez advised the motion carried.

### **EXECUTIVE SESSION**

Councilor Casey made a motion to convene into executive session for the purpose of discussing Collective Bargaining strategy, as permitted by section 10-15-1(H)(5) and discussing Limited personnel matters, as permitted by section 10-15-1(H)(2) of the New Mexico Open Meetings Act, NMSA 1978, discussion regarding the Las Vegas Police Officer's Association (LVPOA) Collective Bargaining Unit agreement and the International Firefighters Association (IAFF) Collective Bargaining Unit agreement and Discussion regarding the staff assignment in Solid Waste and Gas

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

Michael L. Montoya	Yes	Barbara Casey	Yes
Marvin Martinez	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) and discussing Limited personnel matters, as permitted by section 10-15-1(H)(2) of the New Mexico Open Meetings Act, NMSA 1978, discussion regarding the Las Vegas Police Officer's Association (LVPOA) Collective Bargaining Unit agreement and the International Firefighters Association (IAFF) Collective Bargaining Unit agreement and Discussion regarding the staff assignment in Solid Waste and Gas Divisions, no other items were discussed and no action was taken. 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 L. Montoya	Yes		

### **ADJOURN**

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

City Clerk Fresquez advised the motion carried.

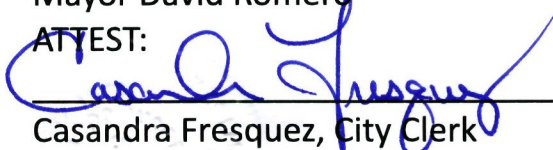
Meeting adjourned at 9:30 pm.



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Mayor David Romero

ATTEST:



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Casandra Fresquez, City Clerk