

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL WORK SESSION MEETING  
HELD ON WEDNESDAY, JUNE 13, 2018 AT 5:30 P.M. IN THE CITY COUNCIL  
CHAMBERS**

**MAYOR:** Tonita Gurulé-Girón

**COUNCILORS:** David G. 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 Howell asked for a moment of silence for the guidance to do the right thing for the community and to give National leaders the guidance to do the right thing.

**APPROVAL OF AGENDA**

Interim City Manager Ann Marie Gallegos recommended moving executive session to number VI, right after the approval of the agenda to discuss threatening litigation due to Acting City Attorney Danelle Smith having prior engagements.

Councilor Romero asked Acting City Attorney David Silva if there were any legalities he found from the Municipal League regarding the Organizational Meeting.

Acting City Attorney Silva advised he met with the Municipal League's Attorney, Randy Van Vleck over §30-1-5 and §30-1-6 and he believed anything the council has done since April since the election is valid but he did have concerns why there hasn't been appointments between now and then but everything up to this point is legal.

Councilor Romero asked for that to be on the record and get an email or verification.

Acting City Attorney Silva advised he would have him write something because he didn't get anything in writing, they only had a discussion about the state statute and charter to see if there was any case law that would counter that but everything done to date is legal and valid.

Mayor Gurulé-Girón asked to have Mr. Van Vleck include a summation of deferments which are consistent statewide with regards to organizational meetings because not everyone in the State is actually meeting immediately for reorganizational meetings.

Mayor Gurulé-Girón advised she had a discussion with Acting City Attorney Smith to ensure that they get the most "qualified and competent individuals" for those positions and it would be in the "best interest to wait and defer those appointments until they get the right individuals to fill those positions" and Mayor Gurulé-Girón advised that Acting City Attorney Smith said "absolutely because if not then they would be in dereliction of duty".

Councilor Romero made a motion to approve the agenda with the changes recommended by Interim City Manager Gallegos. Councilor Casey seconded the motion. 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 Casey	Yes	David G. Romero	Yes

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

**EXECUTIVE SESSION**

Councilor Casey made a motion to go into executive session for the purpose of discussing 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 Romero and Councilor Ulibarri, Jr. both seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara Casey	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 go back into regular session after discussing 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, no action was taken during the executive session. 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	David G. Romero	Yes
Barbara Casey	Yes	Vincent Howell	Yes

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

**PUBLIC INPUT**

Mr. Heru advised he ran into a friend of his who was injured and was told that a Las Vegas Police Department Sergeant, named Officer Pacheco made an arrest that was a normal order of police business and was heroic in his acts. Mr. Heru

advised that Sergeant Pacheco used non lethal force along with his unit to apprehend two individuals that attacked the police. Mr. Heru advised the problem afterwards was a charge of racial bias against the officers. Mr. Heru advised after hearing about the incident he spoke with the Police Chief.

Mr. Heru advised the acts of the Officer needs to be raised at a high level to be seen by the City, by the State and on a National level. Mr. Heru advised since 2014 we've seen incidents from Police Departments and certain Police Officers who have acted inappropriately when it comes to dealing with people of color. Mr. Heru advised he's been involved in discrimination for a number of years in this Country. Mr. Heru advised he believes the Officer needs to be seen by other Police Departments because the Las Vegas Police Department did act appropriately in his eyes and several friends of his. Mr. Heru advised he believes they lead a shining example and should be seen on a National level.

Mr. Heru advised he would like to speak to the individuals who were arrested and speak at Highlands University and hopefully in the future help younger kids act more appropriately when it comes to dealing with Police Officers.

Mr. Heru also spoke about a youth music program outside of school for ages 9-14 and hopefully continue as a after school program. Mr. Heru advised there is very little for the youth in the community and is hoping for some support for the organization which will soon be a non-profit organization.

### **Discussion Items**

1. Resolution #18-24, a request to transfer a 2005 Ford Van, VIN # IFBSS31LD5HB30709, with mileage of 105,815 miles to Collins Lake Autism Center, a 501c3 Non-Profit Corporation.

Senior Center Manager Wanda Salazar advised many of the vans are getting vandalized while parked at the Senior Center. Senior Center Manager Salazar advised the vehicle does meet all requirements, it has over 100,000 miles, its ten years old and the value is less then \$5,000.

Mayor Gurulé-Girón asked if it went through the actual depreciation value and is consistent with the City's depreciation value.

Interim City Manager Gallegos advised that it is consistent.

Discussion and questions took place regarding an alternative source for a vehicle and if other vehicles have been vandalized.

Discussion and questions took place regarding a place to store vehicles.

The governing body agreed to place the item as a consent agenda item.

2. Resolution #18-25, to ensure the availability of matching funds for the participation in the New Mexico Department of Transportation Municipal Cooperative Agreement (COOP); for the plan design, construction, construction management, reconstruction, pavement rehabilitation, drainage improvements and miscellaneous construction to Keen Street from Grant Street to West National Avenue as well as West National Avenue from Keen Street to South Pacific Avenue. Total project cost is \$253,980.00, State Match is \$190,485.00, and City's share is \$63,495.

Interim Public Works Director Danny Gurule advised if the funding was received, it would help to fix the streets in the specific areas.

Councilor Casey asked where the \$63,495 would come out from.

Interim City Manager Gallegos advised it would come out from the 216 Street Improvement Fund which is specific for street maintenance but may be able to waiver out of it if applied on time.

Discussion and questions took place regarding the Keen street project going from ward 1 to ward 4.

Mayor Gurulé-Girón advised it is required from DFA to follow the ICIP plan.

Discussion and questions took place regarding when phase 3 will take place to cover the streets in Councilor Romero's ward.

Discussion and questions took place regarding how streets are prioritized.

The governing body agreed to place the item as a consent agenda item.

3. Resolution 18-26, the City of Las Vegas is interested in applying for the Local Government Fund Match Waiver Program per New Mexico Administration Code 18.27.3.8 for FY 2018/2019 Project No. SP-4-19(957) control No. L400397.

Interim City Manager Gallegos advised if the waiver is not approved the project would still continue.

Councilor Romero asked what information was required for the waiver.

Interim Public Works Director Gurule advised it required the approval of the governing body and is on a first come first serve basis.

Interim City Manager Gallegos advised they do look to see whether the funding is there.

The governing body agreed to place the item as a consent agenda item.

4. Resolution #18-27, requesting the Governing Body authorize the application submission of a New Mexico Community Development Block Grant Program to the Department of Finance and Administration and authorizing the Mayor of the City of Las Vegas as the authorized Chief Executive Officer and Authorized representative to participate in the Community Development Block Grant (CDBG) program.

Interim Community Development Director Virginia Marrujo advised they are working on the application submission process and have gone through most of the preliminary process, as well as meeting all requirements.

Councilor Casey advised making a minor change to the language in the resolution. The second Whereas should state the City, not the Council.

Councilor Howell asked how many people attended the public meetings.

Interim Community Development Director Marrujo advised no one showed up to the public meetings.

Councilor Howell asked if there was a reason the council was not advised about the public meetings.

Interim City Manager Gallegos advised it is not called a council meeting, instead is called a community meeting so the community can come with any questions or recommendations.

Mayor Gurulé-Girón advised those meetings are on the website.

Councilor Howell advised he knew it wasn't a council meeting but if the councilors knew about it they could talk with the community members in their district.

Interim City Manager Gallegos advised she will make sure the council is informed for the next community meeting.

The governing body agreed to place the item as a consent agenda item.

5. Award request for bid #2018-18 for North Grand Waterline project to Hays Plumbing & Heating, Inc.

Utilities Director Maria Gilvarry advised this project is to get rid of dead end lines in three segments to give a continuous flow in that area.

Councilor Howell asked if Hays had enough staff to take on the project.

Utilities Director Gilvarry advised they do and they continue to hire new employees and are fully staffed to complete any projects needed.

Mayor Gurulé-Girón asked about Hay's subcontracting others if necessary.

Utilities Director Gilvarry advised that there are some areas that they need to hire subcontractors for.

Councilor Howell asked if there had been any issues with the Bradner Dam project.

Utilities Director Gilvarry advised Hay's experienced rock that has slowed them down but that was the only issue.

The governing body agreed to place the item as a consent agenda item.

6. Award request for bid #2018-19 for the Cabin Site tank rehabilitation project to D&R Tank Company.

Utilities Director Maria Gilvarry advised the Cabin Site Tank is in phase three of a phase three project, the tank is the primary tank to treat water. Phase one of the project was to build the tank and phase two was to drain the tank and physically look internally.

The governing body agreed to place the item as a consent agenda item.

Interim City Manager Gallegos advised the council about the three business items for the following weeks council meeting which were recommendations on the phone system, amended ordinance for the Storrie Lake loan agreement and a zoning request on 12th street.

Discussion and questions took place regarding how to give support to the music ops program.

Councilor Romero asked about the appointments of officers.

Mayor Gurulé-Girón advised the appointments will be coming, and they were going to have interviews but there was an interruption with one of the committee members and they couldn't participate and will hopefully have it done by next week sometime, 2 appointments for certain, the other two she's still working on.

Councilor Romero asked if they would be done by next meeting.

Mayor Gurulé-Girón advised it's either going to happen before the meeting on Tuesday or Friday.

Councilor Romero asked about the current employees that are sitting in positions such as the Clerk.

Mayor Gurulé-Girón advised, "he'll find out what her decision is".

Councilor Casey advised the governing rules of procedure state directorships and other personnel changes need approval from the council and not all of them have been.

Mayor Gurulé-Girón advised she spoke with Ms. Gallegos, and asked if she could explain the decision and direction as to how she was brought to that decision.

Interim City Manager Gallegos advised she looked at the personnel rules and regulations and also at the charter and she looked at interim positions and the City Manager has the right to appoint interim positions, not the director positions because those come to Mayor and council. Interim City Manager Gallegos advised she felt at the time they were in need of a community development director, so she made an interim assignment.

Mayor Gurulé-Girón asked who she appointed as Interim.

Interim City Manager Gallegos advised she appointed Ms. Virginia Marrujo as Interim Community Development Director.

Councilor Casey asked if she referred to the governing rules.

Interim City Manager advised she didn't remember which policy she looked at but she did look at a policy that stated the City Manager has a right to appoint interim positions.

Councilor Casey advised the governing body rules state those interim positions do need to be approved by council and any change in salary.

Discussion and questions took place regarding the governing body rules and procedures.

Councilor Casey advised it would be a good idea to keep the councilors more in the loop with a monthly report.

Discussion and questions took place regarding the Human Resource Manager position.

**ADJOURN**

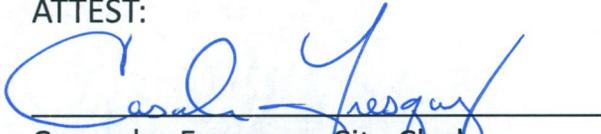
Councilor Romero made a motion to adjourn. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

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

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

  
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Mayor Tonita Gurulé-Girón

ATTEST:

  
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Casandra Fresquez, City Clerk