

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD ON WEDNESDAY, JULY 17, 2024 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS.**

**MAYOR:** David Romero *Absent*

**COUNCILORS:** Marvin Martinez  
Barbara Casey  
Michael L. Montoya *Mayor Pro Tem*  
David Ulibarri

**ALSO PRESENT:** Tim Montgomery, City Manager  
Casandra Fresquez, City Clerk  
Caleb Marquez, Sergeant at Arms

**CALL TO ORDER**

Mayor Pro Tem Montoya called the meeting to order at 5:30 pm.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

Councilor Martinez asked for a moment of silence to thank all the citizens of Las Vegas for helping with conserving water.

**APPROVAL OF AGENDA**

Councilor Casey made a motion to approve the agenda as presented. Councilor Ulibarri seconded the motion. Mayor Pro Tem Montoya asked if all were in favor. All were in favor.

**PUBLIC INPUT**

City Clerk Fresquez advised that there was no public input.

**MAYOR’S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS**

Mayor Pro Tem Montoya thanked the following people who donated and assisted Las Vegas during the water crisis; the Taos Fiesta Committee, the Santa Fe Fiesta Committee, the Las Vegas Community Foundation, State Employees Credit Union, Albuquerque Senior Citizens, the Hillcrest Restaurant, HelpNM, the City of Santa Rosa, the City of Santa Fe, and support from different individuals. Mayor Pro Tem Montoya thanked all employees who helped, the Red Cross and San Miguel County.

Mayor Pro Tem Montoya provided recognition certificates for RHS Championship Athletes.

Mayor Pro Tem Montoya asked NMHU President, Dr. Neil Woolf to introduce himself.

Mayor Pro Tem Montoya read a proclamation for Juan Ortega.

Mr. Ortega thanked Council for recognizing him.

Creation of Economic Development Committee and appointment of the following individuals: Matt Martinez, Michael Quintana, David Valdez, Andrea Encinias, Jeff Salman and NMHU President, Dr. Neil Woolf.

Discussion took place regarding Section 6.08 Advisory Committees of the City Charter.

Councilor Martinez made a motion to approve the creation of the Economic Development Committee. Councilor Casey seconded the motion. Mayor Pro Tem Montoya asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Michael L. Montoya	Yes
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City Clerk Fresquez advised the motion carried.

### **COUNCILORS' REPORTS**

Councilor Casey advised that she received several phone calls regarding issues with standing water due to recent rainfall and advised that the City cannot do any type of repairs on private property.

Councilor Ulibarri asked when pothole patching would resume.

City Manager Montgomery advised once the streets are dried, Public Works would go out to assess the streets.

Councilor Ulibarri advised that there had been ATVs going into yards around the area of Rodriguez Park and asked if the Police Chief could have officers patrol the area.

Councilor Martinez advised that he was also approached by citizens regarding issues from flooding and suggested an MOU with San Miguel County to share costs for repairs.

Councilor Montoya thanked the Sulzer Group for their help during the water crisis and advised that the deadline to file a claim with FEMA is November 14th.

### **POLICE CHIEF'S REPORT**

Police Chief Caleb Marquez gave a detailed presentation regarding the statistics for the Month of May and June on the following:

- Field Operations Division (patrol) calls
- Communication Division
- Animal Care Center updates/events
- Information Division/Records
- Street Crimes Division updates
- Travel/Trainings
- Recruitment updates
- Recognition of Officer Christian Garcia
- Community Events
- Department vacancies (26)



Councilor Martinez thanked Police Chief Marquez and all his staff for their hard work.

Councilor Montoya asked if the Animal Care Center was accepting animals and what the hours of operation was.

Police Chief Marquez advised yes, and the hours of operation are Monday, Tuesday and Saturday 8 am - 5 pm.

Discussion took place regarding the Legislative funding in the amount of \$750,000 for plan and design of a new animal shelter facility.

Councilor Montoya thanked Police Chief for all he did during the water crisis and asked to monitor the riverwalk due to people riding bikes and skateboarding in the area.

Councilor Ulibarri asked if officers could monitor kids riding bikes and skateboards during Friday Al Fresco.

## **FINANCE REPORT**

Finance Director Morris Madrid discussed the final budget approval process which would be done during a special meeting this month. Finance Director Madrid advised that in communication with DFA between the time that they prepared and approved the interim budget and now there were a lot of things that occurred. Finance Director Madrid advised that there was funding that came in before the end of the year, and funding that would take effect July 1st that was not incorporated in the interim budget. Finance Director Madrid advised that the question was should they amend the interim budget and incorporate it into the final or should they leave it as is which is normal practice for local government statewide and just update the cash balances from estimated to actuals. Finance Director Madrid advised that in early August they would have a meeting with a stack of budget adjustments, which is more work but it's also more detailed information for the governing body and the community. Finance Director Madrid

advised that they would reveal the particular purposes of all the funding initiatives and the funding would define the purpose.

Finance Director Madrid advised that there would be a second part to that because of the way that the budget was prepared not all of the initiatives from the departments were included. Finance Director Madrid advised that there would be another part to the adjustment of the budget initially and the City Manager and himself would listen to those requests and bring Council the ones that are appropriate. Finance Director Madrid advised that the only real change Council would see is on the summary sheet with the cash balances. Finance Director Madrid advised that the criteria for DFAs approval of the budget is to start off with appropriate reserves, estimate your revenues/expenditures, define the transfers, transfers have to balance, what are your investments and your reserves. Finance Director Madrid advised that the ending cash balance for each fund has to be zero or greater if they see a red number they'll reject it. Finance Director Madrid advised that Council wouldn't see a red number and advised that was the process that they were going to follow for the final budget.

Finance Director Madrid disregarded the finance report for May and went straight to the June report and advised that the finance report showed that the City was in good shape. Finance Director Madrid advised that the general fund revenue comparisons in regards to property taxes, gross receipt taxes, 1.225% and .75%, were all up. Finance Director Madrid advised that those were trends and not just from this year, it's been showing strength and growth for the last few years. Finance Director Madrid advised that he wanted to point out that they exceeded their expectations by 11% overall. Finance Director Madrid advised that the miscellaneous amount on the report is 2.6 million which are many different things that would make the report cumbersome to read. Finance Director Madrid advised that they are the administrative fees that are charged to the utilities for administration. Finance Director Madrid advised that if there is a very warm winter the gas revenues drop significantly but the expenses don't. Finance Director Madrid advised that the City moved to a flat fee for each utility which is determined at the beginning of the year.



Finance Director Madrid advised that they had over \$400,000 in insurance claims that they recovered, some donations, some reimbursements, and some interest earned and advised that miscellaneous is recurring and strong. Finance Director Madrid discussed the General fund budget and advised that it looked good and the Enterprise fund did not exceed the budget authority but advised one concern was in the WasteWater department, where actuals exceeded on a preliminary basis expenditures more than revenues. Finance Director Madrid advised that the timing of billing and collections could be one of the issues because there is a long period from the time meters are read to the time that they actually collect or declare someone delinquent or cut off services, which causes an issue in cash management. Finance Director Madrid advised that the Recreation department did not exceed budget authority, although expenses exceeded the revenues, which are from different factors. Finance Director Madrid discussed the Cannabis report that continues to accumulate cash.

Finance Director Madrid apologized for the Lodgers Tax report not being included and advised that it has a budget of about \$700,000 and was under budget and they budgeted about the same amount for next year. Finance Director Madrid advised that he met with the Lodgers Tax Committee to discuss the budget, what their options for use of the budget were, what the requirements were and their cash balance. Finance Director Madrid advised that they are going to be in the process of doing some more detailed planning for those expenditures and in the areas of advertising, promotions and even some consideration of infrastructure ideas.

Councilor Casey thanked Mr. Madrid for going over the Enterprise fund for WasteWater.

Councilor Martinez asked if budget billing was available.

Finance Director Madrid advised that budget billing was available.

Councilor Martinez asked to let the public know that budget billing was available.

City Manager Montgomery advised they would make the public aware.

**APPROVAL OF MINUTES**

Councilor Casey made a motion to approve the minutes from June 26, 2024. Councilor Ulibarri seconded the motion. Mayor Pro Tem Montoya asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	David Ulibarri	Yes
Marvin Martinez	Yes	Barbara Casey	Yes

City Clerk Fresquez advised the motion carried.

**PRESENTATIONS/POSSIBLE DIRECTION**

Amina Sena, District Ranger for the Pecos Las Vegas, Ranger District with the Forest Service provided a lengthy presentation regarding the work they have been doing, how they helped during the flooding and what their plans were with the Hermit’s Peak Calf Canyon Recovery Environmental Assessment (EA). Ms. Sena advised that they need to discuss what the critical needs are in the recovery efforts post fire such as roadwork, replacing bridges, watershed restoration, sediment and debris flows.

Councilor Casey thanked Ms. Sena and advised that it gives her hope for the community and advised that an Environmental Assessment was necessary to ensure that the work that needs to be done gets done.

Councilor Ulibarri thanked Ms. Sena for cleaning the arroyo on Lopez Street.

Councilor Montoya asked Ms. Sena if they were working with the acequias within city limits.

Ms. Sena advised that the Incident Management Team was assisting with that.

Councilor Montoya advised that he appreciates them willing to work together and move forward.



Discussion took place regarding how to prevent fires from occurring and the number of Forest Service personnel stationed in Las Vegas.

Councilor Martinez discussed the need for guardrails by Johnson Mesa due to the lack of trees in the burn scar.

Ms. Sena advised that she would take that information back to her staff as part of the proposed long term planning Environmental Assessment. Ms. Sena discussed three options available for residents to get firewood.

Interim Utilities Director Travis Martinez provided a lengthy presentation regarding phase II of the diversion sediment removal project and advised that the project was being conducted by Tierra Y Montes and the National Resource Conservation Service.

Councilor Ulibarri thanked Interim Utilities Director Martinez for all his hardwork and also thanked Tierra Y Montes.

Councilor Martinez asked how many times they would have to do a sediment removal.

Interim Utilities Director Martinez advised that it's hard to determine and would depend on the amount of rainfall.

Discussion took place regarding moving forward with having a more permanent placement where the gabions are.

Gerald Romero with Tierra Y Montes advised that the funding for the clean out was from the Emergency Watershed Protection Program that is funded by NRCS. Mr. Romero advised that the funding was not from the claims office. Mr. Romero discussed how they would be helping the City to get through the post fire recovery.

Councilor Martinez thanked Mr. Romero for their partnership and all the entities that have come together.

Councilor Casey asked how the geobrugg netting worked.

Interim Utilities Director Martinez advised that they're anchored into the bedrock at the bottom of the river to stop debris flowing down the river and the metal could hold up to a 1500 GMC truck.

Discussion took place regarding the size of the geobrugg, how many there are, removing them to clean behind them and seeking a ten year commitment from FEMA for future sediment removal.

Interim Utilities Director Travis Martinez provided a lengthy presentation on the Lead and Copper Act and a status update regarding it being done nationwide by the EPA. Interim Utilities Director Martinez advised its to improve protection to the community from lead exposure in drinking water. Interim Utilities Director Martinez discussed deadlines that the City of Las Vegas must meet. Interim Utilities Director Martinez advised they would be able to determine each water service to see which ones need to be updated.

Councilor Martinez asked how much roadway infrastructure would have to be torn up.

Interim Utilities Director Martinez advised that they are working with departments to see what projects are taking place so they don't have to tear up roads after they have already been paved.

Tasha Martinez with MainStreet discussed the following for their fourth quarter report on Contract #4002-23; five building exterior improvements, two new businesses opened, three buildings were purchased, \$9,800 received in grants, Great Blocks strategy 1, three service contracts done, ward 3 and ward 1 mural update, final trash pick-up and facade squad.

Councilor Ulibarri asked about the final designs for the mural in his ward.

Ms. Martinez advised that they have not received any designs for the final mural.

Councilor Ulibarri asked if they could provide the design of the mural to Council once they have one.

Councilor Martinez asked where the other murals were located.

Ms. Martinez advised that each ward is supposed to have a mural, the mural in Ward 2 is on the wall at the Fire Station on Legion, the mural in Ward 4 is still being worked on and would be on multiple panels at the caboose, the mural in Ward 3 will be on the Lowes building on Mills and the mural in Ward 1 will be on the Mayeur building on the Plaza.

Councilor Montoya asked if anyone has met with the City Manager regarding the Great Blocks project.

Ms. Martinez advised no.

Councilor Montoya asked if the road would need to be closed by Lowes when the mural is being done.

Ms. Martinez advised no, she didn't think it would have to be closed, they usually put cones around the area.

Councilor Casey advised that the mural at Lowes is moving along quickly and looks forward to seeing the mural completed.

Councilor Montoya suggested that MainStreet meet with the City Manager before their contract expires.

Ms. Martinez advised that they are waiting for the new Executive Director and if they haven't found someone by then Reina and herself would meet with the City Manager.

Councilor Casey asked how many applicants they received for Executive Director and if they were from Las Vegas.

Ms. Martinez advised that they had five applicants and they were from around the area.



Parks and Recreation Director Arturo Padilla and Parks Supervisor Shawn Saiz-Gomez provided a lengthy presentation regarding an update on all City Parks and maintenance of all City Parks. Parks and Recreation Director Padilla discussed plans for the near future such as the need for equipment, vehicles and trailers.

Councilor Ulibarri advised that the parks looked good and asked about sidewalks around the Plaza Park that are cracking and lifting.

Parks and Recreation Director Padilla advised that they went out for quotes and would see what needs to be done to move forward with repairing sidewalks around the Plaza Park.

Discussion took place regarding rocks being thrown onto the turf field and Marrujo Park needing more improvements.

Councilor Casey advised that it would be nice to get Marrujo Park to look better. Councilor Casey asked what the plans were for Litherland Park.

City Manager Montgomery advised that the focus was still what the intent of the property was and advised that he would follow up.

Discussion took place regarding how to honor the Litherlands, needles being found at Lion Park and Lincoln Park, and officers patrolling the area on Lincoln.

Councilor Montoya voiced his opinion regarding having Code Enforcement scheduled to be at the parks one night a week. Councilor Montoya asked how many vacant positions Parks and Recreation Director Padilla had.

Parks and Recreation Director Padilla advised there were two vacant positions.

Councilor Montoya voiced his opinion regarding contracting out to ensure that the parks are taken care of. Councilor Montoya advised that signage was needed at parks. Councilor Montoya asked to look into the property on Grand Avenue and Independence to see if it belonged to the City. Councilor Montoya suggested enclosing Lincoln Park by the Samaritan House to help keep people out to ensure the safety of children.



## **CONSENT ITEMS**

There were no consent agenda items.

## **BUSINESS ITEMS**

### 1. Update and Possible Direction on City investments.

Finance Director Morris Madrid discussed Municipal investments and how it should work. Finance Director Madrid discussed essential elements of cash management as related to investments and advised that cash management has to be a priority for the City to ensure they can make the necessary payments that are short-term, midterm and long-term. Finance Director Madrid discussed cash flow forecasting, cash inflow control and complying with statutory regulations. Finance Director Madrid discussed how much was invested and recommended re-drafting the policy and taking it to the Finance Committee and Council, the need to periodically bid out investments locally, the need to participate in the State Treasurers Local Government Investment Program, and reporting on investment activity, balances and earnings as part of the finance report every month.

Councilor Martinez advised that they are losing a substantial amount of money monthly and advised that he was on board with following the protocol to ensure they get the best bang for the buck.

Councilor Casey thanked Finance Director Madrid and advised that the initial review that he gave them helped her to understand the changes that are required and the importance of understanding the elements of cash management related to investments. Councilor Casey suggested making changes and taking it back to Council to see if the changes are adequate for what they want to do and making sure that the City's money is being utilized as best as it can.

Councilor Montoya asked what Finance Director Madrid wanted changed in the investment policy.

Finance Director Madrid advised that he didn't want to change the concepts, he wanted to update and clarify the language. Finance Director Madrid advised that the internal control language at the bottom of page four needed to be updated due to it being too broad. Finance Director Madrid advised that they need to discuss the options regarding an investment committee. Finance Director Madrid advised that the development of a cash management program would be more complicated and the need for developing a formula for determining what the cash management needs would be. Finance Director Madrid advised that the citations and statutes needed to be updated and incorporated into the policy.

Councilor Montoya voiced his concerns regarding 7.3 million dollars that is just sitting there and not getting any interest. Councilor Montoya advised that he would give direction to bring the resolution back and invest 50% of what they have available. Councilor Montoya advised City Manager Montgomery to get with directors to find out where Lodgers Tax funding could be utilized.

Finance Director Madrid advised expenses are being tracked and the General Fund would be reimbursed by Lodgers Tax especially for events, Solid Waste, Police, Fire and Public Works department.

Councilor Martinez advised that they're fortunate to have City Manager Montgomery with his financial background and Finance Director Madrid.

Councilor Ulibarri advised that they need to invest in streets to make the city better.

Councilor Montoya made a motion for staff to review the investment policy for the City of Las Vegas, bring it back to Mayor and Council, also to have a resolution for the next Council meeting for investments, check on the RFI for local banks and bring a resolution to invest in the LGIP. Councilor Martinez seconded the motion. Mayor Pro Tem Montoya asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Marvin Martinez	Yes
Barbara Casey	Yes	Michael L. Montoya	Yes

City Clerk Fresquez advised the motion carried.

2. Request appointment of Voting Delegate and Alternate for the 2024 Annual Conference in Clovis, NM.

City Clerk Casandra Fresquez advised each year the New Mexico Municipal League requires a form be filled out with a Voting Delegate and Alternate by August 9th. City Clerk Fresquez advised that the Annual Conference would be August 13-16th and the City Council meeting would also be on August 14th. City Clerk Fresquez advised that she would have to take it to Council to change the August 14th City Council meeting should they attend the Annual Conference.

Councilor Montoya made a motion to approve the appointment of Councilor Martinez as the Voting Delegate for the 2024 Annual Conference in Clovis, NM. Councilor Casey seconded the motion. Mayor Pro Tem Montoya asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri	Yes	Michael L. Montoya	Yes
Barbara Casey	Yes	Marvin Martinez	Yes

City Clerk Fresquez advised the motion carried.

Councilor Casey made a motion to nominate Councilor Montoya as the Alternate for the 2024 Annual Conference in Clovis, NM. Councilor Ulibarri seconded the motion. Mayor Pro Tem Montoya asked for roll call. Roll Call Vote was taken and reflected the following:

Marvin Martinez	Yes	Barbara Casey	Yes
Michael L. Montoya	Yes	David Ulibarri	Yes



City Clerk Fresquez advised the motion carried.

**EXECUTIVE SESSION**

Councilor Casey made a motion to convene into executive session for the purpose of discussing Collective Bargaining strategy, as permitted by section 10-15-1(H)(5) of the New Mexico Open Meetings Act, NMSA 1978, Discussion regarding the Las Vegas Police Officer’s Association (LVPOA) Collective Bargaining Unit agreement and the International Firefighters Association (IAFF) Collective Bargaining Unit agreement. Councilor Ulibarri seconded the motion. Mayor Pro Tem Montoya asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	David Ulibarri	Yes
Barbara Casey	Yes	Marvin Martinez	Yes

City Clerk Fresquez advised the motion carried.

Councilor Casey made a motion to exit executive session and reconvene into regular session after being in executive session for the purpose of discussing Collective Bargaining strategy, as permitted by section 10-15-1(H)(5) of the New Mexico Open Meetings Act, NMSA 1978, Discussion regarding the Las Vegas Police Officer’s Association (LVPOA) Collective Bargaining Unit agreement and the International Firefighters Association (IAFF) Collective Bargaining Unit agreement, no other items were discussed and no action was taken. Councilor Ulibarri seconded the motion. Mayor Pro Tem Montoya asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	David Ulibarri	Yes
Barbara Casey	Yes	Marvin Martinez	Yes

**EXECUTIVE SESSION ACTION ITEMS**

1. Consideration to approve the Las Vegas Police Officer’s Association (LVPOA) Lodge #20 Collective Bargaining Agreement.



Councilor Casey made a motion to approve the Las Vegas Police Officer's Association (LVPOA Lodge #20 Collective Bargaining Agreement. Councilor Ulibarri seconded the motion.

Councilor Montoya thanked the City Manager, HR Director, Finance Director and everyone who helped with the negotiations. Councilor Montoya advised that he appreciated the Police department and all they do.

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

Marvin Martinez	Yes	Barbara Casey	Yes
Michael L. Montoya	Yes	David Ulibarri	Yes

City Clerk Fresquez advised the motion carried.

Councilor Montoya advised that employees have been working hard and thanked everyone who is helping to move the city forward.

**ADJOURN**

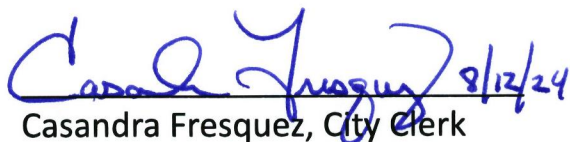
Councilor Casey made a motion to adjourn. Councilor Ulibarri seconded the motion.

Meeting adjourned at 10:20 pm.



Mayor David Romero

ATTEST:



Casandra Fresquez, City Clerk