

Special Meeting
November 5, 2009

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

Special Meeting

**November 5, 2009
5:00 P.M.**

Council Chambers, City Hall

MEMBERS PRESENT:

STAFF:

- 14 Mayor Ken Miyagishima
- 15 Councillor Miguel Silva, District 1 **Absent**
- 16 Councillor Dolores Connor, District 2
- 17 Councillor Dolores C. Archuleta, District 3
- 18 Councillor Nathan Small, District 4
- 19 Councillor Gil Jones, District 5
- 20 Councillor Sharon Thomas, District 6

- Robert Garza, Assistant City Manager
- Harry (Pete) Connelly, Assistant City Attorney
- Linda Lewis, Deputy City Clerk

23 **II. CONFLICT OF INTEREST INQUIRY BY MAYOR AS REQUIRED BY LCMC**
 24 **SECTION 2-27(E)(2).** *At the opening of each council meeting, the chairperson shall ask*
 25 *if any member of the city council, city manager, or any member of the city staff has any*
 26 *known conflict of interest with any item on the agenda.*

28 Mayor Miyagishima asked if anyone had any conflicts with anything on the agenda?
 29
 30 None given.

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34 **II. RESOLUTIONS AND/OR ORDINANCES FOR DISCUSSION**

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 36 (1) Resolution No. 10-133: A Resolution Accepting the Canvass for the Regular
 37 Municipal Election Held on Tuesday, November 3, 2009 in the City of Las Cruces,
 38 New Mexico.

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 40 Councillor Archuleta Moved to Adopt Resolution No. 10-133 and Councillor Thomas Seconded the
 41 motion.

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2 Esther Martinez, City Clerk gave a presentation and said Exhibit A is the election results from all
3 of the polling places. I have included the canvass report which list the issues we had during this
4 election. We issued three clerk's certificates during early voting which all were voted on and on
5 election day, six certificates were issued of which four were voted on. Out of 149 absentee ballots
6 that were issued or mailed out, 142 were received by election day; two were received today but they
7 can't be counted because it is too late. I did receive a complaint on September 18th from an individual
8 who stated he had received approximately 25 calls from J 2 Global Communications that were
9 bashing candidates but he didn't their number. I asked him to call me if he received anymore calls
10 but I didn't hear from him again. On October 16th, the League of Women Voters published an ad in
11 the bulletin that had incorrect closing times. On October 24th, David Aguayo had received an email
12 from a citizen that had requested absentee applications but hadn't received them. He had requested
13 them in September and we had emailed those applications to the voter once early voting had started.
14 He was upset because he and his wife had gone out of the country and there wasn't enough time to
15 receive and mail back the applications by election day. There was incorrect polling place information
16 published in the Sun News; however, they did reprint the corrected information on election day. On
17 November 2nd, I received a call from an individual who was very upset that he hadn't been properly
18 notified of his polling place which was different than the polling place on his voter registration card.
19 I received a complaint regarding an individual that was asking questions at the Good Samaritan
20 polling place so I contacted Alma Cortez with the Codes Department and she sent out a Codes
21 Officer to address the issue. I received an allegation that there were only two poll workers at the
22 Camino Real polling site so I sent someone to check and there were four poll workers. I received a
23 complaint from a citizen that stated there weren't enough "Vote Here" signs at Holy Cross and
24 Mayfield polling sites and I informed him that the County furnishes us with a certain number of signs
25 for each site. There was a complaint made from a citizen voting at the Jornada site regarding a
26 comment made from a poll worker regarding his name. I did speak with the poll worker and found
27 out that the citizen did make a scene and was asked to be quite from one of the teachers there. The
28 poll worker did give me a note of apology to send to the citizen. Regarding absentee Saturday voting,
29 there doesn't seem to be a lot of voters on Saturdays so I would suggest that Council consider cutting
30 the number of hours we are open on Saturday and replacing two of the individuals of the precinct
31 board with two City Clerk staff members. On November 16th, we will be doing the Oaths of Office
32 for the elected candidates.

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34 Councillor Connor said I am against changing the hours for Saturday voting but I would support
35 changing the amount of poll workers. I would suggest that you consolidate the polling sites when
36 there is only one person running and they are unopposed such as in the situation we had with this
37 election for the Municipal Judge.

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39 Esther Martinez said I will have to check in the election handbook to see if we can legally do that
40 and then we can put it in the resolution.

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42 Mayor Miyagishima said that would be a good idea.

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2 Councillor Archuleta said I just want to commend Esther and her staff, they did an outstanding job.

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4 Esther Martinez said we had a lot of help from the PIO Department, IT, there were different
5 departments that played a role in helping us put together this election.

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7 Mayor Miyagishima said I want to thank Councillor Archuleta for her eight years of service and all
8 the work she's done with our Veterans. Councillor Jones has been a valuable member of this Council
9 and we appreciate his dedication for the past four years. I want to congratulate Councillor Sorg and

10 Councillor Pedroza and welcome them.

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14 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-133 and it was
15 APPROVED. 6-0 Councillor Silva was Absent.

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19 **Meeting Adjourned at 5:26 p.m.**