CITY OF LAS VEGAS

1700 N. GRAND AVE. LAS VEGAS, NEW MEXICO 87701
505-454-1401 FAX: 505-425-7335

Mayor Tonita Gurule-Giron

CITY OF LAS VEGAS
REGULAR CITY COUNCIL AGENDA
January 17, 2018–Wednesday– 6:00 p.m.
City Council Chambers
1700 N. Grand Avenue

(The City Council shall act as the Housing Authority Board of Commissioners on any matters on the Agenda concerning the Housing Department.)

I. **CALL TO ORDER**

II. **ROLL CALL**

III. **PLEDGE OF ALLEGIANCE**

IV. **MOMENT OF SILENCE**

V. **APPROVAL OF AGENDA**

VI. **APPROVAL OF MINUTES (December 20th, December 28th and December 31st, 2017)**

VII. **MAYOR'S APPOINTMENTS/REPORTS**

VIII. **MAYOR'S RECOGNITIONS/PROCLAMATIONS**

IX. **PUBLIC INPUT**
(not to exceed 3 minutes per person and persons must sign up at least fifteen (15) minutes prior to meeting)

X. **PRESENTATIONS (Not to exceed 10 minutes per person)**

- Presentation by David Old presenting a general status update of Old Wood.

XI. CITY MANAGER'S REPORT

XII. FINANCE REPORT

XIII. CONSENT AGENDA

(Items may be moved to New Business at the request of any Councilor with approval of the Governing Body)

1. Approval/Disapproval of updated DFA Resolution 17-46.

   Tana Vega, Interim Finance Director DFA has requested approval from Mayor and Council on the updated Resolution 17-46 increasing the revenues by $666.00 that has been recommended by DFA.

2. Approval of Resolution No. 18-04 in support of Refugee Resettlement in the United States and in New Mexico.

   David Silva, Interim City Attorney The governing body declares its support for those cities in New Mexico which are able to resettle refugees, and calls for a greater national effort to provide a safe and secure future for refugees.

3. Approval of Open Meetings Resolution 18-01.

   Casandra Fresquez, City Clerk Resolution 18-01 establishes reasonable notice of council meetings in compliance with the Open Meetings Act. Approval of the resolution is required annually.

XIV. COUNCILORS' REPORTS

XV. EXECUTIVE SESSION

THE COUNCIL MAY CONVENE INTO EXECUTIVE SESSION IF SUBJECT MATTER OF ISSUES ARE EXEMPT FROM THE OPEN MEETINGS REQUIREMENT UNDER § (H) OF THE OPEN MEETINGS ACT.

A. Personnel matters, as permitted by Section 10-15-1 (H) (2) of the New Mexico Open Meetings Act, NMSA 1978.

B. Matters subject to the attorney client privilege pertaining to threatened or pending litigation in which the City of Las Vegas is or may become a participant, as permitted by Section 10-15-1 (H) (7) of the New Mexico Open Meetings Act, NMSA 1978.

C. **Matters pertaining to the discussion of the sale and acquisition of real property, as permitted by Section 10-15-1 (H) (8) of the Open Meetings Act, NMSA 1978.**

XVI. ADJOURN

ATTENTION PERSONS WITH DISABILITES: The meeting room and facilities are accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office prior to the meeting so that arrangements may be made.

ATTENTION PERSONS ATTENDING COUNCIL MEETING: By entering the City Chambers, you consent to photography, audio recording, video recording and its/their use for inclusion on the City of Las Vegas Web-site, and to be televised on Comcast.

NOTE: A final agenda will be posted 72 hours prior to the meeting. Copies of the Agenda may be obtained from City Hall, Office of the City Clerk, 1700 N. Grand Avenue, Las Vegas, NM 87701

MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD ON WEDNESDAY, DECEMBER 20, 2017 AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS

MAYOR:	Tonita Gurulé-Girón
COUNCILORS:	Barbara A. Casey David A. Ulibarri, Jr. Vincent Howell David L. Romero
ALSO PRESENT:	Richard Trujillo, City Manager Casandra Fresquez, City Clerk Corinna Laszlo-Henry, City Attorney Chris Lopez, Sergeant at Arms

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Howell asked that family, friends and neighbors be remembered and hoped for a safe and happy holiday season and asked everyone to think of and help those less fortunate who may be on highways, under bridges or in parks who are not able to be warm.

APPROVAL OF AGENDA

Councilor Casey made a motion to approve the agenda as presented. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Barbara A. Casey	Yes
David A. Ulibarri, Jr.	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

APPROVAL OF MINUTES

City Attorney Corinna Laszlo-Henry advised that she had a supplement to add to the minutes and stated that a closed meeting of the Governing body was called on December 14, 2017 for the purpose of discussing the matters subject to the client privilege pertaining to threatened or pending litigation in which the City of Las Vegas is or may become a participant, as permitted by Section 10-15-1 (H) (7) of the New Mexico Open Meetings Act, NMSA 1978, after proper notice, the meeting was convened at 6:04 p.m., roll call was taken and all members of the Governing Body were present. She advised that only matters subject to the attorney client privilege pertaining to threatened or pending litigation in which the City of Las Vegas is or may become a participant were discussed and that Council was given specific settlement authority as authorized by the majority of the Governing body, the meeting adjourned at 6:54 p.m.

Councilor Casey made a motion to approve the minutes for November 8th, November 14th, November 30th and December 14th, 2017. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	David L. Romero	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

MAYOR'S APPOINTMENTS/REPORTS

Mayor Tonita Gurulé-Girón advised that there were no appointments or reports although mentioned that they were still attempting to negotiate the issue regarding the Storrie Project.

MAYOR'S RECOGNITIONS/PROCLAMATIONS

Mayor Gurulé-Girón advised there were no recognitions or proclamations at this time.

PUBLIC INPUT

William Gonzales spoke on behalf of the Acequias and asked the Governing body to consider the withdrawal of litigation pertaining to the remand and stated that the Acequias were still willing and able and waiting for the opportunity to discuss with the City how they could share water and bring an end to, in his opinion, "senseless" litigation. He stated that he hoped the matter could be resolved due to it continuing for many years, with millions of dollars going to litigation and the 1200 acre feet water storage, instead of where it was desperately needed in the community.

Ray Gallegos spoke briefly on issues of the 1835 Priority and how it would lead to the extinction of the Acequias and stated that what was being spent to pay Storrie Project, Bradner could be repaired at a fraction of the cost and added there was no need to lease or borrow money. Mr. Gallegos stated that he could not understand the obsession of the City government sending water and money to private individuals at Storrie Project, with no reasonable expectation of a return. He advised that he was convinced that this was not about water but about money, with decisions that had been made and felt it was a gross misrepresentation of funds and that they would continue their efforts against the 1835 Priority.

Pamela G. Daves stated that she did not see the Charter contracts or the resignation/vacancy of City Manager as she had heard he was resigning. Ms. Daves advised that these issues needed to be addressed by the end of the year on the agenda and added that she was very unhappy with the agenda and that it should be amended in order to comply with the City Charter by the end of the year.

Gabe Estrada spoke regarding the water issues and stated that he had hoped they would have been resolved by now and advised that these legalities had been going on for 68 years with no result but great cost to the City. Mr. Estrada added that he had been involved for many years in the efforts of resolving the water issues and in getting an agreement and that there was much legal talk although nothing had been accomplished. He hoped that this Council would not pass this water issue to the next Council and added that it was important to divide the water.

Wilbert Ryan advised that he had personnel concerns regarding the four positions of City Manager, City Attorney, City Clerk and Chief of Police which would expire at the end of the year. He stated that these positions were extremely important to the Mayor, Council and to the City and felt that they should be handled in a proper legal manner. Mr. Ryan spoke of the importance of documentation of performance appraisals and that it is an important part for future employment.

Georgina Ortega stated that she wanted to encourage the Council to adopt the amendment regarding the water for gardening and spoke of concerns regarding the need of watering food gardens and that it was vital especially on the West side of town. Mrs. Ortega advised that she supported the members of the Acequias who spoke of concerns in coming to an agreement after so many years and we should all consider how we use water.

Bruce McAllister spoke on issues of the water agreements and how both dams could have already been repaired with what had been spent to pay attorneys. He stated that it should be about working together with our neighbors and working for solutions for everyone. Mr. McAllister stated that there were many issues and added that we were not doing a good job on managing the City.

Meredith Britt spoke briefly regarding the contract renewals for City Manager, Chief of Police, City Attorney and City Clerk and added that they needed to be on the agenda to be voted on for renewal in order to have a functioning government. Ms. Britt advised there had been a great deal of turnover within the City and that it needed some consistency and that the contracts should be renewed by the end of the year. Ms. Britt stated that City Councilors drank bottled water and wanted to know if there was something wrong with City water.

Mayor Gurulé-Girón stated for the record "we understand the process of the contracts and the Charter which had been raised here this evening, we will be addressing those issues and we still have until the 31st, the City has not dropped the ball and I just don't know why there's such huge concern, there are impending issues that need to be addressed before those contracts are addressed, I cannot say anymore at this point and time, we are very familiar with the personnel rules".

Alex Aragon advised that he requested for the Governing body to cancel plans for the Las Vegas Night at the Legislature and added that he felt there was no value to the taxpayers to the citizens of Las Vegas after the last year's event. He informed after gathering information regarding funding for the event, came to the

conclusion that the funding used could have been spent on needs of the City. Mr. Aragon spoke of several concerns regarding the street lights in Las Vegas not working and advised that the citizens pay for those lights. Mr. Aragon stated that it was unfair to limit people to 3 minutes for Public Input and felt that it was unfair when an individual was given more time to speak and disrespected three Council members in public at the November 14th Council meeting. He stated that Mayor Gurulé-Girón disrespected the three Council members by not using the gavel to rule this individual "out of order" and asked Council to consider giving the public 5 minutes to speak under Public Input.

Mayor Gurulé-Girón addressed Mr. Aragon regarding Legislative Night and that the City did not spend any money from the budget and that money was raised for the event and informed that this year's goal was promoting to assisting students with scholarships and advised that the lights were being addressed with D.O.T. Mayor Gurulé-Girón advised Mr. Aragon that he had insulted her in the past and was allowed to do that and felt that it was unprofessional for Mr. Aragon to attack her again today and was disrespectful.

Brief discussion took place between Mayor Gurulé-Girón and Alex Aragon regarding his concerns.

CITY MANAGER'S REPORT

Mayor Gurulé-Girón advised City Manager Trujillo to address the Council and the public due to them having concerns and stated to Ms. Daves that the reason the City Manager's contract had not been addressed was out of respect to City Manager not wanting it placed on the agenda as his last day was December 29th and would address the Council and the public.

City Manager Trujillo advised that he took a lot of offense when people would say that nothing had been done for the City and added that he would support his Directors and their staff and praised them for their efforts in moving the City forward. He spoke of some accomplishment and several events that had recently taken place in the City.

City Manager Trujillo informed that he had been working for 42 years and that it was time for him to retire and that the City was in good hands with our top-notch Directors and criticized the negative talk from community members. He stated that he was confident that the water issues would soon be resolved.

City Manager Trujillo thanked Directors, Managers, Chief of Police, Fire Chief and staff for carrying the City and stated that all the fighting was killing the City of Las Vegas. He stated that he was proud of the accomplishments made in the City in a very short time and added that many distractions have taken place with recalls affecting City employees. City Manager Trujillo mentioned several other accomplishments within the City and had confidence in Directors, Managers and employees to move the city forward. City Manager Trujillo thanked Mayor and Council for their support as City Manager and asked the community to get engaged with the Governing Body to become knowledgeable of what was happening in the City.

Mayor Gurulé-Girón thanked City Manager Trujillo for his service to the City, dedication and commitment. She commended him on the good job he had done and congratulated him on his retirement

FINANCE REPORT

Finance Director Ann Marie Gallegos presented the Finance Report ending November 30, 2017 and reported that General Fund Revenues were at 40% and informed that expenditures were at 35%. Ms. Gallegos advised that the departments had done a good job in monitoring their expenses.

Finance Director Gallegos reported the Recreation Department revenue at 35% and expenditures at 35% as well and working on bringing in more revenue.

Finance Director Gallegos informed that Enterprise Funds revenue came in at 34%, and would be increasing with more gas use in the colder months and reported expenditures to be at 33%.

Councilor Casey asked how the current Utility Water & Gas rates would affect the Enterprise funds.

Finance Director Gallegos stated that the only thing affected by an increase would be the CPI, which is considered when planning the budget.

Councilor Casey advised that there were concerns regarding the increased rates for gas for commercial property.

Finance Director Gallegos advised that the cost was generated by Zia Natural Company every year by November and there would be a change of rates whether it is an increase or decrease.

Councilor Howell asked for clarification regarding the contract between NMDOT, the City of Las Vegas and/or PNM.

Public Works Director Veronica Gentry explained that the City has a contract with PNM and that the City is responsible for the structure of the top lighting and PNM oversees the electrical aspect. She informed that NMDOT and the City both hold responsibility for lights and advised that she would be available to confirm each section of responsibility.

Brief discussion took place regarding the process of reporting lighting issues.

Councilor Howell spoke of several issues experienced due to insufficient lighting.

City Manager Trujillo explained that NMDOT and the City had a good working relationship.

BUSINESS ITEMS

1. Approval/Disapproval of Resolution 17-46 Budget Adjustment Resolution.

Finance Director Ann Marie Gallegos advised that the City of Las Vegas was requesting increases to the FY2018 Budgeted revenues, expenditures, transfers to and from within various funds of the FY2018 Budget and stated that with the increase the total was $1,898,671.00. Finance Director Gallegos advised that she was also requesting an amendment to Resolution 17-46 which was the approved 2018 Traffic Safety Grant, and would increase the amount by $20,322.00 for a total of $1,918,993.00.

Councilor Casey made a motion to approve Resolution 17-46, Budget Adjustment Resolution with the amendment of increase for the 2018 Traffic Safety Grant. Councilor Howell seconded the motion.

Resolution 17-46 was presented as follows:

STATE OF NEW MEXICO
MUNICIPALITY OF CITY OF LAS VEGAS
RESOLUTION 17-46
FISCAL YEAR 2017-2018

BUDGET ADJUSTMENT REQUEST

WHEREAS, The Governing Body in and for the Municipality of Las Vegas, State of New Mexico has developed a budget adjustment request for fiscal year 2017-2018; and

WHEREAS, said budget adjustment request was developed on the basis of need and through cooperation with all user departments, elected officials and other department supervisors, please see attached schedule; and

WHEREAS, the City of Las Vegas is in need of making budget adjustments in the 2017-2018 fiscal year budget; to include an increase of $8,000 Grant funding in the General Fund, $7,599 Grant funding increase in the Library Special Fund, a decrease of $21,500 in the E911 Fund, a decrease of $406 in the Bullet Proof Vest Account, an increase of $9,978 in the Rehab Taxiway Airport Fund, and an increase of $1,895,000 of SRF Funding in the Water Project Fund.

WHEREAS, it is the majority opinion of this governing body that the budget adjustment request is approved and meets the requirements as currently determined for fiscal year 2017-2018;

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Municipality of the City of Las Vegas, State of New Mexico hereby approves the budget adjustment request herein above described and respectfully requests approval from the Local Governing Division of the Department of Finance and Administration.

RESOLVED: In session this 20th day of December, 2017.

_____
Tonita Gurule-Giron, Mayor

ATTEST:

_____
Casandra Fresquez, City Clerk
REVIEWED AND APPROVED AS TO LEGAL SUFFICIENCY ONLY:

_____
Corrina Lazlo-Henry, City Attorney

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

David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Howell asked for an update regarding the South Grand Project.

City Manager Trujillo advised that the South Grand Project was scheduled for February 2018 and stated that they were hoping for an increase to the amount previously estimated which meant there would be an increase to GRT.

2. Conduct a Public Hearing and Approval/Disapproval of application requesting a transfer of ownership for Murphy Oil USA, Inc. DBA Murphy Oil USA, Inc. DBA Murphy Express #8709 located at 2607 7th Street, Las Vegas, NM License #0837.

Councilor Casey made a motion to go in to Public Hearing. Councilor Romero and Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	David L. Romero	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

City Clerk Fresquez advised that a transfer of ownership for liquor license was submitted by Murphy Oil USA, INC. for 2607 7th Street. The current owner of the license is HSLC Licenses, LLC at 2607 7th Street, Las Vegas, NM, License #0837. City Clerk Fresquez s advised that they had met publication and zoning requirements and also that the owner notified and apologized for not being able to attend although asked Council to consider the approval.

City Clerk Fresquez stated that her recommendation was approval and added that they were doing business as Conoco and that it was a transfer of ownership. She informed that they would be rebuilding and had already obtained a permit from Community Development.

Councilor Howell asked if Conoco had a liquor license and asked if there were no issues from Wal-Mart being that they could not sell liquor.

City Clerk Fresquez advised that they had a package liquor license and that to her knowledge Wal-Mart had never requested a liquor license.

Discussion took place regarding the clarification of the transfer of ownership.

Councilor Casey made a motion to accept the record proper. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Barbara A. Casey	Yes
David A. Ulibarri, Jr.	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Casey made a motion to reconvene into Regular session and to close Public Hearing. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Howell made a motion to approve application requesting a transfer of ownership for Murphy Oil USA, Inc. DBA Murphy Express #8709 located at 2607 7th Street, Las Vegas, NM, License #8709. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	David A. Ulibarri, Jr.	Yes
Vincent Howell	Yes	Barbara A. Casey	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Howell asked if the Love's Truck Stop would be selling liquor.

City Manager Trujillo advised that Love's Truck Stop had not applied for a liquor license.

3. Conduct a Public Hearing and Approval/Disapproval to adopt Ordinance No. 17-11 to enter into a loan agreement with the New Mexico Environment Department.

Councilor Howell made a motion to go in to Public Hearing. Councilor Romero seconded the motion.

Ordinance 17-11 was presented as follows: *Due to length of document, a complete copy may be obtained at City of Las Vegas City Clerk's Office.*

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

Vincent Howell	Yes	Barbara A. Casey	Yes
David L. Romero	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

City Clerk Fresquez asked that anyone wishing to speak on the issue, to stand and be sworn in. Maria Gilvarry was sworn in.

Utilities Director Maria Gilvarry advised that this loan was for the purpose of obtaining project loan funding for the Waste Water treatment plant lift stations. The principal loan amount is $350,000.00 and the subsidy grant fund amount is $100, 000.00 for a total funded amount of $450,000.00 offered by the New Mexico Environment Department. She advised that the three plant lift stations that were in need of rehabilitation were located at San Miguel Detention Center, Dee Bibb and near New Mexico Department of Transportation.

Councilor Casey asked why a Public Hearing was needed on this particular loan agreement, where funding would come from to pay the loan and asked for the increment payment amounts.

Utilities Director Gilvarry advised that the New Mexico Environment Department required revolving fund loans to have an ordinance which could only be approved by Council through Public Hearing. She informed that it was a 0% interest loan that would be paid over a 20 year period with a $17,400.00 per year payment from the Waste Water budget.

Councilor Casey made a motion to accept the record proper. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Casey made a motion to close Public Hearing and reconvene in to Regular session. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Barbara A. Casey	Yes
David L. Romero	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion had carried.

Councilor Casey made a motion to approve to adopt Ordinance No. 17-11 to enter into a loan agreement with the New Mexico Environment Department. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

4. Conduct a Public Hearing and Approval/Disapproval to adopt Ordinance No. 17-12 amending water conservation ordinance.

Councilor Howell made a motion to go in to Public Hearing. Councilor Romero seconded the motion.

Ordinance 17-12 was presented as follows: *Due to length of document, a complete copy may be obtained at the City of Las Vegas City Clerk's Office.*

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

David A. Ulibarri, Jr.	Yes	David L. Romero	Yes
Barbara A. Casey	Yes	Vincent Howell	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

City Clerk Fresquez asked anyone who wished to speak on the issue, to stand and be sworn in. Maria Gilvarry, Bruce McAllister and Georgina Ortega were sworn in.

Utilities Director Gilvarry advised that the amendment of water conservation Ordinance 440-26 is to add small personal food gardens to the exceptions in the ordinance. She stated that it would apply to 200 square feet food gardens that would not impact the City's water supply and gardens would be monitored by the City.

Bruce McAllister stated that he supported the concept of amending the water conservation ordinance.

Georgina Ortega stated that she also supported the amendment due to living in a food desert and that our community needed the opportunity to grow their own food and would make the community more acceptable to live in. Mrs. Ortega thanked the Governing Body for their support in amending the ordinance.

Utilities Director Gilvarry read the exception to state "personal fruit/vegetable garden of 200 square feet or less watered by drip irrigation, soaker hose or by hand."

Councilor Howell asked if the Ordinance would cover beyond the City limits.

Utilities Director Gilvarry advised that it covered people using City water in the service area.

Councilor Casey made a motion to accept the record proper. Councilor Ulibarri, Jr. and Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Barbara A. Casey	Yes
David A. Ulibarri, Jr.	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Casey made a motion to close Public Hearing and reconvene into Regular session. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	David L. Romero	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Howell made a motion to approve to adopt Ordinance No. 17-12 amending water conservation ordinance. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

5. Conduct a Public Hearing and Approval/Disapproval to adopt Ordinance No. 17-15, amendment to the Official Zoning Map for property.

Councilor Casey made a motion to go in to Public Hearing. Councilor Howell and Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

City Clerk Fresquez asked anyone who wished to speak on the issue, to stand and be sworn in. Renee Garcia, Maria Perea and Matias Martinez Jr. and Matias Martinez Sr. were sworn in.

Planning & Zoning Coordinator Maria Perea advised that Matias Jr. & Consuelo F. (aka Francille C.) Martinez, owners of Parcel B-2 located behind 300 South Grand Avenue, Las Vegas, New Mexico appeared before the Las Vegas Planning and Zoning Commission on November 27, 2017. Mr. & Mrs. Martinez are requesting

that said property be re-zoned from the present C-3 (General Commercial Zone) to an R-1 (Single Family Residential Zone). The applicant's intent is to have property taxes lowered on said lots.

Matias Martinez Sr. explained that the reason for his request was due to paying too many taxes for the property he lived in which no longer had a business and asked Council to consider the zone change.

Councilor Casey made a motion to accept the record proper. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Casey made a motion to close Public Hearing and reconvene in to Regular session. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	David L. Romero	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Casey made a motion to approve to adopt Ordinance No. 17-15, amendment to the Official Zoning Map for said property. Councilor Romero seconded the motion.

Ordinance 17-15 was presented as follows:

CITY OF LAS VEGAS, CITY COUNCIL
ORDINANCE NO. 17-15

AN ORDINANCE AMENDING THE CITY OF LAS VEGAS OFFICIAL ZONING MAP FROM AN C-3 (GENERAL COMMERCIAL ZONE) TO AN R-A (RESIDENTIAL AGRICULTURAL ZONE) FOR PARCEL B-2 (3.097 ACRES ±) LOCATED BEHIND 300 SOUTH GRAND AVENUE, LAS VEGAS, NEW MEXICO AS REQUESTED BY MATIAS JR. & CONSUELO F. (aka FRANCILLE C.) MARTINEZ (APPLICANTS/OWNERS).

WHEREAS, Matias Jr. & Consuelo F. (aka Francille C.) Martinez have applied for an amendment to the official zoning map for Parcel B-2 (3.097 acres ±) located within T16n, R16e, Section 26, behind 300 South Grand Avenue, Las Vegas, New Mexico pursuant to provisions of the Las Vegas City Zoning Ordinance, and;

WHEREAS, on November 27, 2017 the City of Las Vegas Planning and Zoning Commission, following adequate public notice, held a public hearing to receive testimony concerning the amendment of the Official Zoning Map to re-zone Parcel B-2 (3.097 acres ±) located within T16n, R16e, Section 26, behind 300 South Grand Avenue, Las Vegas, New Mexico from an C-3 (General Commercial Zone) to an R-A (Residential Agricultural Zone) and on November 27, 2017 adopted a motion recommending approval of the proposed amendment.

WHEREAS, on December 20, 2017, the Governing Body of the City of Las Vegas, following adequate public notice, held a public hearing to receive testimony concerning the recommendations of the Planning and Zoning Commission.

NOW, THEREFORE BE IT ORDAINED that the Governing Body of the City of Las Vegas, New Mexico, hereby **GRANTS** the amendment to the Official Zoning Map by re-zoning and changing the district classification of certain property known as Parcel B-2 (3.097 acres ±) located within T16n, R16e, Section 26, behind 300 South Grand Avenue, Las Vegas, New Mexico from a C-3 (General Commercial Zone) to an R-A (Residential Agricultural Zone), and more fully described as follows:

Parcel B-2 (3.097 acres ±), as shown on the Plat of Survey prepared
by John David Hernandez, Hernandez Surveys, a copy of which is attached.

BE IT FURTHER ORDAINED that the Governing Body of the City of Las Vegas, New Mexico, hereby adopts the following findings of fact upon which the Council's decision is based:

1. The boundaries of the zones established by the City's Ordinances, the classification of property herein, or other provisions of said Ordinances may be amended whenever public necessity, convenience, or general welfare require.

1. That duly public notice and public hearings were in accordance with the legal requirements and a site plan for the zone change has been provided which is acceptable to the City Council.

PASSED, APPROVED AND ADOPTED ON THIS _____ DAY OF _____, 2017.

ATTEST:

Casandra Fresquez, City Clerk

Tonita Gurulé-Girón, Mayor

REVIEWED AND APPROVED

AS TO LEGAL SUFFICIENCY ONLY

Corinna Laszlo-Henry, City Attorney

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

Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes
Barbara A. Casey	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

6. Conduct a Public Hearing and Approval/Disapproval to adopt Ordinance No. 17-16, amendment to the Official Zoning Map for property.

Councilor Casey made a motion to go in to Public Hearing. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes
David L. Romero	Yes	Barbara A. Casey	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

City Clerk Fresquez asked anyone who wished to speak on the issue, to stand and be sworn in. Renee Garcia, Maria Perea and Matias Martinez Jr. and Matias Martinez Sr. were sworn in.

Planning & Zoning Coordinator Maria Perea advised that Matias Jr. & Consuelo F. Martinez, owners of a residence know as 296 South Grand Avenue, Las Vegas, New Mexico appeared before the Las Vegas Planning and Zoning Commission on November 27, 2017. Mr. & Mrs. Martinez are requesting that said property be re-zoned from the present C-3 (General Commercial Zone) to an R-1 (Single Family

Residential Zone). The applicant's intent is to have the family residence rezoned to lower the property taxes. Property has been utilized as the owner's primary residence for over 50 years.

Matias Martinez, Sr. once again explained that this rezone was also due to paying too many taxes on his property.

Brief discussion took place regarding the property and locations of the residents and the businesses.

Mayor Gurulé-Girón asked Mr. Martinez if he had commercial property included on the plot that he was asking to re-zone.

Mr. Martinez explained that there was a commercial property next to it although was not included in the re-zone.

Planning & Zoning Coordinator Perea explained that the commercial property had been separated (lot split) and was approved through Planning & Zoning.

Councilor Casey made a motion to accept the record proper. Councilor Romero and Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes
David L. Romero	Yes	Vincent Howell	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Casey made a motion to close Public Hearing and reconvene in to Regular session. Councilor Romero and Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David L. Romero	Yes
Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Casey made a motion to approve to adopt Ordinance No. 17-16, amendment to the Official Zoning Map for said property. Councilor Ulibarri, Jr. seconded the motion.

Ordinance 17-16 was presented as follows:

CITY OF LAS VEGAS, CITY COUNCIL
ORDINANCE NO. 17-16

AN ORDINANCE AMENDING THE CITY OF LAS VEGAS OFFICIAL ZONING MAP FROM AN C-3 (GENERAL COMMERCIAL ZONE) TO AN R-1 (SINGLE FAMILY RESIDENTIAL ZONE) FOR PARCEL A (0.4809 ACRES ±) LOCATED AT 296 SOUTH GRAND AVENUE, LAS VEGAS, NEW MEXICO AS REQUESTED BY MATIAS JR. & CONSUELO F. MARTINEZ (APPLICANTS/OWNERS).

WHEREAS, Matias Jr. & Consuelo F. Martinez have applied for an amendment to the official zoning map for Parcel A (0.4809 acres ±) located within T16n, R16e, Section 26, and known as 296 South Grand Avenue, Las Vegas, New Mexico pursuant to provisions of the Las Vegas City Zoning Ordinance, and;

WHEREAS, on November 27, 2017 the City of Las Vegas Planning and Zoning Commission, following adequate public notice, held a public hearing to receive testimony concerning the amendment of the Official Zoning Map to re-zoneParcel A (0.4809 acres ±) located within T16n, R16e, Section 26, and known as 296 South Grand AvenueSouth Grand Avenue, Las Vegas, New Mexico from an C-3 (General Commercial Zone) to an R-1 (Single Family Residential Zone) and on November 27, 2017 adopted a motion recommending approval of the proposed amendment.

WHEREAS, on December 20, 2017, the Governing Body of the City of Las Vegas, following adequate public notice, held a public hearing to receive testimony concerning the recommendations of the Planning and Zoning Commission.

NOW, THEREFORE BE IT ORDAINED that the Governing Body of the City of Las Vegas, New Mexico, hereby **GRANTS** the amendment to the Official Zoning Map by re-zoning and changing the district classification of certain property known as Parcel A (0.4809 acres ±) located within T16n, R16e, Section 26, and known as 296 South Grand Avenue South Grand Avenue, Las Vegas, New Mexico from a C-3 (General Commercial Zone) to an R-1 (Single Family Residential Zone), and more fully described as follows:

BE IT FURTHER ORDAINED that the Governing Body of the City of Las Vegas, New Mexico, hereby adopts the following findings of fact upon which the Council's decision is based:

1. The boundaries of the zones established by the City's Ordinances, the classification of property herein, or other provisions of said Ordinances may be amended whenever public necessity, convenience, or general welfare require.

1. That duly public notice and public hearings were in accordance with the legal requirements and a site plan for the zone change has been provided which is acceptable to the City Council.

PASSED, APPROVED AND ADOPTED ON THIS _____ DAY OF _____, 2017.
ATTEST:

_____ _____
Casandra Fresquez, City Clerk Tonita Gurulé-Girón, Mayor

REVIEWED AND APPROVED

AS TO LEGAL SUFFICIENCY ONLY

_____
Corinna Laszlo-Henry, City Attorney

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

Barbara A. Casey	Yes	Vincent Howell	Yes
David A. Ulibarri, Jr.	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Matt Martinez, Jr. took the opportunity to speak in regards to the South Grand project and stated that he hoped that business owners in that area would be remembered by New Mexico Department of Transportation, explaining that access to their businesses was vital.

7. Approval/Disapproval to award RFP #2018-10 for Emergency Services to Superior Ambulance and enter into negotiations.

Fire Chief Billy Montoya advised that the City of Las Vegas Fire Department went out for Request for proposals and Superior Ambulance was the sole bidder for the proposal.

Councilor Howell spoke of concerns from Dalbey Street residents regarding complaints of speeding first response vehicles (without lights on) going through that street and asked why those issues had not been resolved.

Fire Chief Billy Montoya advised that that was unacceptable and that an Oversight committee for ambulances and fire would be established and that they would meet on a quarterly basis to address issues which hopefully would alleviate the concerns of the residents.

Councilor Casey had a question regarding the amount regarding last year's contract which was $175,000.00 and the current amount of $200,000.00.

Fire Chief Montoya explained that negotiations were made with Superior Ambulance for the contract amount of $175,000.00.

Councilor Casey advised there was a concern from a constituent regarding no availability of ambulance service when needed.

Fire Chief Montoya stated that that was one of their concerns as well and stated that Superior Ambulance had two separate contracts with the County and the City although were currently sharing ambulances with the County. Fire Chief Montoya advised that this RFP would include for the City to have three ambulances that would solely service the City of Las Vegas and would not compromise the 911 service.

Councilor Casey asked what the timeline would be to complete the RFP process.

Fire Chief Montoya explained the process and stated that hopefully it would be completed by mid January and brought back to Council for approval.

Councilor Ulibarri, Jr. asked if they had talked to any other ambulance companies.

Fire Chief Montoya advised that right now Superior Ambulance was the only company that had the license to operate in Las Vegas and informed the only other company with that license was out of Albuquerque, which did not put in for the bid.

Councilor Romero asked the reason for the delay on the contract.

Fire Chief Montoya explained the reason for delay was due to trying to collaborate with the County.

City Attorney Laszlo-Henry explained that she had already reviewed the preliminary draft of the contract and stated there were some terms to the contract that continue to be negotiated and added that if the Council would approve, it would be an approval to enter into a contract rather than negotiations.

Mayor Gurulé-Girón stated that the request was for approval or disapproval to go into negotiations and not to enter into a contract and agreed with the Council of bringing the contract back for approval with actions specified that would be taken.

Councilor Howell recommended that there be a penalty clause included as part of the contract for ambulances going through the area of Dalbey Street without emergency lights as a safety issue.

Councilor Ulibarri, Jr. suggested to negotiate that Superior Ambulance relocate.

Councilor Casey made a motion to approve to award RFP #2018-10 for Emergency Services to Superior Ambulance and enter into negotiations. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Barbara A. Casey	Yes
David A. Ulibarri, Jr.	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

COUNCILOR'S REPORTS

Councilor Romero had a concern regarding a water leak at 421 New Mexico Avenue not being repaired since last week.

Councilor Casey thanked Public Works Department for the street repair happening and stated that the Electric Light Parade was a success and had a question regarding the float parked at Plaza Park with advertising for a construction company and felt it was not appropriate and asked if other businesses would be able to get free advertising at the park as well. Councilor Casey reported the light

on 4th Street across the golf course not working properly, making it difficult to see at night.

Councilor Casey stated that when she learned that the contract renewals for people that the Mayor appoints, was not on the agenda, she contacted our City Attorney to discuss and was advised by City Attorney Laszlo-Henry that it would be better to talk to the City's alternate attorney due to conflict of interest being that her contract was up for renewal.

Councilor Casey informed that the City had a contract with an alternate attorney and pays them $200.00 an hour to provide services when there is a conflict of interest or any other issue that our City Attorney could not deal with. Councilor Casey advised that she called the alternate attorney and left a message for a call back and informed that the alternate attorney's sister called her back stating that the attorney would not talk to her because she had been ordered by the Mayor not to talk to her under any circumstances. Councilor Casey stated that this brought to light the question, "are we using taxpayer dollars to pay for a private attorney for our Mayor"? Councilor Casey stated that if that was the case, and that alternate attorney was only going to be doing work for the Mayor, then she thought that that was unethical and wrong.

Councilor Casey advised that the City Manager had spoken about transparency and thought that the City had done many good things, although stated that there was a great deal of lack of communication and that they had been hearing rumors for over a month about City Manager Trujillo leaving. Councilor Casey advised that no one ever bothered to inform the Council and stated that the contracts for renewal which were City Manager, City Attorney, Chief of Police and City Clerk were to be reviewed and either approved or disapproved for renewal now in December and that it was her understanding that the Mayor refused to put the contract renewal on the agenda for this month's meeting.

Councilor Casey stated that she understood that the City Manager retired and that this position was now open and being that the Mayor had not informed the Council about the City Manager's retirement and his intentions to leave the City's employment, one can only surmise that the Mayor was keeping important information from the Council members. Councilor Casey added that perhaps the Mayor was intending to appoint an Interim City Manager, and that she had heard she had already done that without Council's approval or informing them. She stated that the Mayor needed to be reminded that if she did this without the

approval of City Council, she was violating the provisions of the City Charter which states in Article 5 Section 5.01D *"the Mayor shall appoint subject to Council approval, an acting City Manager for any absence exceeding 30 days"*. Councilor Casey advised that since they were not taking any action on this position tonight, can we surmise that the Mayor had already appointed someone to this position as Interim City Manager without the consent of the City Council, if this is so, then the Mayor was blatantly violating the provisions set forth in the City Charter. Councilor Casey stated that she did not know the reason the Mayor had refused to do what was the normal course of action to keep the City functioning properly, without the renewal of contracts of the Chief of Police, City Attorney and the City Clerk, the Mayor was placing the City in legal jeopardy. Councilor Casey stated, "as many of you know these positions are vital to the day to day efficient functioning of the City of Las Vegas, without these key people in their positions what is to happen to the City, who will take over leadership at the Police Department, what will happen when the legal issues that our City Attorney has been dealing with in an expeditious and efficient manner, what will happen to those, who will get all the necessary pre-election and election work done for the March Municipal Election, who will do all the work afterwards reporting to the County Clerk and the Secretary of State, does the Mayor think that just anyone can take these vital positions simply because of her whims or her desire to be in total control, Mayor Tonita Gurulé-Girón has blatantly violated the City Charter, exposed the City to lawsuits, exhibited unprofessional behavior, and has created a hostile work environment". Councilor Casey stated "if Mayor Tonita Gurulé-Girón does not take corrective action to carry out the duties of the Mayor as a functional member of this Governing Body of this City Council, I ask that Mayor Tonita Gurulé-Girón resign from office".

Councilor Casey made a motion to censure the Mayor for her lack of professional ethics, by circumventing the process of appointing an Interim City Manager, reappointing Police Chief, City Clerk and City Attorney. She clarified the definition of censure as: *"a formal public group condemnation of an individual whose actions run counter to the group's acceptable standards for individual behavior".* Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	No

City Clerk Fresquez re-read the motion and advised that the motion carried.

Mayor Gurulé-Girón addressed Councilor Casey and advised that the accusations made by Councilor Casey were unfortunate and stated that Councilor Casey and City Attorney Laszlo-Henry were working together on her contract.

Councilor Casey stated that that was not true.

Mayor Gurulé-Girón responded that she had it on paper and claimed that City Attorney Laszlo-Henry conducted herself in an unprofessional manner by attacking her via e-mail to the City's other attorney.

Mayor Gurulé-Girón advised that in regards to the contracts, the City had two impending retirements, one retirement in which they were waiting for an order to allow this individual to enter into a contract. Mayor Gurulé-Girón stated that Councilor Casey should have been notified of the impending retirements by City Attorney Laszlo-Henry, and that she failed to do her job. Mayor Gurulé-Girón added that Councilor Casey had access to City Attorney Laszlo-Henry, as she had the information.

Mayor Gurulé-Girón stated that City Manager Trujillo had asked her not to mention anything because he wanted to address the Council publicly. She stated that they were looking into two vacant positions and added that she never stated that they would not approve contracts.

Mayor Gurulé-Girón stated that personnel would be discussed in Executive Session, that no one had circumvented any policy or any charter and that they were waiting on the impending retirement of the Police Chief. Mayor Gurulé-Girón stated that she thought it was absolutely ridiculous that Council had censured her.

A disagreement took place between the Mayor and a member of the audience.

Councilor Howell made a motion to go into Executive Session to discuss personnel matters, as permitted by Section 10-15-1 (H) (2) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	David L. Romero	Yes

Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

EXECUTIVE SESSION

Councilor Casey made a motion to reconvene in to Regular Session, and advised that only personnel matters were discussed, no action was taken and no decisions were made. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes
Barbara A. Casey	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Mayor Gurulé-Girón advised that they would be holding a Special meeting on December 28, 2017 at 5:30 p.m. and added that some of the Councilors were not informed of the meeting, consistent with policy. She stated that discussion of contracts of appointment or removal would take place, also the issue of interim appointments and that there may be a need for Executive Session at that time.

ADJOURN

Councilor Howell made a motion to adjourn. Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

_____

Mayor Tonita Gurulé-Girón

ATTEST:

_____

Casandra Fresquez, City Clerk

MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL SPECIAL MEETING HELD ON THURSDAY, DECEMBER 28, 2017 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS

MAYOR: Tonita Gurulé-Girón

COUNCILORS: Barbara A. Casey
Vincent Howell
David A. Ulibarri, Jr.
David L. Romero

ALSO PRESENT: Richard Trujillo, City Manager
Casandra Fresquez, City Clerk
David Silva, Acting City Attorney
Chris Lopez, Sergeant at Arms

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Ulibarri, Jr. asked for a moment of silence to remember and keep in our prayers, those who had recently lost loved ones.

APPROVAL OF AGENDA

Mayor Gurulé-Girón made a recommendation to amend the agenda to include the appointment of Tana Vega as Interim Finance Director, which had not been included.

Councilor Casey made a motion to amend the agenda to include the appointment of Tana Vega as Interim Finance Director, as Business Item I I. Councilor Howell

seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes
David L. Romero	Yes	Barbara A. Casey	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

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

David L. Romero	Yes	Barbara A. Casey	Yes
David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Howell made a motion to further amend agenda to add an additional Executive Session prior to Business Items to discuss personnel matters as permitted by Section 10-15-1 (H) (2) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call and reflected the following:

David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

PUBLIC INPUT

Robert "Rob" Larranaga spoke not as a member of the Fish and Wildlife Service or Storrie Water Users Association but as a concerned citizen of the City of Las Vegas, residing on 3rd Street. Mr. Larranaga thanked the Governing Body for working in the past with the Water Association to purchase water and have water storage at Storrie Lake and advised that he had worked countless hours both personally and professionally for the need of secure water storage for the inevitable drought in the future. He asked for the support and consideration of the Governing Body regarding the potential long term water storage in Storrie Lake for the benefit of the City of Las Vegas.

Mayor Gurulé-Girón advised that David Silva was serving as Acting City Attorney and Commander Chris Lopez as Acting Chief of Police.

EXECUTIVE SESSION

Councilor Howell made a motion to go into Executive Session to discuss personnel matters, as permitted by Section 10-15-1 (H) (2) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Casey seconded the motion. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Councilor Howell made a motion to reconvene into regular session and advised that only personnel matters were discussed as permitted by Section 10-15-1 (H) (2) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Romero and Councilor Ulibarri, Jr. seconded the motion. Mayor Gurule-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	David L. Romero	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

BUSINESS ITEMS

1. Approval/Disapproval to appoint Ann Marie Gallegos as Interim City Manager.

Mayor Gurulé-Girón advised that as per the City of Las Vegas Municipal Charter, Article V, Officers, Directors and Employees, Section 5.01 (D), states the Mayor shall appoint subject to Council approval, an acting City Manager for any absence exceeding thirty (30) days.

Mayor Gurulé-Girón spoke on behalf of the Council regarding the terms of the Interim appointments which would only run until the time of election or the run-off election.

Councilor Ulibarri, Jr. made a motion to approve appointment of Ann Marie Gallegos as Interim City Manager. Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Ann Marie Gallegos thanked and advised the Governing Body that she would accept the position of Interim City Manager and do her very best for the City of Las Vegas.

2. Approval/Disapproval to appoint Tana Vega as Interim Finance Director.

Mayor Gurulé-Girón advised that as per the City of Las Vegas Municipal Charter, Article V, Officers, Directors and Employees, Section 5.01 (D), states the Mayor shall appoint subject to Council approval, an acting Interim Finance Director.

Councilor Casey made a motion to approve appointment of Tana Vega as Interim Finance Director. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Barbara A. Casey	Yes
David L. Romero	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Tana Vega thanked and advised the Governing Body that she accepted the position of Interim Finance Director and hoped to do a great job.

3. Approval/Disapproval to appoint Christopher Lopez as Interim Chief of Police.

Mayor Gurulé-Girón advised that as per the City of Las Vegas Municipal Charter, Article V, Officers, Directors and Employees, Section 5.01 (D), states the Mayor

shall appoint subject to Council approval, an acting Chief of Police for any absence exceeding thirty (30) days.

Councilor Casey made a motion to approve appointment of Christopher Lopez as Interim Chief of Police. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Barbara A. Casey	Yes
David L. Romero	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Christopher Lopez thanked and advised the Governing Body that he would accept the position and would be honored to serve as Interim Chief of Police for the Las Vegas Police Department.

4. Approval/Disapproval to renew amended contract for the City Clerk, Casandra Fresquez.

Mayor Gurulé-Girón advised that as per the City of Las Vegas Municipal Charter, Article V, Officers, Directors and Employees, Section 5.05 (A), states as follow. "There shall be a city clerk who shall serve as clerk to the Governing Body".

Councilor Howell made a motion to approve to renew amended contract for the City Clerk, Casandra Fresquez.

Mayor Gurulé-Girón asked Councilor Howell to explain the term of the contract. She advised that the term was up to the election or the run-off.

Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

City Clerk Fresquez thanked the Governing Body for their continued support.

5. Removal of City Attorney, Corinna Laszlo-Henry.

Mayor Gurulé-Girón advised that as per the City of Las Vegas Municipal Charter, Article V, Officers, Directors and Employees, Section 5.04 (E). The city Attorney, whether contracted or employee, serves at the pleasure of the governing body and may be suspended or removed without cause at any time by the Mayor, subject to approval of the council, or by majority of all members of the Governing Body.

Councilor Ulibarri made a motion to approve the removal of City Attorney, Corinna Laszlo-Henry. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes
David L. Romero	Yes	Vincent Howell	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

EXECUTIVE SESSION

Councilor Howell made a motion to go into Executive Session to discuss matters subject to the attorney client privilege pertaining to threatened or pending litigation in which the City of Las Vegas is or may become a participant, as permitted by Section 10-15-1(H) (7) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

Councilor Casey made a motion to reconvene in to Regular Session and advised that only discussion took place pertaining to matters subject to the attorney client privilege pertaining to threatened or pending litigation in which the City of Las Vegas is or may become a participant, as permitted by Section 10-15-1 (H) (7) of the New Mexico Open Meetings Act, NMSA 1978 and advised no action was taken. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

Mayor Gurulé-Girón advised that there would be a Special Meeting held on Sunday, December 31, 2017 at 1:30 p.m. to discuss potential litigation and thanked Mr. Domenici and Mr. Silva for being present. She addressed those who would need to be present at the meeting and congratulated City Manager Trujillo on his retirement, which would take effect the next day.

ADJOURN

Councilor Casey made a motion to adjourn. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Barbara A. Casey	Yes
David L. Romero	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

_____

Mayor Tonita Gurulé-Girón

ATTEST:

_____

Casandra Fresquez, City Clerk

MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL SPECIAL MEETING HELD ON SUNDAY, DECEMBER 31, 2017 AT 1:30 P.M. IN THE CITY COUNCIL CHAMBERS

MAYOR: Tonita Gurulé-Girón

COUNCILORS: David L. Romero
Barbara A. Casey
Vincent Howell
David A. Ulibarri, Jr.

ALSO PRESENT: Ann Marie Gallegos, Interim City Manager
Casandra Fresquez, City Clerk
David Silva, Acting City Attorney
Christopher Lopez, Interim Chief of Police

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Barbara Casey asked for a moment of silence to thank our creator for getting us through 2017 and to continue to function at maximum potential for 2018 on behalf of the citizens of Las Vegas.

APPROVAL OF AGENDA

Interim City Manager Ann Marie Gallegos advised amending the agenda by adding Item #1 as approval/disapproval of resolution #17-48 amending resolution #16-09 authorizing the Mayor and City Manager to sign an amendment to the February 29, 2016 agreement for the purchase and sale of a storage easement and bulk water in Storrie Reservoir.

Councilor Casey made a motion to amend the agenda adding Item #1 amending resolution #17-48, as read by Interim City Manager. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Barbara Casey	Yes
Vincent Howell	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

PUBLIC INPUT

Mr. Leroy Lujan spoke about the community and the drop in population. Mr. Lujan advised he was aware of the building blocks and fundamentals it takes to start a project and advised that the foundation of this project was the sustainability of life and the possibility of growth and the foundation is water. Mr. Lujan advised the two dams have about 500 acre feet of water in storage for the City of Las Vegas to use. Mr. Lujan mentioned in Resolution #17-48, it stated 2300 acre feet of storage in the Storrie Reservoir which would be tremendous and detrimental to Las Vegas for growth. He advised there was no snow and that the runoff would probably be the worst we've ever seen and that we absolutely need this water to sustain life in Las Vegas and for the City to continue to grow.

Discussion Items

1. Approval/Disapproval of Resolution #17-48 amending Resolution No. 16-09 and authorizing the Mayor and the City Manager to sign an amendment to the February 29, 2016 agreement for the purchase and sale of a storage easement and bulk water in storrie reservoir.

Utilities Director Maria Gilvarry spoke about the amendment of Resolution 17-48, amending a previous resolution from a couple years ago.

Water Rights Attorney Pete Domenici spoke about the contracted purchase of bulk water which has been done and a contracted purchase of storage rights in Storrie Reservoir for 2300 acre feet for $12 million. Water Rights Attorney Domenici advised they were tasked with due diligence on behalf of the Council and staff to look at the arrangement and evaluate the usefulness and affordability of that arrangement and the potential to renegotiate the agreement based on that analysis.

Water Rights Attorney Domenici advised the analysis included a financial analysis from Paul Cassidy, who advised that the City could not afford $12 million of storage resulting in the use of all bond capacity, meaning high priority projects would have to wait and possibly lose $50 million in projects .

Water Rights Attorney Domenici advised one way to deal with surface water flows was by storing water when it is available and you have it when it is not available. He advised that storage was an essential element for sustainability for the community, an essential element for reliability for water utilities and was a fundamental necessity to have adequate storage but not excess storage, he added that the best amount of storage that can be obtained was 800 acre feet of storage.

Water Rights Attorney Domenici advised they combined financial and hydrological analysis to determine a very good result of what had been a long standing issue for the City of Las Vegas. Water Rights Attorney Domenici advised that modifying the contract would reduce the price from $12 million to $4 million and would reduce the amount of storage from 2300 to 800 acre feet. He stated they would also continue to process the permit that had been pending and had moved through the approval process with the State Engineer. Water Rights Attorney stated that it would allow the City to have an authorized permit with the State Engineer to utilize the 800 acre feet perpetually. Water Rights Attorney Pete Domenici advised that percentages went down due to reducing the storage to what the hydrologist recommended.

Councilor Howell asked if there was a decision made from Storrie Lake.

Water Rights Attorney Domenici advised he had a written acceptance from Storrie Lake that the terms described were acceptable and once the resolution was approved they would have a binding agreement with Storrie Lake.

Councilor Howell advised if they would see growth of the community that they would not go over the 800 acre feet due to it being more costly.

Councilor Casey made a motion to approve Resolution No. 17-48 amending Resolution No. 16-09 and authorizing the Mayor and the City Manager to sign an amendment to the February 29, 2016 agreement for the purchase and sale of a storage easement and bulk water in storrie reservoir. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Barbara Casey	Yes
David A. Ulibarri, Jr.	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried

2. Approval/Disapproval of Amendment to Agreement for the Purchase and Sale of a Storage Easement and Bulk Water in Storrie Reservoir.

Councilor Casey made a motion of approval of amendment to agreement for the purchase and sale of a storage easement and bulk water in Storrie Reservoir. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Barbara Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

EXECUTIVE SESSION

Interim City Manager Ann Marie Gallegos advised there was no need to go into executive session.

ADJOURN

Councilor Casey made a motion to adjourn. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Barbara Casey	Yes
David A. Ulibarri, Jr.	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised that the motion carried.

_____

Mayor Tonita Gurulé-Girón

ATTEST:

_____

Casandra Fresquez, City Clerk

Regular

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 1/9/2018 **DEPT: Executive** **MEETING DATE: 1/17/2018**

ITEM/TOPIC: ***Presentation by David Old presenting a general status update of Old Wood.***

ACTION REQUESTED OF COUNCIL: No action requested.

BACKGROUND/RATIONALE:

STAFF RECOMMENDATION:

COMMITTEE RECOMMENDATION:

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

SUBMITTER'S SIGNATURE

REVIEWED AND APPROVED BY:

TONITA GURULÉ-GIRÓN
MAYOR

TANA VEGA
INTERIM FINANCE DIRECTOR
(PROCUREMENT)

ANN MARIE GALLEGOS
INTERIM CITY MANAGER

CITY ATTORNEY
(ALL CONTRACTS, ORDINANCES AND RESOLUTIONS MUST BE REVIEWED)

Revised 1/3/18

GENERAL FUND REVENUE COMPARISON
THRU DECEMBER 31, 2017 50% OF YEAR LAPSED (06 of 12 months)
FISCAL YEAR 2018

Total Budget to Actual Comparison

	A	B	C	D	E	G (E/B)
	FY 2017 BUDGET	FY 2018 BUDGET	FY 2018 YTD - BUDGET	FY 2017 YTD - ACTUAL	FY 2018 YTD - ACTUAL	FY 2018 % REV
PROPERTY TAX	1,373,000	1,291,000	645,500	1,384,040	596,037	46%
GROSS RECEIPT TAX 1.225	3,550,000	3,550,000	1,775,000	3,450,931	1,784,630	50%
FRANCHISE TAX	800,000	775,000	387,500	776,759	328,684	42%
GROSS RECEIPT TAX .75	2,445,000	2,440,000	1,220,000	2,268,187	1,172,525	48%
1/8 INFRASTRUCTURE	351,000	360,000	180,000	364,816	187,012	52%
GRT .25 (JAN 2011)	697,000	725,000	362,500	982,914	531,370	73%
GRT -HOLD HARMLESS (JULY 2015	(110,400)	(110,400)	-55,200	(110,400)	(55,200)	50%
LICENSE & FEES	70,500	61,000	30,500	49,782	53,102	87%
INTERGOVERNMENTAL	71,500	83,716	41,858	75,542	43,215	52%
LOCAL-FINES	62,000	77,000	38,500	80,604	29,586	38%
LOCAL-MISC	1,715,000	1,736,569	868,285	1,842,195	901,498	52%
TOTAL	11,024,600	10,988,885	5,494,443	11,165,370	5,572,459	51%

(License& Fees-Business Licenses, Liquor Licenses and Building Permits,Development Fees)
(Local Fines- Court Fines, Library Fines, Traffic Safety Fines)

GENERAL FUND EXPENDITURE COMPARISON
THRU DECEMBER 31, 2017 50% OF YEAR LAPSED (06 of 12 months)
FISCAL YEAR 2018

Total Budget to Actual Comparison

	A	B	C	D	E	F	H (E/B)
	FY 2017 BUDGET	FY 2018 BUDGET	FY 2018 YTD - BUDGET	FY 2017 YTD - ACTUAL	FY 2018 YTD - ACTUAL	FY 2018 AVAIL. BAL.	% BDGT
JUDICIAL	317,921	307,959	153,980	314,539	147,562	160,397	48%
EXECUTIVE	483,117	397,969	198,985	391,291	198,127	199,842	50%
ADMINISTRATION	250,724	272,858	136,429	239,718	110,279	162,579	40%
CITY ATTORNEY	242,572	231,944	115,972	196,227	98,656	133,288	43%
PERSONNEL/HR	301,188	278,960	139,480	281,386	129,611	149,349	46%
FINANCE	628,990	452,393	226,197	556,994	218,563	233,830	48%
COMMUNITY DEV.	561,189	533,845	266,923	405,762	203,121	330,724	38%
POLICE	3,990,907	3,854,744	1,927,372	3,833,534	1,753,111	2,101,633	45%
CODE ENFORCEMENT	182,250	136,113	68,057	141,476	68,931	67,182	51%
ANIMAL SHELTER	137,635	135,490	67,745	115,943	55,988	79,502	41%
FIRE	1,357,699	1,257,365	628,683	1,180,326	578,176	679,189	46%
PUBLIC WORKS/AIRPORT	511,127	470,804	235,402	456,965	200,931	269,873	43%
PARKS	338,273	289,422	144,711	254,430	141,819	147,603	49%
AIRPORT	0	0	0	0	0	0	0%
LIBRARY	239,494	205,217	102,609	195,861	94,343	110,874	46%
MUSEUM	151,900	150,845	75,423	141,427	66,955	83,890	44%
GENERAL SERVICES	2,358,253	2,358,248	1,179,124	2,355,812	864,610	1,493,638	37%
SALARY CONTINGENCY	0	0	0	0	0	0	0%
TRANSFERS	740,703	698,517	349,259	729,667	359,754	338,763	52%
TOTAL	12,793,942	12,032,693	6,016,347	11,791,358	5,290,537	6,742,156	44%

ENTERPRISE FUNDS-REVENUE COMPARISON
THRU DECEMBER 31,- 50% YEAR LAPSED (6 of 12 months)
FISCAL YEAR 2018

Total Budget to Actual Comparison

	A	B	C	D	E	G
	FY 2017 BUDGET	FY 2018 BUDGET	FY 2018 YTD - BUDGET	FY 2017 YTD - ACTUAL	FY 2018 YTD - ACTUAL	(E/B) % BUDGET
WASTE WATER (610)	2,859,638	2,866,100	1,433,050	2,783,241	1,426,463	50%
NATURAL GAS (620)	5,237,000	5,236,000	2,618,000	5,211,845	1,308,593	25%
SOLID WASTE (630)	3,404,700	3,419,400	1,709,700	3,518,794	1,720,947	50%
WATER (640)	4,743,050	4,800,150	2,400,075	4,825,859	2,543,964	53%
Total of Enterprise Funds	16,244,388	16,321,650	8,160,825	16,339,739	6,999,967	43%

ENTERPRISE FUNDS-EXPENDITURES COMPARISON
THRU DECEMBER 31,- 50% YEAR LAPSED (6 of 12 months)
FISCAL YEAR 2018

Budget to

	A	B	C	D	E	F	H
	FY 2017 BUDGET	FY 2018 BUDGET	FY 2018 YTD - BUDGET	FY 2017 ACTUAL	FY 2018 YTD - ACTUAL	FY 2018 AVAIL. BAL.	(E/B) % BUDGET
WASTE WATER(610)	2,541,860	3,297,778	1,648,889	2,295,004	1,490,899	1,806,879	45%
NATURAL GAS (620)	5,938,026	5,938,908	2,969,454	4,583,702	1,751,894	4,187,014	29%
SOLID WASTE (630)	4,088,165	3,733,787	1,866,894	3,618,120	1,673,437	2,060,350	45%
WATER (640)	4,214,893	5,681,820	2,840,910	3,432,077	2,540,373	3,141,447	45%
Total of Enterprise Funds	16,782,944	18,652,293	9,326,147	13,928,903	7,456,603	11,195,690	40%

RECREATION DEPARTMENT-REVENUE COMPARISON
THRU DECEMBER 31, 2017 - 50% OF YEAR LAPSED 6 OF 12 MONTHS
FISCAL YEAR 2018

	A	B	C	D	E	G (E/B)
	FY 2017 BUDGET	FY 2018 BUDGET	FY 2018 YTD - BUDGET	FY 2017 YTD - ACTUAL	FY 2018 YTD - ACTUAL	% REV
WELLNESS CENTER	100,000	115,000	57,500	34,264	51,987	45%
OPEN SWIM	0	20,000	10,000		4,512	23%
YAFL	3,000	0	0	1,320	0	0%
YABL	20,000	20,000	10,000	16,840	4,650	23%
SUMMER FUN PROGRAM	20,000	20,000	10,000	19,092	2,840	14%
RECREATION-OTHER	29,800	108,964	54,482	18,408	24,966	23%
GEN FUND TRANSFER	300,000	400,000	200,000	300,000	199,920	50%
TOTAL	472,800	683,964	341,982	389,924	288,875	42%

RECREATION DEPARTMENT- EXPENDITURE COMPARISON
THRU DECEMBER 31, 2017 - 50% OF YEAR LAPSED 6 OF 12 MONTHS
FISCAL YEAR 2018

	A	B	C	D	E	F	H (E/B)
	FY 2017 BUDGET	FY 2018 BUDGET	FY 2018 YTD - BUDGET	FY 2017 ACTUAL	FY 2018 YTD - ACTUAL	FY 2018 AVAIL. BAL.	% BDGT
EMPLOYEE EXP.	443,266	531,401	265,701	389,973	257,148	274,253	48%
YAFL	1,450	0	0	600	0	0	0%
YABL	3,117	6,000	3,000	2,845	2,650	3,350	44%
OTHER OPERATING EXP.	56,693	138,562	69,281	32,960	39,593	98,969	29%
CAPITAL OUTLAY	6,600	8,000	4,000	1,847	4,192	3,808	52%
TOTAL	511,126	683,963	341,982	428,225	303,583	380,380	44%

Regular

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 1/9/2018 **DEPT: Finance** **MEETING DATE: 1/17/2018**

ITEM/TOPIC: ***Resolution No 17-46 confirm DFA adjustment of $666 which will increase the cash reserves to the 1/12 cash requirement.***

ACTION REQUESTED OF COUNCIL: Approval/Disapproval of updated DFA Resolution 17-46.

BACKGROUND/RATIONALE: DFA has requested approval from Mayor and Council on the updated Resolution 17-46 increasing the revenues by $666 that has been recommended by DFA.

STAFF RECOMMENDATION: Approval

COMMITTEE RECOMMENDATION:

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

Tana Vega By DM

SUBMITTER'S SIGNATURE

REVIEWED AND APPROVED BY:

Tonita Gurulé-Girón

TONITA GURULÉ-GIRÓN
MAYOR

Tana Vega By DM

TANA VEGA
INTERIM FINANCE DIRECTOR
(PROCUREMENT)

Ann M. Gallegos

ANN MARIE GALLEGOS
INTERIM CITY MANAGER

CITY ATTORNEY
(ALL CONTRACTS, ORDINANCES AND RESOLUTIONS MUST BE REVIEWED)

STATE OF NEW MEXICO
MUNICIPALITY OF CITY OF LAS VEGAS
RESOLUTION 17-46
FISCAL YEAR 2017-2018
BUDGET ADJUSTMENT REQUEST

WHEREAS, The Governing Body in and for the Municipality of Las Vegas, State of New Mexico has developed a budget adjustment request for fiscal year 2017-2018; and

WHEREAS, said budget adjustment request was developed on the basis of need and through cooperation with all user departments, elected officials and other department supervisors, please see attached schedule; and

WHEREAS, the City of Las Vegas is in need of making budget adjustments in the 2017-2018 fiscal year budget; to include an increase of $8,000 Grant funding in the General Fund, $7,599 Grant funding increase in the Library Special Fund, a decrease of $21,500 in the E-911 Fund, a decrease of $406 in the Bullet Proof Vest Account, an increase of $9,978 in the Rehab Taxiway Airport Fund, and an increase of $1,895,000 of SRF Funding in the Water Project Fund. ... and increase general fund revenues by $666. RL.

WHEREAS, it is the majority opinion of this governing body that the budget adjustment request is approved and meets the requirements as currently determined for fiscal year 2017-2018;

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Municipality of the City of Las Vegas, State of New Mexico hereby approves the budget adjustment request herein above described and respectfully requests approval from the Local Governing Division of the Department of Finance and Administration.

RESOLVED: In session this 20th day of December, 2017.

Tonita Gurule-Giron, Mayor

ATTEST:

Casandra Fresquez, City Clerk

REVIEWED AND APPROVED AS TO LEGAL SUFFICIENCY ONLY:

Corrina Lazlo-Henry, City Attorney

APPROVED (AS AMENDED) PURSUANT TO
SECTION 6-6-2 NMSA 1978
LOCAL GOVERNMENT DIVISION

DATE 12/28/17

BY _____
DEPARTMENT OF FINANCE AND ADMINISTRATION

18-144

Regular

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 1/5/2018 **DEPT: Attorney** **MEETING DATE: 1/17/2018**

ITEM/TOPIC: ***Resolution No 18-04 in support of Refugee Resettlement in the United States and in New Mexico.***

ACTION REQUESTED OF COUNCIL: Approval/Disapproval of Resolution 18-04.

BACKGROUND/RATIONALE:

STAFF RECOMMENDATION:

COMMITTEE RECOMMENDATION:

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

SUBMITTER'S SIGNATURE

REVIEWED AND APPROVED BY:

TONITA GURULÉ-GIRÓN
MAYOR

TANA VEGA
INTERIM FINANCE DIRECTOR
(PROCUREMENT)

ANN MARIE GALLEGOS
INTERIM CITY MANAGER

CITY ATTORNEY
(ALL CONTRACTS, ORDINANCES AND RESOLUTIONS MUST BE REVIEWED)

Revised 1/3/18

Resolution No.18-04

LAS VEGAS, NM RESOLUTION IN SUPPORT OF REFUGEE RESETTLEMENT IN THE UNITED STATES AND IN NEW MEXICO

WHEREAS the world is facing the largest refugee crisis since World War II, with over 22 million refugees, 86% of whom are hosted by low and middle income countries, which do not have the resources to adequately support such large numbers;

WHEREAS, the term "refugee" refers to any person who is outside the country of origin and has a well-founded fear of being persecuted should he or she return;

WHEREAS, 51 % of refugees are children, 60% of whom have no access to education;

WHEREAS, those officially designated as refugees are registered with the United Nations High Commissioner for Refugees (UNHCR);

WHEREAS, the UNHCR has determined that 1,100,000 refugees are in need of immediate resettlement due to a heightened vulnerability to further harm, but less than 200,000 resettlement places have been pledged by nations;

WHEREAS, refugees in most urgent need of resettlement are identified based on their vulnerabilities and risk of further exposure to violence and exploitation —including children traveling alone, female-headed households, victims of torture, the physically disabled and members of the LGBT community;

WHEREAS, President Obama committed to take in a total of 110,000 refugees in 2017, including 10,000 places for the most vulnerable refugees;

WHEREAS, President Trump in his March 6, 2017 Executive Order reduced the number of refugees to be resettled in 2017 to 50,000;

WHEREAS, President Trump has further reduced the number of refugees to be resettled in 2018 to 45,000, the lowest number in history;

WHEREAS, the three successive travel bans imposed by President Trump, and legal challenges to them, at present leave the current and future numbers of refugees allowed to enter the U.S. in great uncertainty;

WHEREAS, despite these White House policies, the refugee-resettlement program enjoys bipartisan support in congress;

WHEREAS, our three federal legislators all have cosponsored legislation which would nullify the Executive Order of March 6 2017;

WHEREAS, we commend the United States for having resettled nearly 800,000 refugees since 2001, but note the ability of and need for our country to do more;

WHEREAS, since 2011, 189 refugees have been resettled in New Mexico;

WHEREAS, refugees represent diverse faiths, including Christians, Muslims, Jews, Hindus, and Buddhists;

WHEREAS, the process for admitting refugees involves screening by the UNHCR and then a vetting process by multiple U.S. security and intelligence agencies, lasting 18 to 24 months, before the candidate can enter the country, with a "substantial number" of candidates being rejected;

WHEREAS, the agencies officially responsible for resettlement in New Mexico are Catholic Charities and Lutheran Family Services in Albuquerque, and the Interfaith Leadership Alliance in Santa Fe hope to initiate the resettlement of refugees in Santa Fe when the refugee resettlement program is fully resumed;

WHEREAS, an unreleased study by the Department of Health and Human Services shows that for the decade ending in 2014, refugees contributed $63 billion more to government revenues than they cost the federal government;

WHEREAS, since 1980, no refugee has killed a U.S. resident in an act of terrorism;

WHEREAS, communities across the nation have experienced positive economic impacts as a result of welcoming and resettling refugees. These impacts are the result of the goods and services produced by refugee workers, refugee-owned businesses, and spending and jobs created by refugee resettlement agencies;

WHEREAS, although many refugees resettling in the United States initially depend on public benefits, most quickly become self-sufficient. Benefits usage declines with length of residence, and median incomes of refugees who arrived 10-20 years earlier are higher than their U.S. born counterparts;

NOW, THEREFORE BE IT RESOLVED, that the governing body declares its support for those cities in New Mexico which are able to resettle refugees, and calls for a greater national effort to provide a safe and secure future for refugees;

BE IT FURTHER RESOLVED that the City Clerk shall forward copies of this resolution to New Mexico's five federal legislators, its governor and the mayors of Albuquerque and Santa Fe.

RESOLVED: In session this 17 day of January, 2018.

_____
Tonita Gurulé-Girón

Attest:

_____
Casandra Fresquez, City Clerk

REVIEWED AND APPROVED AS TO LEGAL SUFFICIENCY ONLY:

_____
City Attorney

Regular or Special _
CITY COUNCIL MEETING AGENDA REQUEST

DATE: 1/5/18 **DEPT: City Clerk** **MEETING DATE**: 1/17/18

ITEM/TOPIC*:* Open Meeting Resolution No. 18-01.

ACTION REQUESTED OF COUNCIL: *Approval/Disapproval of Resolution No. 18-01.*

BACKGROUND/RATIONALE: Resolution No.18-01 establishes reasonable notice of Council meetings in compliance with the Open Meeting Act. Approval of the resolution is required annually.

STAFF RECOMMENDATION: Approval

COMMITTEE RECOMMENDATION:

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

SUBMITTER'S SIGNATURE

REVIEWED AND APPROVED BY:

TONITA GURULÉ-GIRÓN
MAYOR

TANA VEGA
INTERIM FINANCE DIRECTOR
(PROCUREMENT)

ANN MARIE GALLEGOS
INTERIM CITY MANAGER

CITY ATTORNEY
(ALL CONTRACTS, ORDINANCES AND RESOLUTIONS MUST BE REVIEWED)

Revised 1/3/18

CITY OF LAS VEGAS
RESOLUTION NO. 18-01

A RESOLUTION ESTABLISHING REASONABLE NOTICE OF CITY COUNCIL MEETINGS IN COMPLIANCE WITH THE OPEN MEETINGS ACT; RESCINDS AND REPLACES ALL PREVIOUS CITY OF LAS VEGAS RESOLUTIONS REGARDING "REASONABLE NOTICE OF CITY COUNCIL MEETINGS IN COMPLIANCE WITH THE OPEN MEETINGS ACT."

Whereas, Section 10-15-1 (B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to 10-15-4) provides that, except as may be otherwise provided in the New Mexico Constitution or the provisions of the Open Meetings Act, all meetings or a quorum of members of any board, council, commission, administrative adjudicatory body or other policy-making body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body are declared to be public meetings open to the public at all times; and

Whereas, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs and at which a majority of a quorum of the body is in attendance, and any closed meeting shall be held only after reasonable notice to the public; and

Whereas, Section 10-15-1 (D) of the Open Meetings Act requires the City council to determine at least annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEW MEXICO, THAT;

1. **Regular Business Meeting.** Pursuant to Section 14-7 (A) of the Municipal Code, all Regular Business Meetings of the Las Vegas City Council shall be held on the third Wednesday of each month at 6:00 p.m. at the City Council Chambers, 1700 North Grand Avenue, Las Vegas, New Mexico. The agenda will be available at least seventy-two hours prior to the meetings from the City Clerk whose office is located at the George Arellanes Municipal Complex, 1700 North Grand Avenue, Las Vegas, New Mexico. Notice of said meetings shall be printed in a newspaper(s) of general circulation one (1) time, at the beginning of the calendar year; and shall be telephoned, e-mailed or faxed to broadcast stations licensed by the federal communications commission and newspapers of general circulation that have provided a written request for such notice. If a regular meeting is postponed, notice of the new time and date of said meeting may be printed in a newspaper(s) of general circulation; and shall be telephoned, emailed or faxed to broadcast stations licensed by the federal communications commission and newspapers of general circulation that have provided a written request for such notice at least seventy-two hours to the specific time of the meeting or at the earliest date and time possible. If the date and time of the Regular meeting permanently changed, the new date and time shall be printed in a newspaper(s) of general circulation twice, one (1) week apart.

2. **Work Sessions.** Work Sessions shall be held for the purpose of examining issues, but no official action may be taken on the second Wednesday of each month at 5:30 p.m. at the City Council Chambers, 1700 North Grand Avenue, Las Vegas, New Mexico. The agenda will be

available at least seventy-two hours prior to the work session from the City Clerk whose office is located at the George Arellanes Municipal Complex, 1700 North Grand Avenue, Las Vegas, New Mexico. Notice of said work session shall be printed in a newspaper(s) of general circulation one (1) time, at the beginning of the calendar year; and shall be telephoned, e-mailed or faxed to broadcast stations licensed by the federal communications commission and newspapers of general circulation that have provided a written request for such notice. If a work session is postponed, notice of the new time and date of said work session may be printed in a newspaper(s) of general circulation; and shall be telephoned, emailed or faxed to broadcast stations licensed by the federal communications commission and newspapers of general circulation that have provided a written request for such notice at least seventy-two hours prior to the specific time of the meeting or at the earliest date and time possible. If the date and time of the work session is permanently changed, the new date and time shall be printed in a newspaper(s) of general circulation twice, one (1) week apart.

3. **Other Meetings Not Regularly Scheduled.** Special meetings may be called by the Mayor or a majority of the members of the City Council by giving notice to each member of the Council, personally served or left at his/her usual place of residence seventy-two hours prior to the meeting. Notice of said special meeting may be printed in a newspaper(s) of general circulation at least seventy-two hours before the meeting date or on the earliest date possible prior to the date of the meeting. Notice of said special meeting shall be telephoned, emailed or faxed to broadcast stations licensed by the federal communications commission and newspapers of general circulation that have provided a written request for such notice for public announcement at least seventy-two hours prior to the specific time of the meeting or on the earliest date possible prior to the time of the meeting.

4. **Emergency Meetings.** Emergency meetings shall be called only under unforeseen circumstances which demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The City Council will avoid emergency meetings whenever possible. Emergency meetings may be called by the Mayor or a majority of the members upon notice as practical under the circumstances. If time permits, notice of said meeting may be printed in a newspaper(s) of general circulation on the earliest date possible as soon as the meeting is called. If time permits, notice of said meeting shall also be telephoned, emailed or faxed to broadcast stations licensed by the federal communications commission and newspapers of general circulation that have provided a written request for such notice for public announcements on the earliest date and time possible prior to the time of the meeting. The notice for emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda.

5. All notices shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public at least seventy-two hours before any meeting or at the earliest possible time in case of emergency meetings. The City Council may be flexible on agenda postings under considerable circumstances.

6. The City Council may close a meeting to the public if the subject matter of such discussion or action is exempt from the open meetings requirement pursuant to NMSA Section 10-15-1(H) of the Open Meetings Act.

6. The City Council may close a meeting to the public if the subject matter of such discussion or action is exempt from the open meetings requirement pursuant to NMSA Section 10-15-1(H) of the Open Meetings Act.

(a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the City Council taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.

(b) If a closed meeting is conducted when the City Council is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity is given to the members and to the general public.

(c) Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

(d) Except as provided in NMSA Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussion in a closed meeting shall be made by vote of the City Council in an open meeting.

7. The regular scheduled meetings of the City of Las Vegas' Permanent Boards and Commissions, Advisory Boards and Committees are as follows:

- Planning & Zoning Commission/Board of Adjustments – Last Monday of the month at 4:00 p.m. – City Council Chambers;

- Design Review Board – Third Monday of the month at 4:00 p.m. – City Council Chambers;

- Lodger's Tax Advisory Board – (Quarterly), (January, April, July, October) Second Tuesday of the month at 2:00 p.m. – City Council Chambers;

- Police Advisory Commission – Third Thursday of the month at 3:00 p.m. – Police Department;

- Extra-Territorial Zoning Commission – Third Tuesday of the month at 4:00 p.m. – City Council Chambers;

- Public Housing Authority Board of Commissioners – Third Wednesday of each month at 5:30 p.m. – City Council Chambers;

- Labor Management Relations Board – Meeting will be scheduled and published as required by ordinance, rules and regulations;

- Campaign and Ethics Board –Last Thursday of the Month at 5:30 p.m. – City Council Chambers;

- Library Board – (Quarterly), (January, April, July, October) Last Tuesday of the month at 10:00 a.m. – Carnegie Library;

- Museum Board – (Quarterly), (February, May, August, November) Second Thursday of the month at 12:00 p.m. – Las Vegas Museum & Rough Riders Memorial Collection;

- Tree Board – Last Tuesday of the month at 3:00 p.m. – Tierra Y Montes Conference Room;

- Film Commission – (Quarterly), (January, April, July, October) First Wednesday of the month at 4:00 p.m. – City Council Chambers;

- Charter Commission – First Thursday of the Month at 1:30 p.m. – City Council Chambers;

- Youth Advisory Committee – (February, April, June, August, October, December) First Tuesday every other month at 2:00 p.m. – Traveler's Café;

- Fiesta Advisory Committee – (March, May, July) Third Thursday every other month at 1:00 p.m. – Community Development Department;

- Finance Advisory Committee – Last Thursday at 3:30 p.m. the month following the end of the quarter (April, July, October) – City Council Chambers;

- Utility Advisory Committee – Second Tuesday of the month at 1:30 p.m. – Utilities Department;

- Housing Advisory Committee – Last Wednesday of the month at 10:00 a.m. – City Council Chambers;

- Recreation Advisory Committee – (Quarterly), (February, May, August, November) Second Monday of the month at 4:00 p.m. – City Council Chambers;

- Senior Center Advisory Committee – Third Wednesday of the month at 1:30 p.m. – Las Vegas Senior Center;

- Veteran's Advisory Committee – First Wednesday of the Month at 4:30 p.m. – Miguel Encinias Veterans Center

This Resolution shall be published in a newspaper(s) of general circulation twice, one (1) week apart after its adoption.

Done this _____day of _____2018.

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Mayor Tonita Gurulé-Girón

ATTEST:

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Casandra Fresquez, City Clerk

Approved as to Legal Sufficiency Only:

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City Attorney -Acting