

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL WORK SESSION  
HELD ON WEDNESDAY OCTOBER 8, 2014 AT 5:30 P.M. IN THE CITY  
COUNCIL CHAMBERS**

**MAYOR:** Alfonso E. Ortiz, Jr.

**COUNCILORS:** Tonita Gurule-Giroñ  
Vince Howell  
Joey Herrera  
David L. Romero

**ALSO PRESENT:** Elmer J. Martinez, Acting City Manager  
Casandra Fresquez, City Clerk  
Dave Romero, City Attorney  
Eugene Garcia, Sergeant at Arms

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

Mayor Ortiz Jr. asked for a moment of silence in appreciation of health.

**APPROVAL OF AGENDA**

Councilor Howell made a motion to approve the agenda as is. Councilor Herrera seconded the motion.

Mayor Ortiz Jr. asked for a roll call. Roll call was taken and reflected the following.

David L. Romero	Yes	Tonita Gurle-Giroñ	Yes
Joey Herrera	Yes	Vince Howell	Yes

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

## **MAYOR'S APPOINTMENTS**

Mayor Ortiz advised he had none at the time.

## **MAYOR'S RECOGNITION/PROCLAMATION**

City Clerk Fresquez read the proclamation for Crop Walk to be presented to Mr. Ami and Ms. Valdez.

Mayor Ortiz Jr. spoke briefly regarding the issue of hunger in the community and the world.

## **PUBLIC INPUT**

Bob Wessely spoke to the governing body about New Mexico State Statute 3-23-4 that indicates any revenue generated by utility accounts are to be used for utility purposes only and in the past the City has received audit findings for trying to transfer money into the General Fund. Mr. Wessely spoke about a presentation given by Mayor Ortiz Jr. and Utility Director Garcia at a meeting by the Legislative Interim Committee on Water and Natural Resources. The presentation was regarding the progress of the Bradner Dam project that was funded.

Carlos Perea spoke to the governing body regarding the letter he received from City Attorney Romero that his youth football team was "kicked" out of the Commerce Street Field. Mr. Perea advised the Soccer League is not a City organization and his football team does not have a field to practice on and does not feel it is appropriate that the field is designated for one particular sport.

## **CITY MANAGER'S INFORMATIONAL REPORT**

Acting City Manager Martinez advised there will be modifications in the structure of the agenda. Acting City Manager Martinez advised the structure will help identify consent agenda items to alleviate the confusion of consent items and items that needed further discussion. The governing body will still have the authority to remove an item from the consent if they felt the item could use more discussion.

Councilor Gurule-Giroń thanked Acting City Manager Martinez and City Clerk Fresquez for bringing this structural change to the governing body and feels it will help with any confusion and provides information to the public on the items.

Acting City Manager Martinez advised he has been working with the Community Development Department to arrange a meeting with the Lodger's Tax Board to review their budget regarding what they anticipate to accrue in revenue and what

they anticipate in expenditures, make a recommendation to the governing body and develop an RFP.

Questions and discussion took place regarding the Lodger's Tax and its process.

Acting City Manager Martinez advised the City received a preliminary report regarding the Recreation Center roof and based on the report it will exceed one million dollars for the repair to the facility. Acting City Manager Martinez advised he was pleased with their analysis of the facility and there were a few minor details in the report that are to be included and added. The Recreation Center has been moved up the ICIP and Acting City Manager Martinez will be discussing with the governing body options to locate funding.

Questions were asked about the amount the insurance would cover the cost of the repair.

Acting City Manager Martinez advised the analysis of the structure revealed the structural beams would not need to be replaced which would have been a considerable cost, the beams will just need to be sandblasted and recoated.

Acting City Manager Martinez advised the audit process was underway and he has had several meetings with the auditors and they are pleased with the process.

Acting City Manager Martinez advised City Clerk Fresquez has taken the lead on revising the City vehicle usage policy and should have a final draft soon.

Questions were asked about the audit and if the City has lost grant funding and if the grants were being spent in a timely manner. Questions and discussion took place regarding the take home policy and cost analysis. A report was asked for that would show the cost of cell phones and cell phone stipends paid for by the City.

## **PRESENTATIONS**

### **1. Presentation of the Landfill Closure.**

Utilities Director Garcia gave a presentation to the governing body regarding the Landfill closure project. Utilities Director Garcia advised the landfill is located northwest of the City of Las Vegas and began operating in 1977 until its closure in 1999. The City has been conducting closure activities at the landfill since 1994. Utilities Director Garcia advised as required by the New Mexico Solid Waste Regulations (20.9 NMAC), the City has installed numerous soil borings and monitoring wells at the landfill site and conducted ground water monitoring. During ground water monitoring at the site, contaminants have been detected at

concentrations in excess of state and federal standards for a variety of contaminants.

In response to requirements of the New Mexico Environment Department, Solid Waste Bureau (NMED-SWB), Souder, Miller and Associates completed an assessment of corrective measures report on 2005. This report describes site conditions, evaluates alternatives for closure and remediation of the landfill site, and proposes corrective measures, which were approved by the NMED-SWB in January 2008. The corrective measures to be conducted include a French drain at the toe (southern margin) of the landfill to collect leachate from the landfill, which will be discharged to the city sewer. Utilities Director Garcia further explained that in conjunction with construction of the French drain, the surface of the landfill will be re-graded in places to ensure positive drainage. The pond located at the head (northern margin) of the landfill will also be re-graded to be free draining, thus limiting the potential for infiltration of water into the landfill. Utilities Director Garcia advised the final design of the corrective measures have been completed, with plans currently in review by the NMED-SWB. Following approval, project construction is expected to be completed by the end of 2014. Following construction, additional monitoring wells will be required to be constructed to monitor groundwater quality down-gradient of the French drain. The post-closure monitoring and maintenance period for the landfill will be 30 years. Utilities Director Garcia gave an overview of the discussions that took place between the City and the Land Grant regarding the landfill property.

Questions were asked if the money for the project had already been encumbered into the current budget and the status of the City's current loan debts.

Utilities Director Garcia advised the bond money for the project has already been secured.

## 2. Buxton Informational Report.

Interim Community Development Director Matt Griego advised the City contracted with Buxton Analytics to analyze the spending habits of citizens living in Las Vegas. Buxton has completed its analytics portion of their deliverable and Community Development staff has completed the reporting aspect of the partnership. Buxton has identified 20 retailers that match the retail threshold of the buying propensity of our citizens. Interim Community Development Director Griego gave a brief summary of what a retail leakage and surplus analysis was and explained the businesses that were identified to work in the community. Interim Community Director Griego listed the retailers that were identified to be matches for the community, the list included: A&W Restaurant, Albertsons, Applebee's, Big 5 Sporting Goods, Burke's Outlet Store, Carmike Cinema, Cherry Berry, Chili's, Church's Chicken, CVS, Denny's, GNC, Home Depot,

Homeland, IHOP, Long John Silvers, Quick Lane, Safeway, Western Sizzlin and Whataburger.

Questions were asked how these retailers would affect the retailers and smaller businesses in the community for example the local pharmacies if a CVS was brought in.

Interim Community Development Director Griego advised there is a surplus of healthcare in the community, Las Vegas is the hub of the Northeast, and area communities use the hospital and pharmacies. Healthcare is the only retailer that the community has a surplus of rather than leakage. Interim Community Development Director Griego advised Buxton has sent out letters to the identified retailers that they have been matched with the City of Las Vegas.

Discussion took place how bigger restaurant businesses would hurt the smaller community restaurants and how a list of the items that are purchased outside of Las Vegas should have been provided and possibly been given to local retailers to look into selling those items. There was a lot of concern for the local smaller businesses.

Interim Community Development Director Griego advised the report provided by Buxton identifies every item that is purchased in and around Las Vegas.

Acting City Manager Martinez advised he is envisioning the EDC working alongside with Buxton and the local retailers.

Discussion took place regarding the effect on the smaller local businesses.

## **DISCUSSION ITEMS**

### **1. Agreement with Casa De Samaritan Shelter.**

Acting City Manager Martinez advised the Casa De Samaritan Shelter is a non-profit organization who provides services (food and shelter) to the homeless and people in need in the City of Las Vegas. The agreement is up for renewal and Acting City Manager Martinez is recommending the amount of funding be increased to \$15,000 rather than the \$10,000 from the previous year. Acting City Manager Martinez advised homelessness is a big concern of the community.

Ms. Quintana of Casa De Samaritan Shelter gave the governing body an overview of the services that they provide at the shelter for those in need.

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

### **2. Agreement with State of New Mexico Children, Youth and Families Department.**

Acting City Manager Martinez advised on May 15, 2014 the City of Las Vegas submitted a grant application to be the Fiscal Agent and administer a \$71,721 grant from Children, Youth and Families Department to improve the Juvenile Justice System and decrease juvenile delinquency in the community while increasing the emphasis on prevention and early intervention in juvenile justice services.

San Miguel County Detention Center Warden Patrick Snedeker and Juvenile Justice Continuum Coordinator Yolanda Cruz spoke to the governing body regarding the objective of the Juvenile Justice System is to provide cost effective services and temporary, non-secure alternatives to detention in San Miguel County for youth who have been arrested or referred to the juvenile probation office or are at-risk of such referral. Ms. Cruz gave a brief overview of the program as a whole and the purpose of the grant application.

Questions and discussion took place on the development of the advisory board and responsibility of the City of Las Vegas as the fiscal agent.

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

### 3. Agreement with MainStreet de Las Vegas.

Acting City Manager Martinez advised MainStreet de Las Vegas is a non-profit organization whose purpose is to stimulate economic development by protecting and enhancing Las Vegas' historically and culturally. Acting City Manager Martinez advised the City has an MOU with the State of New Mexico which has the City agreeing to allocate \$35,000 in funding to MainStreet de Las Vegas to implement projects. Acting City Manager Martinez advised there were some errors in the financial numbers, in the past had provided \$30,000 cash and \$5,000 in-kind services which included space at the Depot. This year the City is working to allocate the full \$35,000 in cash and the in-kind services to remain as use of the facility at the Depot. Acting City Manager Martinez gave a breakdown of how the funding is allocated.

Cindy Collins of MainStreet briefly spoke about the projects and grants that are being worked on for the community.

Discussion took place on the changes that would be made to the agreement before the regular meeting.

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

### 4. Resolution #14-64, supporting MAP-7647(910).

Interim Public Works Director Chris Cavazos advised a resolution is required to support the Municipal Arterial Program Cooperative Agreement. Interim Public

Works Director Cavazos explained the process for the grant agreement and need for resolution approval and the percentage of funding received and City match.

Questions were asked if the agreement for funding was for street improvements and if the application would meet the deadline.

Interim Public Works Director Cavazos advised the funding is for street improvements and while the deadline is quickly approaching, the department has been working very closely with the Department of Transportation.

Councilor Howell asked if there would be a possibility to have discussion at an upcoming work session to discuss the condition of the sidewalks.

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

5. Resolution #14-65, supporting COOP-SP-15(957).

Interim Public Works Director Cavazos advised a resolution is required to support the Cooperative Agreement.

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

Councilor Herrera made a motion to go into Executive Session to discuss personnel matters and negotiations of property matters. Councilor Howell seconded the motion.

Mayor Ortiz Jr. asked for a roll call. Roll call was taken and reflected the following.

David L. Romero	Yes	Tonita Gurle-Giroń	Yes
Joey Herrera	Yes	Vince Howell	Yes

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

### **EXECUTIVE SESSION**

Councilor Herrera made a motion to reconvene into regular session and only matters pertaining to personnel and property negotiations were discussed and no action was taken. Councilor Gurule-Giroń seconded the motion.

Mayor Ortiz Jr. asked for a roll call. Roll call was taken and reflected the following.

David L. Romero	Yes	Tonita Gurle-Giroń	Yes
Joey Herrera	Yes	Vince Howell	Yes

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

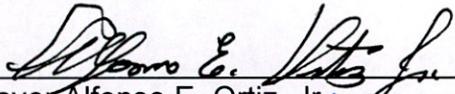
**ADJOURN**

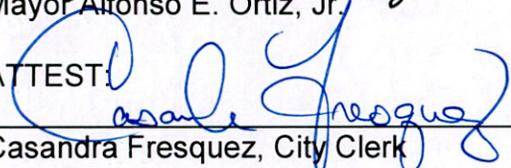
Councilor Herrera made a motion to adjourn. Councilor Howell seconded the motion.

Mayor Ortiz Jr. asked for a roll call. Roll call was taken and reflected the following.

David L. Romero	Yes	Joey Herrera	Yes
Vince Howell	Yes	Tonita Gurule-Giroń	Yes

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

  
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Mayor Alfonso E. Ortiz, Jr.

ATTEST:   
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Casandra Fresquez, City Clerk