

MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING ON WEDNESDAY, JANUARY 26, 2011 AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS

MAYOR: Alfonso E. Ortiz, Jr.

COUNCILORS: Tonita Gurule-Giroń
Diane Moore
Andrew Feldman
David L. Romero - Absent

ALSO PRESENT: Tim Dodge, City Manager
Casandra Fresquez, City Clerk
Dave Romero, City Attorney
Christian Montano/Eugene Garcia,
Sergeant at Arms

CALL TO ORDER

Mayor Ortiz, Jr. called the meeting to order at 6:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Ortiz asked for a moment of silence to acknowledge life and condolences to Gilbert Martinez and his family for the loss of his mother, Mary Martinez.

APPROVAL OF AGENDA

City Manager Dodge stated he had one addition to the agenda to include under Mayor's Appointments, Appointment of Veterans Memorial Committee. Councilor Feldman moved to approve the agenda with noted addition under Mayor's Appointments. Councilor Moore seconded motion. Mayor Ortiz asked for roll call vote. Roll Call Vote was taken and reflected the following:

Tonita Gurule-Giroń	Yes	Andrew Feldman	Yes
Diane Moore	Yes	David Romero	Absent

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

APPROVAL OF MINUTES

Councilor Moore moved to approve the December 14, 2010 and January 5, 2011 Minutes. Councilor Gurule-Giroñ seconded the motion. Mayor Ortiz Jr. asked for roll call vote. Roll Call Vote was taken and reflected the following:

Diane Moore	Yes	Tonita Gurule-Giroñ	Yes
Andrew Feldman	Yes	David Romero	Absent

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

MAYOR'S RECOGNITION/PROCLAMATIONS

City Clerk Fresquez read the Welcome letter for Mr. Eric Young, New Mexico Highlands University football coach, welcoming him to the community. City Clerk Fresquez also read a Proclamation, proclaiming March 13, 2011 as "L. Ron Hubbard Centennial Day"

MAYOR'S APPOINTMENTS

Appointment of Police Chief

City Manager Timothy Dodge recommended appointment of Mr. Christian Montano as Police Chief and asked Mayor and Council for their consent.

Mayor Ortiz, Jr. also recommended the appointment of Mr. Christian Montano as Police Chief for the City of Las Vegas. Councilor Moore moved to approve the appointment of Mr. Christian Montano as Police Chief. Councilor Tonita Gurule-Giroñ seconded the motion. Mayor Ortiz Jr. asked for roll call vote. Roll Call Vote was taken and reflected the following:

Tonita Gurule-Giroñ	Yes	Diane Moore	Yes
Andrew Feldman	Yes	David Romero	Absent

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

Appointments to Fiesta Committees

City Clerk Fresquez read the appointments to Fiesta Committees to include; Troy Denison to the Fiesta Activities Sub-Committee and Oversight Committee, Ms. Desiree N. Medina to the Fiesta Queen Sub-Committee, Mr. Chuck Griego to the Fiesta Activities Sub-Committee and 4th of July Parade Sub-Committee, Mr. Robert Gutierrez to the Entertainment Sub-Committee, Ms. Pauline Leger to the

Entertainment Sub-Committee, Mr. Steve Sanchez to the Entertainment Sub-Committee, Ms. Inez Gallegos-Lujan to the Entertainment Sub-Committee, Ms. Margie-Seay-Maez to the Fiesta Queen Sub-Committee, Mr. Angel J. Gutierrez to the Fiesta Queen Sub-Committee, Mr. Lt. Col. Luis Gonzales to the Fiesta Run Sub-Committee and Ms. Emilia Rivera to the Fiesta Queen Sub-Committee and the 4th of July Parade Sub-Committee.

Mayor Ortiz, Jr. distributed certificates of appointment to the above named individuals who were in attendance and thanked all the volunteers for their interest in assisting with the Fiesta Committees.

Appointment of Veterans Memorial Committee

City Manager Dodge advised that one of the reasons the City has established the Veterans Memorial Committee is to assist the veterans in getting the facility operational to establish veterans' services and this Committee will help in getting some activities underway under the City's Insurance and the City will also cover some of the utility costs.

City Clerk Fresquez read the appointments to the Veterans Memorial Committee to include; Mr. Gary Ludi, Alice Sandoval, Mr. Macario Gonzales, Mr. Victor Cordova and Mr. Fred Herrera.

Mayor Ortiz, Jr. distributed certificates of appointment to the above named individuals who were in attendance and thanked them for serving on the committee as well as their services.

PUBLIC INPUT (not to exceed 5 minutes per person)

Mr. Bruce McAllister thanked City Manager and City Clerk for postings on the website as it shows transparency in city government. Mr. McAllister also thanked Utility staff for their efforts on the preliminary reports and made several requests to include more information on website and to resume the Citizens Advisory Committee.

Ms. Rosalie Lopez and Pat Smith with Samaritan House reported that they have received a lot of support from the City and from the Mayor's Ball proceeds and advised that there would be United World College fundraiser serving international cuisine, art work and entertainment which will be held at the castle on Saturday, January 29, 2011. Ms. Smith requested that individuals volunteer their time once a month to work in the shelter.

City Manager Dodge requested that Chief Montano be excused and Captain Eugene Garcia replace him as Sergeant at Arms.

Mr. Bob Wessely stated that the City has engineers identifying alternate solutions and costs to their water problems in the various areas and encouraged the community to attend a meeting to be held on February 24, 2011 in which those engineers will be presenting those alternatives and costs with the idea of genuinely obtaining public input.

Mr. Lalo Sanchez stated that he was very concerned and upset about his water and sewer bill as he does not understand how the City has been calculating the usage to come up with the amounts that he has been billed.

CITY MANAGER'S INFORMATIONAL REPORT

Finance Report

Interim Finance Director Pamela Marrujo reported the Finances for the City through December 31, 2010. Interim Finance Director Marrujo advised that the City is at fifty percent of the year complete and the General Fund revenues are at forty seven percent and the General Fund expenditures are also at forty seven percent which is on target.

Interim Finance Director Marrujo advised the Enterprise Funds Revenue are at thirty six percent and expenditures at thirty seven percent which is due to the warmer weather and the natural gas not being utilized as much, however as the weather gets colder the percentages will increase.

Interim Finance Director Marrujo concluded her report with the Recreation Department in which the Revenues collected are at forty nine percent and expenditures at forty six percent which are both on pace. Interim Finance Director Marrujo also reported that there were four hundred participants in the Tony Marquez Fitness Challenge and those revenues will be seen the following month.

Interim Finance Director Marrujo pointed out that the City will be receiving revenue from the properties that have recently been annexed which will add to the franchise tax which is currently at thirty nine percent.

Councilor Gurule-Giroñ asked if the 2009 audit was complete. Interim Finance Director Marrujo reported that the 2009 audit was complete and that the City was waiting on the auditors to sign off on the document and is expecting the audit to be delivered in the near future. Interim Finance Director Marrujo also added that the 2010 audit should be completed mid February.

City Manager Dodge advised Council that Interim Finance Director Marrujo and staff are doing an excellent job insuring the auditors are staying on task.

City Manager Dodge advised that Frank Lucero with Housing would report on some of the rehab projects the Housing Department has been working on.

Mr. Frank Lucero, Housing Maintenance Supervisor reported that in the last two years, 1.2 million dollars have been spent on improvements and renovations on the Navajo, Zuni and Hot Springs area as well as sidewalks in the Sagebrush area and are planning on improving the exteriors this March on the Colonias, Hot Springs and Church housing units. Mr. Lucero added that as of January 19, 2011 the housing occupancy is at 99%.

City Manager Dodge advised that Mr. Matt Tafoya, Water Conservation Specialist would be giving a report on the City's current water situation.

Water Conservation Specialist, Matt Tafoya reported that water storage to date is at eighty two percent taking almost one hundred percent off the river. Mr. Tafoya mentioned he received the New Mexico Basin Outlook report January 1, 2011 for the Gallinas creek, forecast from March through July which predicts fifty percent chance of exceeding sixty six percent of a thirty year average of flow; however this could change depending on the moisture. Mr. Tafoya distributed information from the Natural Resource Conservation Service to Council and advised that the water shed currently has 4.4 inches of snow water equipment and the average is 8.9 and were currently at forty nine percent and average precipitation is 11.0 and currently the City is at 8.9, which is sixty two percent.

City Manager advised that his report was concluded and would stand for any questions.

BUSINESS ITEMS

1. Approval/Disapproval to adopt Resolution 11-05 to donate excess property to Sheridan Volunteer Fire Department.

Fire Chief Phillip Mares stated that the Fire Department would like to donate a 1993 Freightliner Rescue Unit to the Sheridan Volunteer Fire Department which is excess and not needed for any essential government function and is no longer being used by the City of Las Vegas Fire Department. The unit was donated to the City in 2003 by the City of Santa Fe.

Councilor Feldman moved to approve Resolution 11-05 to donate excess property to Sheridan Volunteer Fire Department. Councilor Gurule-Giron seconded the motion.

Resolution 11-05 was presented as follows:

CITY OF LAS VEGAS
RESOLUTION NUMBER: 11-05

A RESOLUTION DONATING CERTAIN PROPERTY OF THE CITY OF LAS VEGAS BY RENDERING AID TO SHERIDAN VOLUNTEER FIRE DEPARTMENT AND DIRECTING THE CITY OF LAS VEGAS FIRE DEPARTMENT TO DONATE SAID PROPERTY TO THE COUNTY OF SAN MIGUEL FIRE MARSHAL'S OFFICE TO BE USED BY SHERIDAN VOLUNTEER FIRE DEPARTMENT.

WHEREAS, the City of Las Vegas wishes to render aid to the Sheridan Volunteer Fire Department through the County of San Miguel, by donating its fire equipment, described as follows:

1. One (1) 1993 Freightliner Rescue Unit Vin #1FV36FAC1PL455733

WHEREAS, the following described item is property, which is excess and not needed for any essential government function, it is no longer being used by the City of Las Vegas Fire Department.

WHEREAS, when this property is donated to another agency, it shall be understood that the property listed below **may** or **may not** meet current standards. The City of Las Vegas shall not be responsible for any cost associated with bringing said equipment up to standards, and the City of Las Vegas shall be released from any liability associated with this equipment.

WHEREAS, the receiving agency accepts this equipment on an "AS IS" basis, and accepts any and all cost associated with bringing said equipment up to standards prior to placing equipment in to service.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAS VEGAS, NEW MEXICO, that the above described item belonging to the City of Las Vegas Fire Department is hereby declared excess property and not needed for any City purpose of function and that said personal property should be donated.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2011.

CITY OF LAS VEGAS:

Alfonso E. Ortiz, Jr., Mayor

ATTEST:

Casandra Fresquez, City Clerk

Timothy P. Dodge, City Manager

Approved as to Legal Sufficiency Only

Dave Romero, City Attorney

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

Andrew Feldman	Yes	Tonita Gurule-Giroń	Yes
Diane Moore	Yes	David Romero	Absent

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

2. Approval/Disapproval of New/Revised Job Descriptions for Recycling Coordinator; Utilities Technical Assistant & Transfer Station Operator.

Human Resource Manager Tasha Martinez advised that the three job descriptions follow the approved pay plan and changes include simple formatting and insuring there is specific language that follows the same pattern. Human Resource Manager Martinez recommended approval of job descriptions.

Councilor Moore moved to approve job descriptions for Recycling Coordinator, Utilities Technical Assistant and Transfer Station Operator. Councilor Feldman seconded the motion.

Councilor Gurule-Giroń recommended that in the future, salaries be provided along with job descriptions for Council's review.

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

Diane Moore	Yes	Andrew Feldman	Yes
Tonita Gurule-Giron	Yes	David Romero	Absent

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

3. Approval/Disapproval to Ratify 2010/2011 LVPOA/FOP Contract with the City of Las Vegas.

Captain Eugene Garcia advised that throughout the year there have been tentative agreements between the LVPOA/FOP and the City of Las Vegas and is recommending approval to ratify the contract between the LVPOA/FOP and the City of Las Vegas.

Councilor Feldman moved to approve the contract between the LVPOA/FOP and the City of Las Vegas. Councilor Gurule-Giroń seconded the motion. Mayor

Ortiz Jr. asked for roll call vote. Roll Call Vote was taken and reflected the following:

Tonita Gurule-Giron	Yes	Diane Moore	Yes
Andrew Feldman	Yes	David Romero	Absent

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

4. Approval/Disapproval of Enhanced 911 Grant Agreement between the Department of Finance and Administration, State of New Mexico and the City of Las Vegas.

Captain Eugene Garcia advised that the new grant would replace the current grant which expires on January 31, 2011 and included new language required for FY2011 and increases funding to the training line item.

Councilor Moore moved for approval of enhanced 911 Grant agreement between the Department of Finance and Administration and the City of Las Vegas. Councilor Feldman seconded the motion. Mayor Ortiz Jr. asked for roll call vote. Roll Call Vote was taken and reflected the following:

Diane Moore	Yes	Tonita-Gurule-Giroń	Yes
Andrew Feldman	Yes	David Romero	Absent

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

5. Approval/Disapproval to Publish Request for Proposals for New Accounting Software System.

Interim Finance Director Pamela Marrujo advised that she is requesting approval to publish an RFP for financial and administrative data processing system to include Municipal Courts and Public Safety. Interim Finance Director Marrujo added that the system needs to be updated as there are some gaps and would like to see what the cost would be for such upgrades.

Council had questions regarding the current company that provides service to the City and discussion on how other companies may be able to provide software to fill the gaps and include Municipal Court and Public safety.

Councilor Moore moved for approval to publish the Request for Proposals for a New Accounting Software System. Councilor Feldman seconded the motion Mayor Ortiz Jr. asked for roll call vote. Roll Call Vote was taken and reflected the following:

Andrew Feldman	Yes	Diane Moore	Yes
Tonita Gurule-Giroń	No	David Romero	Absent

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

6. Approval/Disapproval of Resolution 11-07 Budget Adjustment to increase the FY 2011 budgeted revenues, expenditures, transfers in and transfers out within various funds.

Interim Finance Director Pamela Marrujo advised that the budget adjustments are mid year adjustments and City Manager Dodge added that most of the adjustments were utility projects.

Councilor Feldman moved for approval of Resolution 11-07 Budget Adjustment to increase the FY 2011 budgeted revenues, expenditures, transfers in and transfers out within various funds. Councilor Moore seconded the motion.

Due to the length of Resolution 11-07, a copy may be obtained from the City Clerk's Office.

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

Diane Moore	Yes	Tonita Gurule-Giroń	Yes
Andrew Feldman	Yes	David Romero	Absent

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

7. Approval/Disapproval to award Request for Bids for the Storrie Lake 12" Outlet Discharge Pipe Repair Project.

Utilities Director Ken Garcia advised Council that this past summer during a heavy rainstorm, the existing 16 inch waterline which provides back-up water supply to and from Storrie Lake was significantly damaged and disjointed and now lies totally exposed in the Storrie Lake canal. Utilities Director Garcia added that the project went out to bid and the lowest bidder was H.O. Construction out of Albuquerque in the amount of \$42,154.69 and recommended Council to award bid to lowest bidder.

Councilor Feldman moved to approve the bid for the Storrie Lake 12" Outlet Discharge Pipe Repair Project to H.O. Construction. Councilor Moore seconded the motion. Mayor Ortiz Jr. asked for roll call vote. Roll Call Vote was taken and reflected the following:

Tonita Gurule-Giroń	Yes	Andrew Feldman	Yes
Diane Moore	Yes	David Romero	Absent

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

COUNCILORS REPORTS

Councilor Feldman reported that the Vodas Building on Grand Avenue behind the Chevron Station at the intersection of 7th Street and Grand Avenue has been purchased and is concerned that the building is a cultural historic building and we must do everything to protect Las Vegas' historic buildings.

Councilor Feldman mentioned that currently there is a proposal and negotiations for placement of trees on Douglas Avenue in front of two of our banks and would like to see some business friendly practices as this project moves forward.

Councilor Gurule-Giroñ reported that on New Mexico and Colonias there was a beauty shop in that area and had to close down as there was a lot of blight as she is located on the corner. Councilor Gurule-Giroñ thanked City Manager Dodge and staff for their assistance.

Mayor Ortiz, Jr. reported on the project PRC intervention with PNM and advised that the coalition has researched and has found an expert witness that is willing to come forward on our behalf; however the Attorney General may intervene. Mayor Ortiz, Jr. pointed out that the City of Las Vegas has contacted about thirty communities asking them to send out a letter to the Attorney General asking him not to negotiate.

Mayor Ortiz, Jr. mentioned that the City is very involved with the New Mexico Municipal League and Association of Counties at the Legislature to point out the consequences should major cuts be made.

Councilor Gurule-Giroñ mentioned that she met with many of the senators and state representatives and they stated that they would meet with City Manager Dodge to discuss some of her requests.

Councilor Feldman also reported that last spring, Council voted on as a Governing Body on the Clear Act Resolution. The Governor had polled on any new laws and regulations and was ruled against by the New Mexico Supreme Court in the carbon reduction law that was voted in by the Environmental Improvement Board that was pushed through by the new Energy Economy group which would help clean up our state in terms of carbon and pollution to help create new jobs which is positive for all New Mexicans.

Councilor Moore pointed out that our community is very fortunate as other communities have had to make several cuts and our community has not felt that impact because of the planning and initiatives made through Mayor and Council as well as administration and staff.

Mayor Ortiz, Jr. read a letter from a concerned citizen about public safety in regards to door to door solicitors including selling items such as meat, alarm systems and such.

City Manager Dodge stated that he and the Department Directors talked about introducing an Executive Order to the Mayor for his consideration on consumer protection that is focused around the vendor ordinance.

Mayor Ortiz, Jr. concluded his report by thanking the West Las Vegas Schools for inviting him as well as the County, Luna Community College and New Mexico Highlands University to join them as they had the privilege of having the Governor visit them on Monday.

EXECUTIVE SESSION/CLOSED SESSION

Councilor Feldman moved to go into Executive Session to discuss Personnel matters as permitted by Section 10-15-1 (H) (2) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Moore seconded the motion. Mayor Ortiz Jr. asked for roll call vote. Roll Call Vote was taken and reflected the following:

Diane Moore	Yes	Tonita Gurule-Giroń	Yes
Andrew Feldman	Yes	David Romero	Absent

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

Councilor Feldman moved to go back into Regular Session indicating for the record that only matters of Personnel were discussed and no action was taken during Executive Session. Councilor Gurule-Giroń seconded the motion. Mayor Ortiz, Jr. asked for roll call vote. Roll Call Vote was taken and reflected the following:

Tonita Gurule-Giroń	Yes	Diane Moore	Yes
Andrew Feldman	Yes	David Romero	Absent

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

ADJOURN

Mayor Ortiz, Jr. entertained a motion for adjournment. Councilor Feldman moved to adjourn. Councilor Gurule-Giroń seconded the motion. Mayor Ortiz, Jr. asked for roll call vote. Roll Call Vote was taken and reflected the following:

Andrew Feldman	Yes	Tonita Gurule-Giroń	Yes
Diane Moore	Yes	David Romero	Absent

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



Mayor Alfonso E. Ortiz, Jr.

ATTEST:



Casandra Fresquez
City Clerk