City of Las Cruces®
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Council Action and Executive Summary

Item # 18 **Ordinance #** 2556 **Council District:** ___

For Meeting of January 19, 2010
(Adoption Date)

AN ORDINANCE AMENDING THE LAS CRUCES MUNICIPAL CODE, SECTION 2-1011, *JOINT BOARDS, SCOPE*, TO REDUCE THE TERM OF APPOINTMENT OF CITY MEMBERS TO THE EXTRATERRITORIAL ZONING AUTHORITY.

PURPOSE(S) OF ACTION: To amend the Las Cruces Municipal Code ("LCMC"), Section 2-1011, to reduce the term of appointment of City members to the Extraterritorial Zoning Authority ("ETZA") to two (2) years, limited to no more than two (2) consecutive appointments.

Name of Drafter: Monica Campbell		**Department:** Legal		**Phone:** 541-2128	
Department	**Signature**	**Phone**	**Department**	**Signature**	**Phone**
Originating Department		541-2128	Budget		541-2300
			Assistant City Manager		541-2271
Legal		541-2128	City Manager		541-2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS: The Las Cruces ETZA is a City/County organization which coordinates growth management, zoning and subdivision administration within the five-mile extraterritorial zone surrounding the City of Las Cruces.

Members of the ETZA are comprised of elected City and County officials. The members of the ETZA are City elected official members appointed by the Mayor with the advice and consent of the City Council.

It is in the best interests of the City to reduce the term for City members to the ETZA from the current term of no more than eight (8) consecutive years (LCMC, Section 2-188(b)(11)), to a term of two (2) years, limited to no more than two (2) consecutive appointments.

SUPPORT INFORMATION:

Fund Name / Account Number	Amount of Expenditure	Budget Amount
N/A	N/A	N/A

1. Ordinance with Exhibit "A" attached.

2. Amendments in legislative format, Attachment "1".

(Continue on additional sheets as required)

OPTIONS / ALTERNATIVES:

1. Adopt the ordinance. Adoption means that the term of appointment to the ETZA will be for two (2) years, limited to no more than two (2) consecutive appointments.

2. Do not adopt the ordinance. If the ordinance is not adopted the term of appointment to the ETZA will remain at no more than eight (8) consecutive years.

3. Modify the ordinance as the Council deems appropriate and provide further direction to staff.

(Continue on additional sheets as required)

COUNCIL BILL NO. 10-027
ORDINANCE NO. 2556

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The City Council of the City of Las Cruces is informed that:

WHEREAS, the Las Cruces Extraterritorial Zoning Authority ("ETZA") is a City/County organization which coordinates growth management, zoning and subdivision administration within the five-mile extraterritorial zone surrounding the City of Las Cruces; and

WHEREAS, members of the ETZA are comprised of elected City and County officials. Members of the ETZA who are City elected officials are appointed by the Mayor with the advice and consent of the City Council; and

WHEREAS, it is in the best interests of the City to reduce the term of appointment for City members of the ETZA to a term of two (2) years, limited to no more than two (2) consecutive appointments.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAS CRUCES:

(I)

THAT LCMC, Section 2-1011, *Joint Boards, Scope* is hereby enacted to read as shown on Exhibit "A" attached hereto and made a part of this Ordinance.

(II)

THAT City staff is authorized to do all deeds necessary to accomplish the intent of this Ordinance.

DONE AND APPROVED on this _____ day of _____, 2010.

_____
Mayor

ATTEST:

_____
City Clerk

{SEAL}

Moved by: _____

Seconded by: _____

Mayor Miyagishima: _____
Councillor Silva: _____
Councillor Connor: _____
Councillor Pedroza: _____
Councillor Small: _____
Councillor Sorg: _____
Councillor Thomas: _____

APPROVED AS TO FORM:

_____
City Attorney

DIVISION 4.

JOINT BOARDS

Subdivision I.

In General

Sec. 2-1011. Scope.

(a) Joint board members appointed by the city shall comply with division 1 of this article, unless stated otherwise, in the board's joint powers agreement, joint or concurring resolution, certificate of association, or rules and regulations and such agreements, resolutions, certificates of association, or rules and regulations that are not inconsistent with state law.

(b) The city council may waive subsection 2-188(b)(11) for city-appointed joint board members if the city council determines such a waiver is in the city's best interest.

(c) The term of appointment to the Extraterritorial Zoning Authority shall be for two years and limited to no more than two consecutive appointments.

(d) The joint boards include the following:

(1) Economic Development Council;

(2) Extraterritorial Zoning Commission;

(3) Extraterritorial Zoning Authority;

(4) Keep America Beautiful --Community Pride;

(5) Memorial Medical Center Board of Directors;

(6) Metropolitan Planning Organization;

(7) Rio Grande Natural Gas Association Board;

(8) South Central Solid Waste Authority; and

(9) University Avenue Corridor Citizen's Design Review Committee.

(e) This section applies only to city members.

(Code 1988, § 2-531; Ord. No. 1894, § I, 9-17-01)

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