



CITY OF LAS VEGAS

1700 N. GRAND AVE. • LAS VEGAS , NEW MEXICO 87701-4731 • 505-454-1401 • FAX 505-425-7335

ALFONSO E. ORTIZ, JR.

Mayor

**CITY OF LAS VEGAS
SPECIAL CITY COUNCIL AGENDA
August 12, 2015–Wednesday – 5:00 p.m.
City Council Chambers
1700 N. Grand Ave**

(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. PUBLIC INPUT (not to exceed 3 minutes per person)
- VII. BUSINESS ITEMS

1. Approval/Disapproval of Resolution No 15-38 allowing Mayor and City Manager to negotiate a conservation agreement with La Morada de Santana.

Elmer J. Martinez, City Manager The City would like to expand Bradner Reservoir to 2,300 acre feet of storage, however, increased storage will result in drainage pooling which would impact La Morada Santana property. A conservation easement with La Morada de Santana is a means to address the issue.

VIII. 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.

TONITA GURULE-GIRON
Councilor, Ward 1

VINCE HOWELL
Councilor, Ward 2

JOSEPH "JOEY" HERRERA
Councilor, Ward 3

DAVID L. ROMERO
Councilor, Ward 4

- 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.**

IX. 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, N.M 87701

Special

CITY COUNCIL MEETING AGENDA REQUEST

DATE: 08/07/15

DEPT: Utilities

MEETING DATE: 08/12/15

ITEM/TOPIC: Approval of Resolution No. 15-38 allowing the Mayor and City Manager to negotiate a conservation agreement with La Morada de Santana.

ACTION REQUESTED OF COUNCIL: Approval/Disapproval of Resolution No. 15-38.

BACKGROUND/RATIONALE: The City would like to expand Bradner Reservoir to 2,300 acre feet of storage, however, increased storage will result in drainage pooling which would impact La Morada de Santana property. A conservation easement with La Morada de Santana is a means to address the issue.

STAFF RECOMMENDATION: Approval of Resolution No. 15-38.

COMMITTEE RECOMMENDATION: This item will be discussed at the regular Utility Advisory Committee meeting on August 11, 2015. Their recommendation will be provided at the Council Meeting.

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

REVIEWED AND APPROVED BY:



ALFONSO E. ORTIZ, JR.
MAYOR



ELMER J. MARTINEZ
CITY MANAGER

PURCHASING AGENT
(FOR BID/RFP AWARD)

SUBMITTER'S SIGNATURE

ANN MARIE GALLEGOS
FINANCE DIRECTOR
(PROCUREMENT)

DAVE ROMERO
CITY ATTORNEY

(ALL CONTRACTS MUST BE
REVIEWED)

Approved to form 1-26-15

**CITY OF LAS VEGAS
RESOLUTION NO. 15-38**

A RESOLUTION OF THE CITY OF LAS VEGAS, NEW MEXICO, ALLOWING THE MAYOR AND CITY MANAGER TO NEGOTIATE THE TERMS OF A CONSERVATION EASEMENT WITH LA MORADA DE SANTANA.

WHEREAS, the City of Las Vegas desires to expand the capacity of Bradner Reservoir to 2300 acre feet, and

WHEREAS, the expansion will impact drainage on La Morada de Santana property, and

WHEREAS, the City respects La Morada de Santana members desire to protect their privacy and limit trespass onto their property, and

WHEREAS, the City desires to compensate La Morada for the easement, mitigate potential environmental issues that may impact La Morada and to construct the project in such a way as to improve security and privacy; and

WHEREAS, during the 200 year and maximum probable rain events drainage is estimated to remain on La Morada property between 12 minutes for the 200 year flood event and 9.3 hours for the theoretical maximum probable flood event (see attachment); and

WHEREAS, flood events will not impact existing structures located on La Morada property; and

WHEREAS, the City desires to prevent construction of habitable dwellings in the drainage area by creating a conservation easement.

NOW THEREFORE, be it resolved by the Governing Body of the City of Las Vegas, New Mexico on the following that the Mayor and City Manager are authorized to enter into discussion and/or negotiation of terms and conditions for a conservation easement, BE IT FURTHER RESOLVED that discussion and/or negotiation and considerations are to include: legal fees incurred by Morada for the easement to be at the expense of the City; road improvements by the City; erosion control, old tire removal in arroyo to be performed by the City; construction of a security fence to be borne by the City and the placement of \$\$ in bonds for future expansion.

PASSED, APPROVED AND ADOPTED this ____ of _____, 2015.

Mayor Alfonso E. Ortiz, Jr.

ATTEST:

Casandra Fresquez, City Clerk

APPROVED AS TO LEGAL SUFFICIENCY

Dave Romero, Jr., City Attorney