

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL SPECIAL MEETING
ON TUESDAY NOVEMBER 22, 2011 AT 5:00 P.M. IN THE CITY COUNCIL
CHAMBERS**

MAYOR: Alfonso E. Ortiz, Jr.

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

ALSO PRESENT: Tim Dodge, City Manager
Maire Lopez, Recorder
Flora Gallegos, Acting City Attorney
Christian Montano, Sergeant at Arms

ABSENT: Dave Romero, City Attorney

CALL TO ORDER

Mayor Ortiz Jr. called the meeting to order at 5:00 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Ortiz Jr. asked for a moment of silence to reflect what we are thankful for now before the Thanksgiving holiday.

APPROVAL OF AGENDA

City Manager Dodge recommended that Business Item #2 Approval/Disapproval of the new Communications Manager Job Description be removed, it is within the organizational chart but there are a few inconsistencies between the job description and the pay plan.

Councilor Feldman motion to approve the agenda with the removal of Business Item #2. Councilor Gurule-Giroñ seconded the motion.

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

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

Recorder Maire Lopez re-read the motion and advised the motion carried.

PUBLIC INPUT

Bob Wessely spoke to the governing body regarding water issues and the steps that have been taken to addresses them and also the positive strides in repairing the Peterson Dam.

NEW HIRES

1. Approval/Disapproval to hire two (2) Project Managers within the Utilities Department.

Utilities Director Ken Garcia advised the governing body that the department has had a vacancy for approximately nine months. There were several qualified individuals and the recommendation is to hire two because there are a number of projects within the department. The recommendation is to hire Christopher Cavazos and Norman Archuleta.

Councilor Feldman motion to approve the hiring of the two Project Managers contingent on the results of the pre-employment screening. Councilor Gurule-Giroń seconded the motion.

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

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

Recorder Maire Lopez re-read the motion and advised the motion carried.

2. Approval/Disapproval to hire a Transit Driver in the Transportation Department.

Community Development Director Elmer Martinez advised the governing body that the Transportation Department recently had a vacant position become available with the transfer of an employee to the Police Department. The recommendation is to hire Benny Lucero.

Councilor Feldman motion to approve the hire of Mr. Benny Lucero as a Transit Driver. Councilor Romero seconded the motion.

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

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

Recorder Maire Lopez re-read the motion and advised the motion carried.

BUSINESS ITEMS

City Manager Dodge asked the governing body if there would be any objection to move the Approval of the Police Department Organizational Chart to Business Item 1 then proceed with the job description.

Mayor Ortiz Jr. and Council had no objection.

3. Approval/Disapproval of the revised Organizational Chart for the Las Vegas Police Department.

Police Chief Christian Montano explained the organizational chart and the changes that were made to the chart to include the flow of the chain of command and identifying the divisions and the sections that fall into those divisions. Changes were made to the communications and information to be identified as sections verses divisions as they are singular and do not fall into a division.

Councilor Feldman asked where the Narcotics Supervisor job description fell into the division and if it were one of the Sergeant positions.

Chief Montano explained that within the job description it states the position can be either a Sergeant or Lieutenant based on the needs of the department and the position would fall under the Narcotics section and be a Sergeant.

Councilor Moore asked if the Commanders oversaw the divisions and sections.

Chief Montano explained that currently Commander Juan Montano oversees the Field operations which are comprised of two sections, the Police Officers and the Enforcement Specialist, the Investigation and Narcotics Divisions is overseen by Commander Mack Allingham. Commander Ken Jenkins oversees the Planning and assists Investigations as an Investigator; Commander Robert Gutierrez oversees the Training and Recruiting. Currently Deputy Chief Garcia and he are overseeing the Communications section, Information section and the Administrative division.

Councilor Moore motion to approve the revised organizational chart for the Police Department. Councilor Gurule-Giroń seconded the motion.

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

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

Recorder Maire Lopez re-read the motion and advised the motion carried.

1. Approval/Disapproval of Revised Narcotics Supervisor Job Description.

Police Chief Christian Montano is was recommended by the Drug Enforcement Advisory Council that the supervisor position be a Lieutenant or Sergeant at the minimum. Due to confidentiality and different each section handles different cases; the department wants to have separate supervisors in the Investigations and Narcotics sections.

Councilor Feldman motion to approve the revised Narcotics Supervisor Job Description. Councilor Gurule-Giron seconded the motion .

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

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

Recorder Maire Lopez re-read the motion and advised the motion carried.

Verbatim

Councilor Gurule-Giroń: During the last meeting there was some questions regarding what can or cannot be discussed by governing board members, and for the purpose of clarification I consulted with the Municipal League Attorney, and based on his interpretation of the law he informed me or advised me that all city and governmental records are open for inspection to the public consistent with the Public Records Act. Furthermore as a Governing Board member we have a fiduciary responsibility to the public and all public servants have a fiduciary responsibility or fiduciary duty to use fiscal, city fiscal and human resources in a manner which advances the public interests and to refrain from using city resources for their personal benefit. Now I want to define fiduciary and all of this is for the record and verbatim, one who owes to another the duties of good faith, trust and confidence and candor; 2,one who must exercise a high standard of care and managing another's money or property, and this comes from the Black's Law Dictionary the 7th Edition. I did a little research in addition to that in September 2011 the New Mexico Governmental Act was adopted

during the 2011 regular Legislative session Senate Bill 432 which was passed by both the House and signed by the Governor, the bill made substantial changes to the States Governmental Conduct Act, local elected and appointed officials are now subject to the Act the changes became effective July 1, 2011 and I'm going to list just a few of the Acts.

Mayor Ortiz Jr. advised that Councilors reports were not on the Agenda.

Verbatim

Councilor Gurule-Giroñ sited that all city officials or public officials must act according to the code of conduct with respect to other officials while in office.

Mayor Ortiz Jr. agreed that the key phrase is "we" as a governing body but not the actions of one individual. The Governing Body can request information as a whole collective group.

ADJOURN

Councilor Feldman motion to adjourn. Councilor Moore seconded the motion.

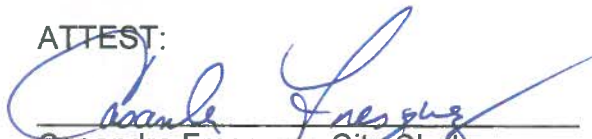
Mayor Ortiz Jr. asked for a roll call. Roll call was taken and reflected the following.

Tonita Gurule-Giroñ	Yes	Diane Moore	Yes
Andrew Feldman	Yes	Dave Romero	Yes

Recorder Maire Lopez re-read the motion and advised the motion carried.



Mayor Alfonso E. Ortiz, Jr.

ATTEST:


Casandra Fresquez, City Clerk