

MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD ON WEDNESDAY, OCTOBER 9, 2024 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS.

MAYOR: David Romero

COUNCILORS: Marvin Martinez
Barbara Casey
Michael L. Montoya
David Ulibarri ***Absent***

ALSO PRESENT: Tim Montgomery, City Manager
Casandra Fresquez, City Clerk
Caleb Marquez, Sergeant at Arms
Ambrosio Castellano, Contracted City Attorney

CALL TO ORDER

Mayor Romero called the meeting to order at 5:30 pm.

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

City Manager Montgomery thanked our heavenly father for bringing everyone together. City Manager Montgomery recognized all City staff, the Governing Body and those who help guide them through daily processes.

Councilor Montoya asked to keep everyone in Florida in their prayers due to the hurricanes.

APPROVAL OF AGENDA

Councilor Montoya made a motion to approve the agenda as presented. Councilor Martinez seconded the motion. Mayor Romero asked if all were in favor. All were in favor.

PUBLIC INPUT

There was no public input.

MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

Mayor Romero provided an update regarding the Balloon Fiestas. Mayor Romero advised that he also met with Alta Vista Hospital along with Councilor Martinez. Mayor Romero advised that he represented the City at the Recovery Event at the Community Garden. Mayor Romero recognized City staff for all they do for the community.

COUNCILORS' REPORTS

Councilor Martinez advised that he was happy to see progress on the University Avenue project.

Councilor Casey spoke about the Women's Clinic at Alta Vista Hospital and advised that Mammograms and Bone Density tests would be available. Councilor Casey advised that she was happy with the new leadership and stated that they are working hard at bringing in other services and they have a Cardiologist available. Councilor Casey thanked those who have been working on the Hot Springs Boulevard project. Councilor Casey also thanked those who have been working at the Balloon Fiestas.

Councilor Montoya advised Jimmy Ortiz a constituent wanted to provide a token of appreciation to Mayor and Council for all they do. Councilor Montoya advised he visited the Solid Waste department and noticed all the changes. Councilor

Montoya thanked Public Works Director Arnold Lopez for all he's done at Solid Waste. Councilor Montoya advised that he attended the 50 year celebration at El Centro. Councilor Montoya thanked City Manager Montgomery and staff for helping with the weed issues around town.

CITY MANAGER'S REPORT

City Manager Tim Montgomery discussed the following;

- Welcomed new staff to the City of Las Vegas
- City department updates
- Reservoir storage
 - Peterson 41.5 acre feet
 - Storrie Lake 1200 acre feet
 - Bradner 271 acre feet
- City storage tanks has 6.9 million gallons
- Veolia Actiflo system is fully operational and delivering water into the drinking water system
- Attended 2024 ICMA Annual Conference

Mayor Romero thanked City Manager Montgomery for his report.

Councilor Casey also thanked City Manager Montgomery for his report and was glad that he enjoyed the ICMA Conference.

Councilor Montoya asked if the City Manager's report could be on the website so the public could see what each department is doing at least once or twice a year. Councilor Montoya asked for Peterson Dam to be taken to Council for direction regarding what the next steps should be and how they should utilize the monies from the Opioid and Cannabis funds. Councilor Montoya thanked City Manager Montgomery, Finance Director Madrid and the Finance department for moving quickly to invest the money they got and advised that Mayor and Council have a duty to earmark the money they receive as interest to be used towards projects. Councilor Montoya also thanked City Manager Montgomery for his report.

Councilor Martinez applauded City Manager Montgomery for attending the ICMA Conference.

APPROVAL OF MINUTES

Councilor Casey made a motion to approve the minutes from September 11 and September 18, 2024, with minor corrections. Councilor Martinez seconded the motion. Mayor Romero asked if all were in favor. All were in favor.

CONSENT AGENDA

None

BUSINESS ITEMS

- 1. Conduct a Public Hearing and request approval of Ordinance No. 24-08, the annexation of a property located on South Grand Avenue, better known as 11 Bibb Drive in San Miguel County.

Councilor Montoya made a motion to enter into a Public Hearing for Business Item 1. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	Michael L. Montoya	Yes
Marvin Martinez	Yes		

City Clerk Fresquez advised the motion carried.

City Clerk Fresquez swore in Community Development Director Lucas Marquez and Travis Regensberg.

Community Development Director Lucas Marquez advised that the property was located across from the New Mexico Department of Transportation and is about 2.9 acres.

Councilor Casey asked Mr. Regensberg what his plans were for the property.

Mr. Regensberg advised that he had a tentative contract with Dollar General. Mr. Regensberg advised that his main goal was to bring in gross receipt tax to Las Vegas.

Councilor Montoya made a motion to close the Public Hearing and reconvene into regular session. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	Marvin Martinez	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

1. Conduct a Public Hearing and request approval of Ordinance No. 24-08, the annexation of a property located on South Grand Avenue, better known as 11 Bibb Drive in San Miguel County.

Councilor Casey made a motion to approve the application for Ordinance No. 24-08, the annexation of a property located on South Grand Avenue, better known as 11 Bibb Drive in San Miguel County. Councilor Martinez seconded the motion.

Ordinance 24-08 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk's Office.*

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

Marvin Martinez	Yes	Barbara Casey	Yes
Michael L. Montoya	Yes		

City Clerk Fresquez advised the motion carried.

2. Request approval to enter into contract with the Samaritan House Inc.

Community Development Director Lucas Marquez advised there was a typo on page 1 of the contract regarding the amount and the date. Community Development Director Marquez advised that he included the taxes from 2020, 2021 and 2022 to show how much money the Samaritan House makes.

Councilor Martinez asked if cots were purchased with the additional \$9,000 that was given to Mr. Lyon.

George Lyon with the Samaritan House advised that they received a new set of cots.

Councilor Martinez asked if the shelter was open during the summer months.

Mr. Lyon advised that the shelter offers a day center that is open every Monday, Wednesday and Friday from 10 am - 12 pm.

Councilor Martinez asked if there were people who utilized those days.

Mr. Lyon advised yes.

Councilor Martinez advised that he spoke with residents in the area who have concerns regarding the homeless going onto their property. Councilor Martinez stated that he understands how hard it is to prevent that from happening. Councilor Martinez stated that he appreciated Mr. Lyon for helping the homeless. Councilor Martinez advised that it's their duty to recognize how the money is being spent. Councilor Martinez spoke on complaints and concerns regarding possible drug use and other activities in and around the area of Lincoln Park. Councilor Martinez asked if there was a possibility of moving the shelter away from the park.

Mr. Lyon advised that there are no plans to move the shelter, unless someone decides to buy the building from them.

Councilor Martinez stated that he was concerned about male and female conflicts occurring at the Samaritan House.

Mr. Lyon advised that he wasn't aware of any type of conflict between male and females. Mr. Lyon advised that the women are separated from the men. Mr. Lyon advised those staying at the shelter are not allowed to be in the park.

Councilor Casey emphasized that Mr. Lyon has expended a lot of effort to ensure that the people who utilize the facility are not bothering others. Councilor Casey advised that Mr. Lyon was not responsible for people who leave his facility and is only responsible for what occurs inside the Samaritan House and on the property of the Samaritan House.

Councilor Montoya asked how many employees he had.

Mr. Lyon advised approximately 10.

Discussion took place regarding the salary for employees, why there were no Government Grant contributions on their 2022 finances, San Miguel County not contributing towards the Samaritan House and the majority of those that utilize the Samaritan House are from San Miguel County.

Councilor Montoya asked what City Manager Montgomery's recommendation was.

City Manager Montgomery advised from an auditing perspective he was curious about the change in the Government Grants from 2020 to 2021 and then going down to zero in 2022. City Manager Montgomery asked Mr. Lyon to explain why there was a decline in amounts under "other gifts not included" which went from \$233,010, \$163,525 and then to \$94,808.

Mr. Lyon advised that the grants were federal and state MFA and HUD grants and the board decided the grants weren't something they wanted to keep because it was not beneficial in eliminating homelessness and addressing underlying issues. Mr. Lyon advised as far as the gifting he focused on rebuilding systems and reinforced policies.

Mayor Romero advised that the HUD grant was specific in helping homelessness and asked Mr. Lyon to clarify what he meant by it wasn't beneficial.

Mr. Lyon advised that the HUD grant was a Housing and Urban Development grant that was strictly to house unsheltered people but they had to be homeless for a year and other criteria.

Mayor Romero advised that he thought the goal was to get individuals eventually into a home.

Mr. Lyon advised that if they hand unsheltered people free housing without eradicating addiction or mental illness, homelessness will continue to be an issue in the community.

Mayor Romero advised that the individuals from the Samaritan House have been homeless for over a year. Mayor Romero asked Police Chief Marquez if he had data regarding how many calls for service they get at Samaritan House.

Police Chief Marquez advised that he could get that information.

Mayor Romero asked about information regarding fire code at the Samaritan House.

City Manager Montgomery advised that the operating business license was in effect and good until January 2025. City Manager Montgomery advised that the last inspection was done during the time the business license was renewed, there were some failures but they have been corrected.

Councilor Casey made a motion to approve to enter into contract with the Samaritan House Inc., in the amount of \$58,331 starting November 1st.

Mayor Romero asked for a second.

Due to the lack of a second the motion died.

Mr. Lyon advised that he was offended by arguing over \$58,000.

Councilor Casey made a motion to table the item for the first meeting in November and give direction to Community Development Director Marquez and Mr. Lyon to bring back additional information regarding questions that were asked. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	Michael L. Montoya	No
Marvin Martinez	Yes		

City Clerk Fresquez advised the motion carried.

3. Request approval of Resolution No. 24-30 to apply for a grant offer administered by the New Mexico Department of Transportation Aviation Department and to assure matching funds in the amount of \$67,060.04 for the installation of 30,200 feet of an eight foot game fence around the City of Las Vegas Municipal Airport.

Public Works Director Arnold Lopez advised that there would not be a match waiver.

Councilor Casey made a motion to approve Resolution No. 24-30 to apply for a grant offer administered by the New Mexico Department of Transportation Aviation Department and to assure matching funds in the amount of \$67,060.04

for the installation of 30,200 feet of an eight foot game fence around the City of Las Vegas Municipal Airport. Councilor Montoya seconded the motion.

Resolution 24-30 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk’s Office.*

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

Marvin Martinez	Yes	Michael L. Montoya	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

- 4. Request approval to award Request for Bid (RFB) #2025-01 for Sodium Chloride for the Water Treatment Facility to PVS DX Inc. and enter into contract.

Water Director Travis Martinez advised instead of going out for three quotes each time, they decided to move forward with the process more efficiently with an RFB.

Councilor Montoya made a motion to approve to award Request for Bid (RFB) #2025-01 for Sodium Chloride for the Water Treatment Facility to PVS DX Inc. and enter into contract. Councilor Casey seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Yes	Marvin Martinez	Yes
Michael L. Montoya	Yes		

City Clerk Fresquez advised the motion carried.

- 5. Request approval to award Request for Bid (RFB) #2025-03 for Clarifloc C-358 (Polymer) for the Water Treatment Facility to Polydyne and enter into contract.

Councilor Casey made a motion to approve award Request for Bid (RFB) #2025-03 for Clarifloc C-358 (Polymer) for the Water Treatment Facility to Polydyne and

enter into contract. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	Barbara Casey	Yes
Marvin Martinez	Yes		

City Clerk Fresquez advised the motion carried.

6. Request approval to award Request for Proposal (RFP) #2025-06 for City Attorney Services for the City of Las Vegas to Ortiz & Zamora Attorneys at Law, LLC and enter into contract.

City Manager Montgomery advised that the RFP was for general legal services as well as assistance with the City Charter. City Manager Montgomery advised that they had an update to the RFP removing the residency requirement for living within San Miguel County. City Manager Montgomery advised that they reached out to all the contracted attorneys to look at the updated RFP. City Manager Montgomery advised that Ortiz & Zamora Attorneys at Law, LLC was the only one to submit a proposal.

Councilor Casey made a motion to approve Request for Proposal (RFP) #2025-06 for City Attorney Services for the City of Las Vegas to Ortiz & Zamora Attorneys at Law, LLC and enter into contract. Councilor Montoya seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Marvin Martinez	Yes	Michael L. Montoya	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

7. Request approval to award Request for Proposal (RFP) #2025-08 for Water Rights Consulting and Legal Services to the Domenici Law Firm, P.C. for the City of Las Vegas and enter into contract.

Councilor Montoya made a motion to approve Request for Proposal (RFP) #2025-08 for Water Rights Consulting and Legal Services to the Domenici Law Firm, P.C. for the City of Las Vegas and enter into contract. Councilor Casey

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

Marvin Martinez	Yes	Michael L. Montoya	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

8. Discussion/Direction to the Charter Commission regarding the duration of the Charter Review Commission and the term of each commission member.

City Clerk Casandra Fresquez advised they had the first Charter Commission meeting on October 2nd. City Clerk Fresquez advised six out of seven Commission members were present. City Clerk Fresquez advised that she updated the timeline for the Charter Commission on what needs to be met through April 30, 2025. City Clerk Fresquez advised the Charter Commission would make their recommendation to the Governing Body and then determine the final Charter update between May and July 2025. City Clerk Fresquez advised that the Governing Body would then adopt a resolution establishing the ballot question for the updated revised Charter. City Clerk Fresquez advised that she needed direction as to the term of the Charter Commission, with her recommendation being through April 30, 2025.

Councilor Casey made a motion to approve the timeline provided by the City Clerk and the term of the commission through April 30, 2025. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Michael L. Montoya	Yes	Barbara Casey	Yes
Marvin Martinez	Yes		

City Clerk Fresquez advised the motion carried.

Mayor Romero asked Council to start looking through the Charter and for the Charter Commission to have one or two members of the Council present during their meetings.

EXECUTIVE SESSION

Councilor Montoya made a motion to convene into executive session for the purpose of discussing Pending or threatened litigation subject to the attorney-client privilege in which the public body is or may become a participant, as permitted by section 10-15-1(H)(7) of the New Mexico Open Meetings Act, NMSA 1978, Discussion regarding the 1995 John Kretz agreement. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara Casey	Abstained	Marvin Martinez	Yes
Michael L. Montoya	Yes		

City Clerk Fresquez advised the motion carried.

Councilor Montoya made a motion to exit executive session and reconvene into regular session after being in executive session for the purpose of discussing Pending or threatened litigation subject to the attorney-client privilege in which the public body is or may become a participant, as permitted by section 10-15-1(H)(7) of the New Mexico Open Meetings Act, NMSA 1978, Discussion regarding the 1995 John Kretz agreement, no other items were discussed and no action was taken. Councilor Martinez seconded the motion. Mayor Romero asked for roll call. Roll Call Vote was taken and reflected the following:

Marvin Martinez	Yes	Michael L. Montoya	Yes
Barbara Casey	Yes		

City Clerk Fresquez advised the motion carried.

ADJOURN

Councilor Casey made a motion to adjourn.

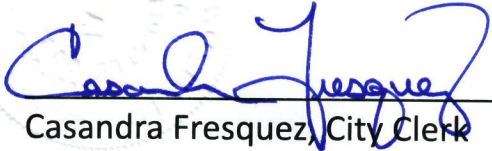
City Clerk Fresquez advised the motion carried.

Meeting adjourned at 9:10 pm.



Mayor David Romero

ATTEST:



Casandra Fresquez, City Clerk