City Council
of the
City of Las Cruces

Regular Meeting

March 7, 2011
1:00 P.M.
Council Chambers, City Hall

MEMBERS PRESENT:

Mayor Ken Miyagishima
Councillor Miguel Silva, District 1
Councillor Dolores Connor, District 2
Councillor Olga Pedroza, District 3
Councillor Nathan Small, District 4
Councillor Gill Sorg, District 5
Councillor Sharon Thomas, District 6

STAFF:

Robert Garza, City Manager
Harry (Pete) Connelly, Interim City Attorney
Esther Martinez, City Clerk

I. OPENING CEREMONIES

Mayor Miyagishima called the meeting to order and asked for a moment of silence. Councillor Connor led the Pledge of Allegiance.

Lauren Humble sang the National Anthem.

Presentation of Certificates of Appreciation/Proclamations.

Mayor Miyagishima and a representative from the Animal Services Center of the Mesilla Valley presented the Pet of the Week.

Mayor Miyagishima and Councillor Connor presented the Mayor's Public Citation Award to LCPD Police Officers and Detectives for their assistance in preparing for and testifying in the Michael Ross vs. City of Las Cruces case.

Councillor Connor presented a Proclamation to Austin Trout and declared March 7, 2011 as Austin Trout Day.

Councillor Connor presented a Proclamation to Melanie Mitchard and declared March 2011 as American Red Cross Month.

Councillor Connor presented a Proclamation to Dr. Wanda Eastman and Melisa Danho and declared March 2011 as National Nutrition Month.

Councillor Connor presented a Proclamation and declared March 2011 as Peace Corps Month.

Councillor Connor and Mayor Miyagishima presented the Mayor's Public Citation Award to senior citizen volunteers for the Munson Center Lapidary Room Renovation Project.

Tom Schuster gave a presentation on the Build Green Las Cruces Forum.

II. CONFLICT OF INTEREST INQUIRY BY MAYOR AS REQUIRED BY LCMC SECTION 2-27(E)(2).

At the opening of each council meeting, the chairperson shall ask if any member of the city council, city manager, or any member of the city staff has any known conflict of interest with any item on the agenda.

Mayor Miyagishima asked if anyone had any conflicts with anything on the agenda?

Councillor Sorg said regarding Item 4, I want to disclose that part of the packet includes a letter from Bank of the West supporting this item and my son-in-law works for Bank of the West but I don't think I will have a conflict with that item.

III. PUBLIC PARTICIPATION

None given.

IV. ACCEPTANCE OF AGENDA: THOSE ITEMS ON THE AGENDA INDICATED BY AN ASTERISK (*) ARE ON THE CONSENT AGENDA AND WILL BE VOTED ON BY ONE MOTION.

Mayor Miyagishima said Items 1, 5 and 6 need to be removed from the Consent Agenda for discussion.

Councillor Connor Moved to approve the Agenda as Amended and Councillor Sorg Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to accept the Agenda as Amended and it was Unanimously APPROVED. 7-0

V. RESOLUTIONS AND/OR ORDINANCES FOR CONSENT AGENDA

*(2) Resolution No. 11-187: A Resolution Authorizing the City of Las Cruces Police Department (LCPD) to Accept Grant Funding From the U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) 2009 Operation Stonegarden (OPSG) Funding as a Sub-Grantee Under the Allocation to Dona Ana Sheriff's Office (DASO) to Conduct Criminal Interdiction Activities Within the Border Area, in an Amount Up to $251,929, to Ratify the Grant Acceptance Package (Memorandum of Agreement and Mutual Aid Agreement) and to Adjust the FY 2011 Budget.

*(3) Resolution No. 11-188: A Resolution to Terminate Two (2) Program Year 2010 Community Development Block Grant (CDBG) Public Services Agreements With the Community Action Agency of Southern New Mexico, Inc. And Approve Two (2) CDBG Public Service Agreements With Roadrunner Food Bank, Inc.

*(4) Resolution No. 11-189: A Resolution Exempting Commercial Personal Property of SunEdison Located on Municipally Owned Land From the Portion of Property Tax Assessed to the Benefit of the City of Las Cruces as Provided for Under the Community Development Incentive Act, Chapter 3, Article 64 NMSA 1978.

*(7) Council Bill No. 11-029: Ordinance No. 2609: An Ordinance Approving a Zone Change from C-2 (Commercial Medium Intensity) to C-3 (Commercial High Intensity) for 1.377 ± Acres of Land Located at 3425 Bataan Memorial West. The Proposed Zone Change Would Bring the Subject Property into Compliance with the 2001 Zoning Code, as Amended. Submitted by DVI on Behalf of Mesilla Valley Commercial Tire, Inc., Property Owner (Z2826).

*(8) Council Bill No. 11-030: Ordinance No. 2610: An Ordinance Approving a Zone Change from C-2 (Commercial Medium Intensity) to C-3 (Commercial High Intensity) for 1.55± Acres of Land Located on the North Side of US 70/Bataan Memorial West at the Intersection of Saturn Circle. The Proposed Zone Change Would Bring the Subject Property into

Compliance with the 2001 Zoning Code, as Amended. Submitted by Christian Ricky Sr. Et Al. (Z2827).

*(9) Council Bill No. 11-031; Ordinance No. 2611: An Ordinance Approving a Zone Change from R-4 (Multi-Dwelling High Density & Limited Retail and Office) to O-2 (Office, Professional-Limited Retail Service) for 0.31 ± Acres of Land Located at 780 S. Walnut Street. The Proposed Zone Change Would Bring the Subject Property into Compliance with the 2001 Zoning Code, as Amended. Submitted by Kary Bulsterbaum on Behalf of Mesilla Capital Investment, LLC, Property Owner (Z2829).

VI. UNFINISHED BUSINESS:

(10) Resolution No. 11-182: A Resolution to Adopt a Sustainability Action Plan. ***(Tabled from 2-22-11)***

Councillor Small Moved to Remove Resolution No. 11-182 from the Table and Councillor Thomas Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to Remove Resolution 11-182 from the Table and it was APPROVED. 6-1 Councillor Connor, Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor Thomas and Mayor Miyagishima voted Aye. Councillor Silva voted Nay.

Tom Schuster, Sustainability Officer gave an overhead presentation and said one of the comments received from Council was that the plan contained statements about policies that are not yet passed and the response to that is the passing of this resolution would make the plan an adopted policy but it does not carry the force of law; however, existing due process would still apply to the implementation of actions. There were concerns with zoning changes and I want to mention that individual zone changes would still require Planning and Zoning recommendation and Council approval. Legal has reviewed this plan and did not find any issues with it. Several of the Councillors suggested that we add a glossary to this plan so I am proposing that we amend this resolution to address this and other issues of clarity. Our first suggested amendment would be to add the following as Clause II to the resolution (original Clause II becomes Clause III) "staff is authorized to make minor modifications to the Plan (Exhibit A) as necessary to improve clarity, update facts and statistics or define terms, provided that the meaning of objectives, goals and actions does not change". The second amendment would be that the plan (Exhibit A) is modified to include "summary of public and stakeholder input as an appendix". The third amendment would be that

goals and objectives throughout the plan are reclassified following this example: Energy Efficiency Objective 1: Increase Energy Efficiency, Internal Goals and Actions, Community Goals and Actions.

Councillor Silva said I voted not to take this off of the Table because the packet included the old documents and I didn't see any of the changes that you have presented to us today. The change would change the goals to objectives; correct?

Tom Schuster said that is correct, if Council approves the amendment.

Councillor Connor said I still feel that this plan needs more review. There are still a lot of questions and I think this should be discussed in a full work session. I do believe in sustainability and having a plan but I don't believe that today's plan is progressive enough to make it viable for the future. I did speak with Legal and they did view this document to form, they didn't view it to see if this is something that you can or cannot do. If this document is approved today then I could see it creating a $2 million City budget for the number of people that it would take to accomplish it.

Councillor Thomas said me and my husband reviewed this document and made some minor editing corrections, like punctuation, which I think needs to be corrected before it is published. I like all the amendments that have been suggested and I think we should accept all of them.

Councillor Small said I'm sure there will continue to be revisions to this document as we move forward with it.

Councillor Sorg said I can agree with the amendments that are being proposed today. This is a living document so changes can be made to it. We need this document in place and I suggest that this is passed today.

Dan Townsend, Member of the Public said I urge you to unanimously approve this plan. I do agree with Councillor Connor that there are areas that need work; however, we are in a very dynamic environment. We need to include in this document an actual plan for real time management but I think we can work this out to make it a positive program for the City.

Rene Frank, Member of the Public said I am on the Board of Directors for the Green Chamber of Commerce and we have reviewed the City's Sustainability Plan. Tom Schuster gave a presentation to us and members of the public also attended the presentation which was very well received by everyone.

Jim Harbison, Member of the Public said I support Councillor Connor's opinion, if this is such a great plan then it will be worth it to wait a couple of more weeks or a few months to get it right.

Ron Camunez, Member of the Public said I agree with Councillor Connor and I don't understand why this Council won't listen to reason. I read this proposal and there are some things in it that are

disturbing to me as a citizen. I don't see why the punishment phase is included in this document because this isn't legislation. I would ask that you Table this and give the public a chance to voice their opinions.

Councillor Thomas said Agenda 21 was adopted in 1992 at a United Nations conference on environment and it was a blueprint for trying to save our environment. It isn't a legally binding document but it has been attacked every since it was adopted. Part of the problem I am seeing is that we aren't allowing the public to be part of the decision making process. I believe in having a transparent process and that is what we are doing here.

Councillor Small said it seems to me that the private/public partnership that has been started here increases the economic opportunities and no one wants to intrude on private property rights. We want to make this area more attractive for residents, business people, investors and so far, what we have seen is the bringing in of stakeholders. I think it would be a good step for us to move forward with this today.

Councillor Sorg said I attended a Climate Communities meeting a few days ago in Washington DC and we are planning for a Leadership Summit in June to form a blueprint for Congress to promote clean energy. Las Cruces is doing what a lot of other cities are doing around the country and our plan is going to create jobs, create more economic activities and growth in our city.

Councillor Small Moved to Amend Resolution No. 11-182 to include the amendments made by staff (to address this and other issues of clarity. Our first suggested amendment would be to add the following as Clause II to the resolution (original Clause II becomes Clause III) "staff is authorized to make minor modifications to the Plan (Exhibit A) as necessary to improve clarity, update facts and statistics or define terms, provided that the meaning of objectives, goals and actions does not change". The second amendment would be that the plan (Exhibit A) is modified to include "summary of public and stakeholder input as an appendix". The third amendment would be that goals and objectives throughout the plan are reclassified following this example: Energy Efficiency Objective 1: Increase Energy Efficiency, Internal Goals and Actions, Community Goals and Actions) and Councillor Pedroza Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to Amend Resolution No. 11-182 to include the amendments made by staff (to address this and other issues of clarity. Our first suggested amendment would be to add the following as Clause II to the resolution (original Clause II becomes Clause III) "staff is authorized to make minor modifications to the Plan (Exhibit A) as necessary to improve clarity, update facts and statistics or define terms, provided that the meaning of objectives, goals and actions does not change". The second amendment would be that the plan (Exhibit A) is modified to include "summary of public and stakeholder input as an appendix". The third

amendment would be that goals and objectives throughout the plan are reclassified following this example: Energy Efficiency Objective 1: Increase Energy Efficiency, Internal Goals and Actions, Community Goals and Actions) and it was Unanimously APPROVED. 7-0

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 11-182 as Amended and it was APPROVED. 6-1 Councillor Silva, Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor Thomas and Mayor Miyagishima voted Aye. Councillor Connor voted Nay.

VII. RESOLUTIONS AND/OR ORDINANCES FOR DISCUSSION

*(1) Resolution No. 11-186: A Resolution Re-Establishing an Ad Hoc Board to be Known as the Ratepayer Advisory Committee.

Councillor Small Moved to Adopt Resolution No. 11-186 and Councillor Thomas Seconded the motion.

Councillor Connor said I removed this from the Consent Agenda because I wanted to let the public know that we did not finish rate changes during the last rate case. We are going to be looking at the other two utilities so it is possible that there will be changes to the rates for those two facilities.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 11-186 and it was Unanimously APPROVED. 7-0

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*(5) Council Bill No. 11-027; Ordinance No. 2607: An Ordinance Approving a Zone Change from O-2c (Office, Professional-Limited Retail Service-Conditional) to C-2c (Commercial Medium Intensity-Conditional) for 0.60 ± Acres of Land Located at 775 S. Telshor Boulevard. The Proposed Zone Change Would Allow the Use of a Restaurant/Café on the Subject Property. Submitted by Jake Redford on Behalf of Mactimski, LLC, Property Owner (Z2822).

Councillor Small Moved to Adopt Council Bill No. 11-027; Ordinance No. 2607 and Councillor Thomas Seconded the motion.

Councillor Silva said one of my main concerns is with the height of this building; has that been addressed?

Jake Redford, on behalf of Mactimski, LLC said the zoning allows for a building height of up to 35 feet and the tenant that is moving in, their buildings typically have heights of between 18 and 22 feet.

Mayor Miyagishima called for the roll on the Motion to Adopt Council Bill No. 11-027; Ordinance 2607 and it was APPROVED. 6-0 Councillor Small was Absent.

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*(6) Council Bill No. 11-028; Ordinance No. 2608: An Ordinance Approving a Zone Change from A-2c (Rural Agriculture-Conditional) to WMIP (West Mesa Industrial Park) for 120.14 ± Acres of Land Located at 0 Crawford Boulevard (Parcel Id 02-24501). The Proposed Zone Change Would Bring the Subject Property into Compliance with the 2001 Zoning Code, as Amended. Submitted by the City of Las Cruces. (Z2824).

Councillor Connor Moved to Adopt Council Bill No. 11-028; Ordinance No. 2608 and Councillor Sorg Seconded the motion.

Mayor Miyagishima read a letter from the Hatch Law Firm regarding the opposition of this proposed re-zoning.

Councillor Connor said the City of Las Cruces is the petitioner; Cheryl, have you received any other complaints?

Cheryl Rodriguez, Development Services Administrator said no, that is the same letter that was forwarded to the Planning and Zoning.

Councillor Connor said the Planning and Zoning didn't make any other recommendations; correct?

Cheryl Rodriguez said that is correct.

Mayor Miyagishima called for the roll on the Motion to Adopt Council Bill No. 11-028; Ordinance 2608 and it was Unanimously APPROVED. 7-0

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(11) Resolution No. 11-190: A Resolution Authorizing the Planning and Funding of the 2011 City of Las Cruces Fourth of July Celebration.

Councillor Connor Moved to Adopt Resolution No. 11-190 and Councillor Small Seconded the motion.

Robert Caldwell, Public Liaison Officer gave an overhead presentation and said we are planning on having the fireworks display begin thirty minutes earlier this year which means it would start at 9:30 p.m. instead of 10:00 p.m. The entertainment cost is $50,000, stage, roof, sound and lights cost is $27,000 and the cost for rentals, barricades, security, port-a-potties, fencing and generators is $15,000 so the total requested amount for the July 3rd and July 4th events is $90,000.

Councillor Connor said the additional entertainer at 10:00 p.m. is new to this program. Usually, it is shut down after the fireworks display. Why was this entertainment added?

Robert Caldwell said the reason is because we are moving the fireworks display up and we felt that we should have entertainment continue after the display.

Councillor Connor said I don't have a problem with it but I hope we don't have a problem with the neighborhoods. The other issue is with parking, especially during the ball games; is there going to be a shuttle service so people can park somewhere else? We have to keep the parking lot for the Aquatic Center open for people wishing to use that facility during this time. This is always a great event for this community and there is always great entertainment.

Robert Caldwell said we have had very little complaints about the length of time for our events. Most of the comments we received was that it is more important to have the fireworks display earlier so everyone can watch it but if we do receive any complaints this year, we will make adjustments accordingly. We haven't had any major issues with parking in that area so we haven't thought about providing a shuttle service. Shuttle services can be very expensive and we can't use City buses for it.

Councillor Small said last year some of the shades were burned from the fireworks so I want us to make sure and inspect them this year before we do the fireworks display. We need to look at it and if we have to start cutting the budgets for other services that effect the health and welfare of our citizens then I think it is our responsibility to look at where other City programs, like festivals and

other municipal sponsored events, can get cut back a little bit. Do we anticipate any cuts in our health and safety programs for this budget year?

Robert Garza, City Manager said it is a little bit early in the process for me to be able to give you that information but I can tell you that it looks like our budget for next year is very much in line with what it was last year.

Councillor Small said with that information, I'm comfortable with moving forward.

Councillor Silva said one of the concerns I have is the issue of people parking on residential streets and the amount of litter that is left behind after the parade.

Robert Caldwell said we did a good job last year with picking up the debris left behind after the parade with the help of crews from Parks and Streets.

Russ Warner, Member of the Public said I compliment Rob and his committee on doing a great job of putting together another excellent cost effective program. I urge Council to pass this as submitted.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 11-190 and it was Unanimously APPROVED. 7-0

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(12) Resolution No. 11-191: A Resolution to Adjust the FY 2011 Budget to Include Legislative Appropriation Contract #03891 in the Amount of $227,700 and Legislative Appropriation Contract #03501 With Amendment No. 1 in the Amount of $141,049.

Councillor Connor Moved to Adopt Resolution No. 11-191 and Councillor Sorg Seconded the motion.

Auguie Henry, Grants Administrator gave an overhead presentation and said last year all the Legislative fund appropriations for the City were frozen and all the contracts were terminated. In February 2010 they started to replace the contracts with new ones on an individual basis. Contract #03891 is funding to design, construct, renovate and expand a housing complex for homeless Veterans in Las Cruces and Dona Ana County. The funds were reinstated by the Legislature on July 30, 2010 in the amount of $227,700. This funding goes to the Community of Hope and is used as match funding for a Federal Grant. Contract #03501 is funding to plan, design and construct the Downtown Plaza. The funding was reinstated by the Legislature in March 2010 and the new contract

was issued in the amount of $151,001. An amendment to the new contract was issued August 11, 2010 for an additional $141,049 which brought the total amount to $292,050.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 11-191 and it was Unanimously APPROVED. 7-0

Councillor Silva Moved for a Recess and Councillor Sorg Seconded the motion.

Mayor Miyagishima said all those in favor of a Recess signify by saying Aye.

Council said Aye.

Meeting Recessed at approximately 3:50 p.m. and reconvened at approximately 3:59 p.m.

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(13) Resolution No. 11-192: A Resolution Adopting the Doña Ana County (County)/City of Las Cruces (City) All-Hazards Emergency Operations Plan.

Councillor Silva Moved to Adopt Resolution No. 11-192 and Councillor Thomas Seconded the motion.

Travis Brown, Fire Chief said this plan is updated approximately every five years so this is part of that cycle and it has already been approved by the Department of Homeland Security.

Michael Villa, Office of Emergency Management gave an overhead presentation and said the All-Hazard Emergency Operations Plan provides for the protection of lives and property by identifying hazards and it provides effective direction and control of emergency responders during times of disaster. It defines specific roles and responsibilities of local government, non-government organizations and private agencies during large scale emergencies and disasters and it sets forth standard operating procedures using the Incident Command System.

Councillor Sorg said on page 82 and page 518, what does the "symbol s" mean?

Michael Villa said it stands for "support role".

Councillor Sorg said I received a suggestion from a constituent, they'd like to see the Civil Air Patrol be supportive with disaster relief missions; would that be appropriate?

Michael Villa said yes, we would utilize the Civil Air Patrol with that type of response. We can add that as a separate section and it wouldn't need to be approved by Council.

Councillor Pedroza said maybe we should have a work session to inform everyone on who is in charge and what needs to be done in the case of an emergency.

Chief Travis Brown said we would be more than happy to provide any information you need.

Councillor Connor said Chief Zubia had put together an incident at Mayfield High School to serve as a training for that type of situation but it has been quite a while since that was done. I think it is critical that you don't just have an hour session but have an actual simulation.

Chief Travis Brown said you're talking about a full scale exercise and it has been quite a while since we did one but part of the problem with it is the cost of it.

Councillor Connor said I think it would be a good refresher for everyone.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 11-192 and it was Unanimously APPROVED. 7-0

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(14) Resolution No. 11-193: A Resolution Adopting a Continued Three Year Funding Strategy for Expenditure of Funds From the Telshor Facility Fund or Other Appropriate Funding Sources for Health-Related Public Services for the Benefit of City Residents.

Councillor Connor Moved to Adopt Resolution No. 11-193 and Councillor Thomas Seconded the motion.

David Dollahon, Neighborhood Services Administrator gave an overhead presentation and said this is to look at the three year funding strategy to provide Telshor Facility fund monies for health related public services throughout the City. The transfers are made monthly to the Health Care Fund and we

only utilize the interest earning each fiscal year. We usually receive about thirty applications per year and on average we do fourteen grants annually which works out to be about $22,500.

Councillor Small asked is there any need to look at setting that as a percentage of the interest as opposed to a fast amount?

David Dollahon said we began doing this as a three year strategy because in consulting with Community Development and the Finance Department, that was the longest period of time that we were willing to go based on the performance of the interest earnings at any one point. We can do this on a shorter time frame if Council wants to amend this resolution.

Councillor Small said I think the three year planning is nice because it gives you a little bit of stability.

Councillor Pedroza asked if some of the money has been going back into the corpus; where does that stand at this point?

Robert Scaling, Treasurer said the corpus in the fixed income portion is at $13 million and the balance in the equity fund is just under $14 million. We fund this out of the fixed income portion.

Mayor Miyagishima said maybe within the next couple of months we can have a work session to discuss how we came up with this finance strategy for Councillor Pedroza and Councillor Sorg.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 11-193 and it was Unanimously APPROVED. 7-0

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(15) Resolution No. 10-11-507: A Resolution Authorizing an Agreement Between the City of Las Cruces and the Mesilla Valley Economic Development Alliance to Provide for Economic Development Services for Fiscal Year 2011/2012 in the Amount of $200,000 With the Option to Extend the Agreement for Up to Three Additional One Year Periods for a Maximum Term of Four Years Subject to Annual City Council Budget Approval.

Councillor Connor Moved to Adopt Resolution No. 10-11-507 and Councillor Sorg Seconded the motion.

Christine Logan, Economic Development Administrator gave an overhead presentation and said the City became a founding member of MVEDA in 1994 and we have had annual contracts for services ever since. This would allow for up to three annual extensions subject to the budget adoption. There are four scopes of work which are marketing, attraction, retention and expansion of existing businesses and advisory.

Davin Lopez, CEO of MVEDA gave an overhead presentation and said we have many partners but Las Cruces is the single largest partner. We have assisted in creating 237 jobs to date and approximately 94% of that was in Las Cruces.

Councillor Silva said overall, I have difficulty with the MVEDA program; it's not so much the MVEDA program as much as with the partnerships. My main concern is that we are not equal partners with the County and I think that is an item that we should address at some point. The City's portion is $200,000 and the County's is $100,000; I think we should divide it up and each put in $150,000. Why isn't the amount listed for your other partners?

Davin Lopez said some of them wish to only have certain information released and some we don't have that information for them. We pull together information to talk to clients about our business climate and their opportunity to grow here.

Councillor Thomas said I'm not arguing against what MVEDA does; I'm just saying that I think we need to diversify and do economic development in many different ways. We also have creative industries in this area but I'm not quite sure how we are addressing it. I think we should look at the economic gardening approach and EV5 regional investment centers.

Christine Logan said although MVEDA focuses on economic development, the rest of the City's economic development tries to serve the rest of the areas without duplicating what MVEDA does. Regarding creative industries, we do have our film liaison who is continually working with film industries and is a big part of the White Sands Film Festival. The other side of that is the City's support of the Farmers and Crafts Market. We will work on a better reporting system to get the Council informed on our other efforts.

Councillor Connor said MVEDA is concentrating on those specific industries that are up higher and I have always argued that we don't have enough outreach for the mom and pop shops. MVEDA does exactly what they are contracted to do and I think we should move forward with what we have with MVEDA today but I also think we should go out for an RFP and look at how we look at industries that are not filled by MVEDA.

Councillor Small said in looking at the numbers, it is clear that MVEDA is pulling their weight.

Councillor Pedroza said I just want to mention that the Chamber of Commerce has joined in this effort to create opportunities.

Mayor Miyagishima said I am very supportive of MVEDA's mission and when I was with the County it was very difficult for them to fund it. How many board members do you have on your board?

Councillor Connor said there are seventeen board members.

Mayor Miyagishima said I'm not looking at decreasing the amount but maybe we can look at increasing the City's participation by adding more board members.

Kerry Bulshiva (?), Member of the Public said I'm a commercial realtor with Steinborn and we have seen first hand the great work MVEDA does for us.

George Ruth, Member of the Public said I have been on the board for four years and I hope you support this contract because they do create jobs.

Peter Ibarro (?), Member of the Public said I am the chairman of the Economic Development Committee for the Hispano Chamber of Commerce and we rely on MVEDA to help us with any leads that we generate because they do the leg work to help close those leads.

Felix Cordero, Member of the Public said I am the manager of Sitel and we are very appreciate of the role MVEDA had in supporting us with bringing our business here.

Councillor Small said Sitel is a great example of how MVEDA helps our community.

Councillor Silva said I do support MVEDA and their mission statement but I question the organization. I would still like to see them approach the County to become a one on one partner.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-11-507 and it was Unanimously APPROVED. 7-0

VIII. BOARD APPOINTMENTS

Mayor Miyagishima appointed Herbert Heger (District 6), Gail Estell (District 3) and Laurea Arnoldt (District 1) to the Americans with Disabilities Act Advisory Committee.

Councillor Small Moved to Approve the Mayor's Board Appointments of Herbert Heger (District 6), Gail Estell (District 3) and Laurea Arnoldt (District 1) to the Americans with Disabilities Act Advisory Committee and Councillor Connor Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to Approve the Mayor's Board Appointments of Herbert Heger (District 6), Gail Estell (District 3) and Laurea Arnoldt (District 1) to the Americans with Disabilities Act Advisory Committee and it was Unanimously APPROVED. 7-0

Councillor Connor appointed Greg Groves and Virginia Robertson to the Redistricting Ad-Hoc Committee.

Councillor Small appointed James D. Williams to the Redistricting Ad-Hoc Committee.

Councillor Sorg appointed Janet Reed to the Redistricting Ad-Hoc Committee.

Councillor Thomas appointed Allen McBrayer and Jane Asche to the the Redistricting Ad-Hoc Committee.

Mayor Miyagishima appointed Bill McCamley (Common Cause) to the Redistricting Ad-Hoc Committee.

Councillor Connor Moved to Approve the Mayor's Board Appointment of Bill McCamley (Common Cause) to the Redistricting Ad-Hoc Committee and Councillor Small Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to Approve the Mayor's Board Appointment of Bill McCamley (Common Cause) to the Redistricting Ad-Hoc Committee and it was Unanimously APPROVED. 7-0

IX. GENERAL DISCUSSION

1. MAYOR

Mayor Miyagishima said we're having a District 1 and 4 meeting tomorrow from 6:00 - 8:00 p.m. in Council Chambers.

I want to thank our City Attorney, the US Government and the State have outlawed synthetic marijuana.

I have been notified that Enterprise Advisory Services, Inc which is located in White Sands, is closing down on April 30, 2011.

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2. **CITY COUNCIL**

Councillor Thomas said the next meeting of the South Central Council of Government is going to be in Las Cruces at our City Hall on April 15th at 10:30 a.m.

Some of us went to D.C. to speak with our Congressman and we were told that there isn't any dedicated funding going out but we asked that they keep their eyes open for any possible funding.

Regarding our packets, I think the forms are much better and it gave us more background and information on the items.

There is going to be a District 5 and 6 meeting on March 15th at the Dona Ana Community College East Mesa Auditorium from 6:00 - 8:00 p.m.

I want to put in another pitch; I would like for us to talk about economic gardening with Chris Gibbins.

Mayor Miyagishima left the meeting at approximately 6:30 p.m.

Councillor Sorg said I would like to get a consensus for a resolution to ban trapping on public lands. The County and Mesilla have already passed a resolution regarding that issue.

Councillor Small said I want to thank Dr. Garcia and other staff who were involved with the Tractor Supply, they had deadlines that had to be met and they were able to get things moving forward.

I had another meeting with the businesses involved with the Picacho Pride effort and there have been some good ideas given on how the City can help with it.

Councillor Pedroza said there is a District 3 meeting on March 29th at 7:30 p.m. at Lynn Middle School.

I received a request to make comments regarding the initiative for doing away with drivers licenses for undocumented immigrants and I reminded the person that we recently had a forum here which did discuss issues with undocumented immigrants. There was approximately 80,000 immigrants that were able to pass their drivers test, register their vehicles and get insurance which helps to protect all of us.

I want to remind everyone that I walk around Young Park every Monday, Wednesday and Friday at 7:00 a.m. and anyone is welcome to join me.

Councillor Connor said I want to remind everyone about daylight savings time which takes place on Sunday and we'll need to spring our clocks forward.

The Home and Garden Show is this weekend at the Convention Center and there is going to be a booth setup for the Police Department so people can get information from them.

I think this group needs an update regarding MMCI because I believe there are some concerns with it.

Robert Garza, City Manager said I have a meeting with Pete Connelly, Brian Haynes and Matt Holt tomorrow at 4:00 p.m. regarding that issue and we will be trying to coordinate a Joint Closed Session with the City and the County.

Councillor Silva said we have a link to an immigration item on our website and I don't feel that is the proper place for it.

I want to thank Mr. Schuster for putting forward his document and it's good that we can move forward and iron out some of the other issues.

I think we need to have mandatory training for Council on what to do in case of an emergency situation.

This Saturday is the St. Baldricks event which many people will be shaving their heads for kids with cancer and we are still looking for sponsors.

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3. **CITY MANAGER**
   A. Wellness Update – Nursing Department of NMSU.

Mary Louise Pino, Recreation Program Coordinator said these students have been working with us on our Wellness Program and this program is something that we have needed for a long time.

Cindy Lyle, Instructor said I teach community health nursing at NMSU and we are working with the City in their Wellness Program.

Christina Liponski, NMSU Student gave an overhead presentation and said currently, there are about 400 employees that are participating in the Wellness Program. This program focuses on seven dimensions of health which are physical, psychological, mental/emotional, career health and wellness, social network wellness, finance and spirtual, personal relationship and family wellness.

Melissa Petty, NMSU Student continued the overhead presentation and said this program is necessary because there is a rise in obesity in America and obesity can increase healthcare cost for employers.

Christopher Hunter, NMSU Student continued the overhead presentation and said this is heavily researched based and it has been proven to be effective. The benefits to the employees is overall good health, reduced risk of high blood pressure and high cholesterol. Participation can increase by 70% when employees are given paid time-off to participate in these programs. The benefits to the company is higher productivity, reduced injuries, decline in worker's compensation and an increase in employee moral, loyalty and sense of self-responsibility.

Councillor Sorg said I have seen this program in other places and I am in favor of it.

Councillor Small said this is a great example of looking within our community and there are many benefits to it.

Councillor Pedroza said I think exercise is extremely important and we need to meet employees halfway by having one hour on our time and one hour on their time.

   B. Capital Improvement Priorities and Process.

Robert Garza, City Manager said there are handouts available for each of you and this is an introduction to our budget item on next weeks agenda. We had a project list of about $480 million last March and since that time we have done a lot of work to narrow it down which we have narrowed it down to about $212 million. We have access to some funding without increasing any fees or taxes and we need to get direction from Council to proceed with some of these items.

C. Other items - Information Only.

None given.

Meeting Adjourned at 7:10 p.m.

Mayor

ATTEST:

Esther Martinez

City Clerk

(SEAL)