



**City Council
of the
City of Las Cruces**

Regular Meeting

June 21, 2010

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:

Terrence Moore, 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 Small led the Pledge of Allegiance.

Presentation of Certificates of Appreciation/Proclamations.

Mayor Miyagishima and Laura Loos presented the Pet of the Week.

Mayor Miyagishima presented the Mayor's Distinguished Service Award to Deputy Chief Pete Bradley.

Mayor Miyagishima presented the Mayor's Citation for Community Service to Kassandra Grooms and Santiago Vasquez.

Mayor Pro-tem Thomas presented a Proclamation to Cheryl Ann Herton, Tumor Registrar of Memorial Medical Center and declared June 21, 2010 as Cancer Survivor Day.

Earl Nissen, Teen Pregnancy Work Group gave a presentation regarding teen pregnancy.

Cindi Fargo, Las Cruces Downtown Partnership gave a presentation on updates for the Downtown.

Larry Braxton, Dona Ana Arts Council gave a presentation on Color Las Cruces.

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?

None was given.

Mayor Miyagishima read a Closed Meeting Statement and said the Las Cruces City Council met in a Closed Session at 10:10 a.m. on June 18, 2010. The following members were in attendance: Mayor Miyagishima, Councillor Silva, Councillor Connor, Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor Thomas, Dan Mackey (by phone) and City Manager Terrence Moore. The meeting adjourned at 3:40 p.m. and only the limited items that were stated in the notice were discussed which were the limited personnel matters relating to City Manager Terrence Moore.

III. PUBLIC PARTICIPATION

Pat Bernal White, Member of the Public said I am an artist and I would like to thank Cindi Fargo for her help in promoting local artists and in helping Las Cruces to be recognized as an Arts and Cultural Center.

Russ Warner, Member of the Public said Mr. Moore has done an excellent job and he has set the bar high for the next City Manager.

Ryan Dailey, Member of the Public said I agree with Russ Warner's comments and Terrence Moore was a great City Manager. I don't think anyone should read the blogs on the Sun News because they have nothing better to do than talk about his personal life.

Gary Gale, Member of the Public said I would like to thank the Commission and Council for their support of Dr. Beth and for renewing her contract for another year.

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 5, 7 and 8 need to be removed from the agenda for discussion.

Councillor Connor Moved to approve the Agenda as Amended and Councillor Small 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. CITY COUNCIL MINUTES

* (1) Regular Meeting of June 7, 2010

VI. RESOLUTIONS AND/OR ORDINANCES FOR CONSENT AGENDA

* (2) Resolution No. 10-304: A Resolution Amending the Title of Resolution 10-253 Reflecting the Acceptance of the "FY 2010 Project Safe Neighborhoods Grant Award" to the Corrected "FY 2009 Project Safe Neighborhoods Grant Award."

* (3) Resolution No. 10-305: A Resolution Authorizing the Las Cruces Police Department to Apply and Accept a Grant From the New Mexico Department of Transportation in the Amount of \$9,870.00 for the "Click It or Ticket" Mobilization Project, to Ratify the City Manager's Signature on the Grant Agreement, and to Adjust the FY 2010 Budget.

* (4) Resolution No. 10-306: A Resolution Authorizing the Las Cruces Police Department to Apply and Accept a Grant From the New Mexico Department of Transportation in the Amount of \$18,007.00 For the "100 Days and Nights of Summer" Program, to Ratify the City Manager's Signature on the Grant Agreement, and to Adjust the FY 2010 Budget.

- * (6) Resolution No. 10-308: A Resolution to Accept Grant Funding in the Amount of \$31,000.00 From New Mexico Litter Control & Beautification Act, New Mexico Department of Tourism 2010 and Ratify the City Manager's Prior Approval of Acceptance to Meet the Required Deadline.
- * (9) Resolution No. 10-311: A Resolution Approving a Lease Agreement Between the City of Las Cruces and Paul D. Faulkner for the Exclusive Use of One Parking Stall in the City Parking Area Located at City Hall, 700 North Main Street, in Downtown Las Cruces.
- * (10) Resolution No. 10-312: A Resolution Authorizing an Assignment of Lease for Parcel 19 at the Las Cruces International Airport From Stein Family Trust to Sundance Aviation, LLC. (Ken Cady, Operating Manager).
- * (11) Resolution No. 09-10-541: A Resolution Awarding Price Agreements for the Senior Nutrition Program to Creamland Dairies LLC, of El Paso, TX; Shamrock Foods Company of Albuquerque, NM; Sysco New Mexico of Albuquerque, NM; and Zanios Labatt Food Service of Albuquerque, NM, for Fiscal Year 2010/2011 For a Budgeted Amount of \$207,757, for the Period July 1, 2010, Through December 31, 2010.
- * (12) Resolution No. 09-10-554: A Resolution Approving an Indefinite Cost, Indefinite Quantity, One (1) Year Contract With Up to Three (3) Renewable Options for Landscape and Grounds Maintenance Price Agreement #09-10-554 Awarded to Wasser & Wasser Inc., of Las Cruces, New Mexico.

VII. RESOLUTIONS AND/OR ORDINANCES FOR DISCUSSION

- * (5) Resolution No. 10-307: A Resolution Authorizing the City of Las Cruces Police Department to Apply for the FY2010 Edward Byrne Memorial Justice Assistance Grant (JAG) in the Amount of \$64,074 to be Used For the Purchase of Equipment and Supplies. There is No Match Required.

Councillor Connor Moved to Adopt Resolution No. 10-307 and Councillor Silva Seconded the motion.

Councillor Silva asked what type of equipment are we purchasing?

Chief Williams said we are purchasing surveillance equipment.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-307 and it was Unanimously APPROVED. 7-0

- ***(7) Resolution No. 10-309: A Resolution Amending Resolution 10-208 to Clarify Residency Requirements for Members of the Historic Preservation Ad Hoc Committee. The Resolution Also Corrects a Numerical Error in 'Exhibit A,' the Historic Preservation Ad Hoc Committee Description.**

Councillor Connor Moved to Adopt Resolution No. 10-309 and Councillor Thomas Seconded the motion.

Councillor Silva said this is to allow people that don't live inside the City to be on this Ad-Hoc Committee and I can't support this because this committee is to help historic preservation within our City.

Mayor Miyagishima said we have done this in the past and I think it would be helpful to have them serve on this committee because they are already involved with our local historic preservation.

Councillor Silva said if that's the case, then we need to go back and change our Municipal Code.

Mayor Miyagishima said I think it is in there.

Esther Martinez, City Clerk said there are two paragraphs that contradict each other within Resolution 10-208 which is why we are bringing this forward. The ordinance that makes our Code does state that anyone appointed to a Ad-Hoc Committee does not have to meet the requirement of living within the City limits but they do have to live within the County.

Councillor Connor said the prior resolution stated that only City residents would be appointed to this Ad-Hoc Committee so this resolution is amending that section to follow our Municipal Code which allows members of Ad-Hoc Committees to be City or County residents.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-309 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.

- ***(8)** Resolution No. 10-310: A Resolution Approving the Purchase of Properties at 914 South Alamo, Las Cruces, New Mexico, for \$110,000.00 and 2559 Benz Drive, Las Cruces, New Mexico, for \$142,000.00, Under the City's Neighborhood Stabilization Program (NSP).

Councillor Connor Moved to Adopt Resolution No. 10-310 and Councillor Sorg Seconded the motion.

Councillor Silva asked where are we so far with this grant?

David Dollahon, Neighborhood Services Administrator said we will be sending Council an update report by the end of the month. To-date, we have committed to the purchase of five houses which three of those are going to Tierra del Sol and the other two are going to La Casa. Today's resolution is for the purchase of two more houses and we are working on the purchase of one more house.

Councillor Silva said the Binns property is in the Elks area and I know there are certain criteria that must be met in order to use these funds for houses; does that property meet those requirements?

David Dollahon said yes, it is vacant, within our priority area and it is for sale.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-310 and it was Unanimously APPROVED. 7-0

- (13)** Resolution No. 10-313: A Resolution to Adjust the Adopted Fiscal Year 2009/2010 Budget to Provide for Allocation of Operating and Capital Costs Due to End-of-Year Review of Revenues and Expenditures.

Councillor Connor Moved to Adopt Resolution No. 10-313 and Councillor Sorg Seconded the motion.

David Gebhart, Budget Director gave an overhead presentation and said this is a routine adjustment that is done every year for unanticipated costs that occurred after the budget was adopted. The

General Fund revenues will be increased by a little more than \$1 million and the expenditures will go up by \$102,000 so the ending balance will be enhanced by about \$936,000 with the end of year adjustment. The items that make up the revenue are the transfer of excess DOJ matches from past years, reimbursement for Utilities paving cuts and the closing of two internal services funds. The expenditures includes a distribution to unemployment insurance, Public Works paving cuts and the matching funds for the Airport's Runway 12-30 Project. There are 49 funds outside the General Fund that are being adjusted which 43 are being adjusted and 6 are being closed. We are asking for an amendment to include another unanticipated bill for our Unemployment Insurance of \$13,500 and to increase the budget for Senior Employment Programs by \$387.00.

Councillor Connor said you sent us a GRT report for June which is the reflection of April's GRT and that would make it the fourth month that we've seen a decrease in our GRT. We are starting to see the downward trend that most cities saw months ago.

Dick Gebhart said that's correct.

Councillor Sorg asked why is our Unemployment Insurance going up?

Dick Gebhart said it is an echo of the recession and as City employees become unemployed and then employed by someone else and become unemployed again, we are still liable to pay them unemployment.

Mark Sutter, Finance Director said the two major factors for the increase were that we received a bump in our actuary for the trend over the past few years and then we had the additional bills that came in right at the end of the year which were higher than we anticipated.

Russ Warner, Member of the Public said these adjustment show what a great job the City Manager and staff are doing with our budget.

Councillor Connor Moved to Amend Resolution No. 10-313 to include a transfer out of our General Fund for our Unemployment Insurance of \$13,500 and to increase the expenditures for Senior Employment Programs by \$387.00 and Councillor Silva Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to Amend Resolution No. 10-313 to include a transfer out of our General Fund for our Unemployment Insurance of \$13,500 and to increase the expenditures for Senior Employment Programs by \$387.00 and it was Unanimously APPROVED.

7-0

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-313 as Amended and it was Unanimously APPROVED. 7-0

- (14) Resolution No. 10-314: A Resolution Authorizing the Mayor of the City of Las Cruces, New Mexico, to Sign an Agreement with SER, Jobs for Progress, Inc., to Provide Administration and Placement of "At-Risk" Youths, in a City-Funded Summer Jobs Program With Funding Not to Exceed \$52,000.00.

Councillor Connor Moved to Adopt Resolution No. 10-314 and Councillor Sorg Seconded the motion.

Councillor Connor Moved to Suspend the Rules and discuss Items 14 and 15 concurrently and Councillor Thomas Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to Suspend the Rules and discuss Items 14 and 15 concurrently and it was Unanimously APPROVED. 7-0

Mark Johnston, Parks and Recreation Administrator gave an overhead presentation and said the reason for the two resolutions is that we have two different programs from two different departments. The programs objective is to work with at-risk young people who are students and it provides employment opportunities and real life experience throughout the City programs. We are budgeted for this in our FY10 budget and it will support youths ages 16 to 19 years old.

Robert Caldwell, Public Liaison Officer said the other part of this is a 8-week summer program which will cover the month of July 2010 and June 2011 and it covers youths ages 14 to 18 years old. There are 31 youths that are participating in this program and this is the 18th year for this program.

Councillor Pedroza asked is this funding used to cover the administration or the salaries for the young people?

Robert Caldwell said it is to cover both of them.

Councillor Pedroza asked where do we get the funding?

Robert Caldwell said the General Fund.

Councillor Silva asked why is there a difference in the expenditures and the budgeted amount for Item 15?

Mark Johnston said the budgeted amount has other items that are also involved, not just the SER program so the leftover balance is part of our Managed Reduction Plan for this fiscal year and next year, that amount will be part of our General Fund operations and our Managed Savings Plan.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-314 and it was Unanimously APPROVED. 7-0

- (15) Resolution No. 09-10-604: A Resolution to Approve an Agreement Between the City of Las Cruces and SER (Service, Employment, and Redevelopment) De New Mexico, Jobs for Progress, Inc., to Continue Placement Services, Counseling of Youth, and Administration of the "At-Risk" Employment Program for High School Youth in the Parks and Recreation Section With Total Reimbursement to SER for the Program Not to Exceed \$42,876.

Councillor Connor Moved to Adopt Resolution No. 09-10-604 and Councillor Sorg Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 09-10-604 and it was Unanimously APPROVED. 7-0

- (16) Resolution No. 10-315: A Resolution Approving a New Five-Year Lease for the Operations and Management of the Community of Hope Campus at 999 West Amador Avenue. The Agreement Is Between the City of Las Cruces and the Mesilla Valley Community of Hope, Inc.

Councillor Small Moved to Adopt Resolution No. 10-315 and Councillor Sorg Seconded the motion.

David Dollahon, Neighborhood Services Administrator gave an overhead presentation and said we own the property at 999 W. Amador which is known as the Community of Hope Campus; this would be a five year lease with the ability for amendments and/or extensions and it would be effective on July 1, 2010. This lease clarifies the clients that can be served, requires subleases, requires a single point-of-contact for the Community of Hope and the City, requires bi-monthly meetings, the agency is responsible for the utilities and there is a 90-day termination provision available.

Councillor Thomas asked what is the major difference between this lease and our previous one?

David Dollahon said this clarifies the subleases, insurance and the responsibilities of both parties.

Councillor Silva said regarding the bi-monthly meetings, would it be beneficial for Council to receive quarterly or bi-annual reports?

David Dollahon said I would be concerned with making the reporting a requirement of the lease. We included that the City may ask for annual reports but the agency's main focus is on their client services and it takes time away from their services to do these reports. Staff can try to do status reports on a quarterly or bi-annual basis for Council.

Councillor Silva said I would be okay with that or even having something included in the City Manager's Quarterly Reports.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-315 and it was Unanimously APPROVED. 7-0

(17) Resolution No. 10-316: A Resolution Approving a Memorandum of Understanding With the New Mexico Department of Transportation (NMDOT) in the Amount of \$31,000.00 to Fund Fiscal Year 2011 Operations of the Rideshare Program and Amending the Budget to Reflect the Agreement.

Councillor Connor Moved to Adopt Resolution No. 10-316 and Councillor Silva Seconded the motion.

Christine Logan, Economic Development Administrator gave an overhead presentation and said the resolution is to approve a Memorandum of Understanding with the New Mexico Department of

Transportation for the operations of the Rideshare Program. The Rideshare Program is designed to conserve resources, reduce pollution, reduce traffic congestion and to encourage individuals to car-pool.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-316 and it was Unanimously APPROVED. 7-0

- (18) Resolution No. 10-317: A Resolution to Accept the Updated Contract Award from New Mexico Department of Transportation Improvement Program (STIP) for the Novation of Cooperative Project Agreement for the Main Street Reconstruction Project in the Amount of \$1,176,000.00. There Is No City Match Requirement.

Councillor Small Moved to Adopt Resolution No. 10-317 and Councillor Sorg Seconded the motion.

Mike Johnson, Public Works Director gave an overhead presentation and said this is to approve a grant for our Downtown Project. There are three phases of this project, we have completed the middle portion and we are planning on starting the North Phase next week. This funding would go toward the South-end of this project and we will begin that project once the North-end is completed.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-317 and it was Unanimously APPROVED. 7-0

- (19) Resolution No. 10-318: A Resolution Authorizing Change Order Number One to Obtain Council Approval to Add 43 Working Days to the Contract Time and Increase the Contract Amount by \$102,875.90 for the Telshor Blvd/Lohman Ave Intersection Improvements, Project Number 08-09-610, NMDOT Project Number St-4532(200)01, CN:G2S7512.

Councillor Connor Moved to Adopt Resolution No. 10-318 and Councillor Silva Seconded the motion.

Mike Johnson, Public Works Director gave an overhead presentation and said this is a change order for the Telshor/Lohman Project and it is to add 43 working days and increasing the amount of the contract to \$102,875.90. The New Mexico Department of Transportation is responsible for 65% and the City is responsible for the remaining 35% of this project. The 43 days are requested due to 4 weather days, 25 days for additional roadway and utilities work and 14 days for delays due to the supplier.

Councillor Silva said it stated that the cost increase is due to problems with the design; should the designer be responsible for it?

Mike Johnson said it was designed by Bohannon-Huston and it was reviewed by our staff and I think this was in the northern edge of the project which may have been backing up to our project limit but we can look into the prospective.

David Maestas, Contracts Administrator said this actually wasn't a design error. The contract called for the asphalt to be put back in the same place but as the construction was taking place, staff discovered that for an extra cost, we could get the ponding to remove additional water which would be very valuable to the public. This was brought forward to the City Manager for his approval.

Councillor Thomas said the contract is being increased and there is an increase in working days; is there an additional cost to add the additional working days?

Mike Johnson said no, it goes together.

Councillor Thomas said I received a complaint that by removing the second lane of traffic, it has made it unsafe for vehicles to pass bicyclist. I know Andy Hume looked into the situation and was going to make some recommendations; are those suggestions being addressed in this change order?

Mike Johnson said no, but we are still looking into that situation.

Councillor Thomas said I was told that it just needs to be re-striped and that needs to be on our list of upcoming projects.

Mike Johnson said we can do that.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-318 and it was Unanimously APPROVED. 7-0

- (20) Resolution No. 10-319: A Resolution Authorizing Change Order Number One to the Waterfalls Regional Pond Contract, Project No. 08-09-445, for Storm Drain Work at the North Fork Arroyo in the Amount of \$124,416.00 and Storm Drain Work at the Chandler Tank Pond in the Amount of \$82,972.00 for a Total of \$207,388.00 Plus Applicable Gross Receipts Tax of \$15,424.48 and to Authorize the Addition of 55 Working Days to Burn Construction Company.

Councillor Connor Moved to Adopt Resolution No. 10-319 and Councillor Sorg Seconded the motion.

Mike Johnson, Public Works Director gave an overhead presentation and said this is a change order to add two additional projects to the Waterfalls Regional Pond contract. The projects that need to be done are storm drain work at the Chandler Tank Pond and storm drain work at the North Fork Arroyo. Both of these projects are time sensitive because we are nearing our rainy season and the contractor is ready to begin both of these projects.

Councillor Sorg asked will vegetation be allowed to grow in the rock areas?

Mike Johnson said we like to keep these areas as clear as possible.

Councillor Sorg asked will this work be compatible with the park area of Chandler Tank?

Mike Johnson said yes.

Councillor Sorg asked is the Sandhills modifications by Las Colinas included in this?

Mike Johnson said yes, but there is going to be several other things that will be coming forward regarding the Sandhills modifications.

Councillor Silva asked are we just bailing out Phillippou on his commitments?

Robert Garza, Assistant City Manager said part of the work is related to Mr. Phillippou's subdivisions; however, part of the settlement that we have with Mr. Phillippou was that we would be collecting funds from other sources. We have filed liens and done second mortgages on some of the properties so we will be paid for some of the work. The settlement did bail him out but it included guarantees that there will be payment.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-319 and it was

Unanimously APPROVED. 7-0

- (21) Resolution No. 09-10-467A: A Resolution Approving the Award of a Contract for Design Through Bidding Phase Services for an Air Traffic Control Tower at the Las Cruces International Airport to Delta Airport Consultants, Inc. Of Albuquerque, New Mexico in the Amount of \$677,561 Plus New Mexico Gross Receipts Tax in the Amount of \$45,000 for a Total of \$722,561.

Councillor Small Moved to Adopt Resolution No. 09-10-467A and Councillor Sorg Seconded the motion.

Lisa Murphy, Airport Manager gave an overhead presentation and said this is to award the contract for designing the Air Traffic Control Tower to Delta Airport Consultants, Inc. The funds for this project have already been disbursed to the City from the FAA and there was no requirement for matching funds.

Councillor Sorg asked isn't the design of Control Towers standard; why is it costing so much?

Lisa Murphy said it is a very specialized building and there are unique features for each tower.

Councillor Silva said the cost for the design is less than the amount that was appropriated for it; what are you going to do with the balance?

Lisa Murphy said the funds must be used for the tower so it will probably go toward the construction cost.

Councillor Small asked can you explain the independent cost verification?

Lisa Murphy said the Federal Government wants to make sure their funds are being spent appropriately so the City is required to do a independent fee estimate package and then they give it to an independent firm to determine the estimated amount.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 09-10-467A and it was APPROVED. 6-0 Mayor Miyagishima was Absent.

- (22) Resolution No. 09-10-496: A Resolution Awarding the Bid for the Rinconada/Northrise Traffic Signal Project to R.T. Electric, Inc. of Las Cruces, New Mexico in the Amount of \$182,840.40 Plus \$13,598.75 for New Mexico Gross Receipts Tax. The City Manager is Authorized to Approve Change Orders in an Amount Not to Exceed \$9,142.02 for a Total Project Authorization in the Amount of \$205,581.17; and to Amend the Fiscal Year 2009/2010 Budget.

Councillor Connor Moved to Adopt Resolution No. 09-10-496 and Councillor Silva Seconded the motion.

Mike Johnson, Public Works Director gave an overhead presentation and said this is to award R.T. Electric the bid to install a traffic signal at the intersection of Rinconada and Northrise which is adjacent to the proposed site of the new Walmart. The funding for this project is coming from NMFA bonds which will be repaid by the Alameda Group through a lien on their property.

Councillor Connor said since we are using this type of funding, the light doesn't have to meet warrants.

Mike Johnson said we still have to meet warrants and we believe it will meet the warrants once this area is developed. It doesn't currently meet the requirements but due to the funding source and the fact that it was already included in this project, allows us to install it prior to meeting the warrants.

Councillor Silva said I'm glad you include all the costs for this because I've had some people ask me why this simple light cost so much so they can look at this and see the costs associated with it.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 09-10-496 and it was Unanimously APPROVED. 7-0

VIII. BOARD APPOINTMENTS

Mayor Miyagishima re-appointed John Villescascas and Lisa J. Beck to the ETZ Commission.

Councillor Connor Moved to Approve the Mayor's Board Re-Appointment of John Villescas and Lisa J. Beck to the ETZ Commission and Councillor Silva Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to Approve the Mayor's Board Re-Appointments of John Villescas and Lisa J. Beck to the ETZ Commission and it was Unanimously APPROVED. 7-0

IX. REVIEW OF PROPOSED ORDINANCE(S)

- (23) Council Bill No. 10-049: Ordinance No. 2578: An Ordinance Authorizing the Execution and Delivery of a Loan Agreement and Intercept Agreement by and Between the City of Las Cruces (The "Governmental Unit") and the New Mexico Finance Authority, Evidencing a Special, Limited Obligation of the City to Pay a Principal Amount of \$938,875, with Interest Thereon, for the Purpose of Purchasing Two Fire Pumpers for Use by the Governmental Unit and Paying a Loan Processing Fee; Providing for the Payment of the Principal and Interest Due under the Loan Agreement Solely from the Distributions of Fire Protection Fund Revenues Distributed by the State Treasurer to the Governmental Unit Pursuant to Section 59A-53-7 NMSA 1978; Providing for the Contingent Distribution of Fire Protection Fund Revenues to Be Redirected by the State Treasurer to the New Mexico Finance Authority or its Assigns for the Payment of Principal and Interest Due on the Loan Agreement Pursuant to an Intercept Agreement; Setting the Maximum Rate of the Loan; Approving the Form and Terms of the Loan Agreement and Intercept Agreement; Ratifying Actions Heretofore Taken; Repealing All Action Inconsistent with this Ordinance; and Authorizing the Taking of Other Actions in Connection with the Execution and Delivery of the Loan Agreement and Intercept Agreement.

Mayor Miyagishima and Council agreed to bring this item back.

X. STATUS/UPDATES ON CURRENT PROJECT LIST

1. **Strategic Plan** - *(Implementation documents being prepared, finalizing plan for council review and consideration.)*
2. **Las Cruces Convention Center** - *(Building exterior and interior construction continues. Site work limited to primarily utility connections. The project remains on schedule with completion expected by Fall 2010.)*

3. **Downtown Main Street Construction** - *(Construction of Main Street Plaza - Phase II North was awarded by Council to Jaynes Corporation on May 3, 2010. Contract Execution is underway. Meeting held with Business owners on June 3rd with Start-Up Meeting for the public held June 9th. Construction estimated to begin June 20, 2010.)*
4. **Impact Fees** - *(The project is on-going and is in Phase II - Development of the Impact Fee Capital Improvements Plan (IFCIP). The Consultant is making the necessary revisions to the Land Use Assumptions and Impact Fee Capital Improvements Plan. It is anticipated that a draft of each document may be available for staff review in early August.)*
5. **Vision 2040** - *(The Vision 2040 Advisory Committee has resumed with more stakeholder involvement and a clearer defined structure than before. They have begun the process of reviewing in sections a working draft of the Vision 2040 Regional Plan. This process is estimated to take until late Fall 2010. Regular updates will be given to the elected and appointed bodies. Meeting dates, draft documents, and related information on Vision 2040 are available online at <http://vision2040.las-cruces.org>.)*
6. **Regional Recreational & Aquatic Center** - *(Building and pool construction continues with completion expected by the end of June or first part of July 2010. Site work consists of parking lot improvements and utility connections at this time.)*
7. **Las Cruces Intermodal Facility** - *(Staff continues to negotiate a contract with the top ranked consultant by the Selection Advisory Committee and expects City Council award the second meeting in May or first meeting in June.)*
8. **Bicycle Facilities Planning** - *(May is National Bicycling Month. The Education and Encouragement Work Group of the Bicycle Friendly Community Task Force (BFC) is working on several ideas for events in May. The proposals include a series of neighborhood bicycle rides, a series of articles promoting bicycling in Las Cruces, Bike to Work Day on May 21st, the Ride of Silence on May 19th, and a proclamation declaring May as National Bicycle Month.)*
9. **EPA Smart Growth Implementation Assistance Program (SGIA)** - *(This project, known on our application to the EPA as Making Redevelopment Work for the Neighbors: The El Paseo Project, will now have an identity suitable for its purpose: to engage people in planning their community. Welcome: Picturing El Paseo—Share Your Vision for the Corridor. A 'soft' campaign has begun with the intention to blanket the area along and within walking distance of El Paseo Road between Downtown and the University District to promote events like Photo Tours/Assessments, Walk & Safety Audits, the Green Infrastructure Conference on August 26, the 3-day Road Safety Audit September 30 through October 2 and a Visioning Charrette in November. The EPA staff team and partners from Federal Highway Administration (FHA) and Housing and Urban Development (HUD) are working together with City staff from multiple departments, policy makers, residents and businesses. Staff is continuously reaching out to a diverse set of public and stakeholders in the El Paseo area, and is available to discuss this project with any interested parties or individuals. Regular conference calls occur on Tuesday from 1:30-2:30 PM in Room 1158, City Hall, 700 Main Street.)*

10. **New City Web Site** – *(The new web site is scheduled to go live in the July-August timeframe. Content from the current web site is being migrated to the new site. Some significant re-work of content is required to provide a unified design and user interface functionality, and to upgrade existing content to ADA and Section 508 standards. Departmental stakeholders (who will be responsible for authoring content) have been involved in a number of meetings to provide inputs on the new web site as well. The new site will support greater citizen engagement by providing citizens the ability to receive information via RSS feeds, newsletters, and alerts, as well as providing new content and capabilities. The next phase in the project will involve training departmental authors in the use of the content management system editor, authoring methods, and pertinent standards, guidelines, and laws.)*
11. **Downtown Revitalization Activities** - *(Construction on La Placita has started and is expected to take 9 months. City staff is in the process of forming a Downtown Revitalization Plan Ad Hoc Committee.)*
12. **Grants/ARRA Status** - (Matrix.)

Councillor Thomas said we received the Strategic Plan reports and I think we should say a few words about it.

Terrence Moore, City Manager said it already went out in the Community Connection and you received the glossy document of it. The City Manager's office can provide any additional copies if you need one. Much of this is based on the strategic planning exercises that took place in 2009 and 2010 and it includes a summary of the strategic plan themes, principals and the overall direction for the community for the next couple of years.

Councillor Thomas said the EPA smart growth for El Paseo is number nine and we recently set up one more date which is November 18-20 for the Visioning Chert so I'm hoping Council will keep these dates open.

XI. GENERAL DISCUSSION

1. MAYOR

Mayor Miyagishima said I wanted to know if the new Police Chief would like to accompany me in having a City Meeting as an introduction to the community.

Chief Williams said I would like that; I have already received a few emails from various Neighborhood Associations and other organizations requesting to have a meeting with them so I think this would be very appropriate.

Mayor Miyagishima said we can try to schedule it sometime in July during the evening hours.

Chief Williams said that would be fine.

Councillor Connor said I have already scheduled my District Meeting for July 10th to introduce the new Fire Chief and the new Police Chief.

2. CITY COUNCIL

Councillor Thomas said I am in the process of scheduling my District Meeting for the Strategic Plan updates and I know there is an online management system that goes along with it so I wanted to know if Robert Garza would be available to attend the meeting and speak about it?

Robert Garza, Assistant City Manager said absolutely. We are going to put it on our web page so I will also be able to tell them how to access it.

Councillor Thomas said I want to thank Mr. Moore for including information on where mailboxes are placed in subdivisions, in his information letter.

Another issue we have in District 6 is foreclosed homes that people have abandoned and some of them have swimming pools full of water which is causing problems with mosquitos. The local banks are very good about cleaning things up on their homes but we are having difficulties with the bigger banks that don't have any local offices. Our Codes Department has gone out and sprayed to help with the mosquito issues so I want to inform anyone who has this problem to contact them.

Councillor Sorg said some time ago, I had a meeting with staff regarding our Dust Ordinance enforcement and I have received a suggestion to have a demonstration on dust control methods so I want to ask the City Manager to schedule this demonstration. I know that NMSU is willing to work with us on this and I think this would be a great benefit to the public.

Terrence Moore, City Manager said our staff is working with NMSU to coordinate it and we anticipate on having some details by the end of next week or so.

Councillor Small said this past Sunday, we met at the Railroad Museum with some neighborhood organizations and the head of the Watch Group and other representatives of other neighborhood groups were able to have a Meet and Greet event with Congressman Teague.

District 4 hasn't had too many problems with Mosquitos this year but the problems will increase once our rainy season is here.

Congratulations are in order for receiving a Silver LEED Certification for the new City Hall.

I spoke with some of the residents of the area that is being affected by the El Molino Project and they are pleased with the things that are getting done there. I also want to thank staff for completing the work on McClure.

Councillor Pedroza said I want to let Mr. Moore know that we are going to miss him.

I was glad that District 3 had the opportunity to have a meeting with the new Chief and now, we are focusing on forming groups and getting to know the Police Officers so we can keep our communication open.

The University has begun to move forward with several issues and work with the City in addressing them together which is a very good thing.

I want to mention that we are going to have more District Meetings but it is taking a little to get them organized and we are going to be working with the schools regarding education.

Councillor Connor asked is there more than one applicant for the Capital Improvements Advisory Committee?

Esther Martinez, City Clerk said as of Friday, I have only received one application. I will be submitting the memo and the application by the end of this week.

Councillor Connor said I would like to have an update on the Sister Cities.

Lori Grumet, Public Services Director said the MOU between the Sister Cities and the City of Las Cruces is scheduled to be presented to Council at the first meeting in July. The organization is doing very well with their new leadership and they are preparing to participate in the International Convention.

Councillor Connor asked are they meeting regularly and have they been meeting all the audit requirements

Lori Grumet said yes.

Councillor Connor asked are they increasing their membership and are they all paying members?

Lori Grumet said membership is a little slow but all the members are paying members in good standing.

Councillor Connor asked can you bring all that information with you when you present the MOU to Council?

Lori Grumet said yes.

Councillor Silva said I also want to congratulate staff on obtaining the Silver LEED Certification. Do we have any plans to have an Energy Audit on the new City Hall?

Terrence Moore, City Manager said that will be an activity to be done by Tom Schuster and the Facilities Department which will be part of the operation and presentations in the coming months to Council.

Councillor Silva said on the front page of yesterday's El Paso Times, there was a photo of children doing a chert on what they were going to do with the ASARCO site which I thought was very good. Santa Fe involved kids when they put together their Sustainability Plan and at some point, I hope we can incorporate a document that involves input from the kids within our community.

A resident asked me if we could change of television cameras to be able to fit on wide-screen TVs.

This morning, Bruce Bleakman gave us a report and he informed me that they do provide audit services on special projects and I plan on speaking further with him regarding that issue to see how it could fit with our current auditor services.

I would like to schedule another tour of the Convention Center and Aquatic Center because I wasn't able to attend the one last week.

I have spoken with many residents in my district and had meetings regarding the Strategic Plan to keep them informed and involved with it.

I would like to congratulate Auguie Henry for becoming our full-time Grant Coordinator.

We are going to have a Groundbreaking Ceremony for the Downtown, this Thursday at 10:00 a.m.

3. **CITY MANAGER**
 - A. Other Items - Information Only

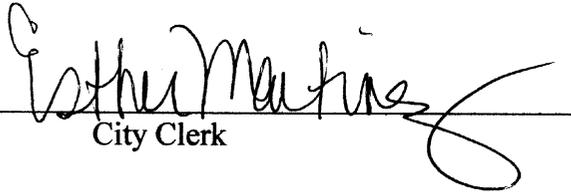
None given.

Meeting Adjourned at 4:47 p.m.



Mayor

ATTEST:



City Clerk

(SEAL)