

Regular Meeting
April 19, 2010



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

Regular Meeting

**April 19, 2010
1:00 P.M.**

Council Chambers, City Hall

MEMBERS PRESENT:

STAFF:

- 14 Mayor Ken Miyagishima
- 15 Councillor Miguel Silva, District 1
- 16 Councillor Dolores Connor, District 2
- 17 Councillor Olga Pedroza, District 3
- 18 Councillor Nathan Small, District 4
- 19 Councillor Gill Sorg, District 5
- 20 Councillor Sharon Thomas, District 6

- Terrence Moore, City Manager
- Harry (Pete) Connelly, Interim City Attorney
- Esther Martinez, City Clerk

I. OPENING CEREMONIES

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

28 Presentation of Certificates of Appreciation/Proclamations.

30 Mayor Miyagishima and Jordan Simons presented the Pet of the Week.

32 Mayor Miyagishima presented a Certificate of Appreciation to Socorro Hernandez.

34 JR Turner presented a Medal of Honor to WWII Veteran Ruben Giron and read his biography.

36 Councillor Sorg presented a Proclamation to Ron Camunez and Zane's Team and declared April
37 19th thru April 24, 2010 as March of Dimes Week.

39 Councillor Sorg presented a Proclamation to David Dollahon and declared April 2010 as Fair
40 Housing Month.

Regular Meeting
April 19, 2010

Page 2

1 Councillor Sorg presented a Proclamation to Janice Jones, Tiffany Pegoda, Elena Moreno, James
2 Mitchell and Jennifer Martin and declared April 19th thru April 23, 2010 as Administrative
3 Professionals Week.

4

5 Councillor Sorg presented a Proclamation to Emma Armendariz and declared April 24th thru May
6 1, 2010 as Las Cruces Public Schools Bilingual Education Week.

7

8 Cindy Fargo, Las Cruces Downtown Partnership gave a presentation regarding the Downtown
9 update.

10

11 Clay Doyle, El Paso Electric gave a presentation regarding the new seasonal rate structure.

12

13 Gil Padilla, NM Dept. of Health gave a presentation regarding Healthy Kids Las Cruces.

14

15 Joe Delk gave a presentation regarding the Dona Ana Soil and Water Conservation District
16 Boundary Unification Referendum.

17

18

19

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

24

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

26

27 Councillor Sorg said regarding Item 8, I am a part-time employee of Zia Engineering but I don't see
28 why this would affect me being able to give an objective opinion.

29

30

31

32 Mayor Miyagishima read a closed meeting statement and said the Las Cruces City Council met in
33 a closed session at 9:07 a.m. on April 6, 2010. The following were in attendance: Mayor
34 Miyagishima, Councillor Silva, Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor
35 Thomas, LCPD Interim Chief Peter Bradley, Attorney Matt Holt and Interim City Attorney Harry
36 (Pete) Connelly. The meeting adjourned at 9:40 a.m. and only those limited items as stated in the
37 posted notice were discussed which was threatened or pending litigation of Juanita Estrada (Estate
38 of Michael Molina) v. City of Las Cruces, USDC 09-cv-10 RB/CG.

39

40 Mayor Miyagishima read a closed meeting statement and said the Las Cruces City Council met in
41 a closed session at 12:00 p.m. on April 12, 2010. The following were in attendance: Mayor

1 Miyagishima, Councillor Silva, Councillor Connor, Councillor Pedroza, Councillor Small,
2 Councillor Sorg, Councillor Thomas, City Manager Terrence Moore, Assistant City Manager Robert
3 Garza, Public Works Director Mike Johnson, Human Resources Director Andre Moquin, Attorney
4 James Reeves, Interim City Attorney Harry (Pete) Connelly. The meeting adjourned at 12:53 p.m.
5 and only those limited items as stated in the posted notice were discussed which was threatened or
6 pending litigation of Edward Aragon v. City of Las Cruces, CV-2008-2971.

7

8

9

10 **III. PUBLIC PARTICIPATION**

11

12 Lloyd Covens, Solar Seven said I would like to thank Mayor Miyagishima, the City Manager,
13 Councillor Thomas, Councillor Sorg, Councillor Connor and Councillor Silva for attending the
14 International Film Festival at White Sands.

15

16 Regarding the rate increase by El Paso Electric, there was some renewable energy work done last
17 summer to address rate increases and if they had waited for these issues to be addressed then I
18 believe we wouldn't get a rate increase for another six to eight months. We have an issue with the
19 timing of the energy efficiency measures and the PRC has asked that approximately \$4.5 million be
20 put back for energy efficient measures. We have a rate increase, we have many substantial additions
21 like cool roofs that are being done around the country which won't be available to our citizens at the
22 same time they are paying more money. I would ask that this Council be diligent in asking our utility
23 provider to do everything they can to fulfill previous commitments and be strong in bringing our
24 citizens a balance between new cost and what has been previously promised.

25

26 Ryan Dailey, Member of the Public said this is an election year but not for our City officials; the
27 people elect the officials and the officials answer to the people but I came across a magistrate judge
28 who is currently on the bench and she told me that she cannot talk to constituents unless there is a
29 case involved which I find to be very disturbing.

30

31 I would like to thank Terrence Moore and Councillor Small for giving me reference letters. I will be
32 doing an intership for five weeks with Senator Bingaman.

33

34 I would like to know where the jobs are in Las Cruces for our Police Department?

35

36 Terrence Moore, City Manager said as part of the Fiscal Year 2011, we will be re-instituting our
37 Police and Fire Academies.

38

39

40

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

4
5 Mayor Miyagishima said Items 4, 7 and 8 need to be removed from the Consent Agenda for
6 discussion.

7
8 -----
9

10 Councillor Connor Moved to approve the Agenda as Amended and Councillor Small Seconded the
11 motion.

12
13 -----
14

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

17
18 -----
19

20 **V. CITY COUNCIL MINUTES**

21
22 *(1) Regular Meeting of March 15, 2010
23

24
25 -----
26

26 **VI. RESOLUTIONS AND/OR ORDINANCES FOR CONSENT AGENDA**

27
28 *(2) Resolution No. 10-252: A Resolution Authorizing the Facilities Department to Apply for
29 the New Mexico Energy, Minerals and Natural Resources Department (NMEMNRD)
30 Recreational Trails Program 2010 Grant in the Amount of \$266,330.00.

31
32 *(3) Resolution No. 10-253: A Resolution Authorizing the City of Las Cruces Police Department
33 to Accept the Sub-Grant Agreement for the FY 2010 Project Safe Neighborhoods Grant
34 Awarded by the Department of Justice, Through the New Mexico Department of Public
35 Safety in the Amount of \$10,000.00, to Ratify the Mayor’s Signature to Meet Grant Award
36 Deadline, and Adjust the FY 2010 Budget.

37
38 *(5) Resolution No. 10-255: A Resolution Authorizing the Las Cruces Police Department’s Code
39 Enforcement Division – “Keep Las Cruces Beautiful” (KLCB) – to Apply for the New
40 Mexico Clean and Beautiful Grant in the Amount of \$31,000.00, and to Ratify the City
41 Manager’s Approval to Meet the Grant Submission Deadline.
42

1 *(6) Resolution No. 10-256: A Resolution That Will Allow the City of Las Cruces Fire
2 Department (City) to Accept Various Emergency Preparedness Equipment Valued at
3 \$58,362.02 Pursuant to a Grant Funded by the United States Department of Homeland
4 Security, Office of State and Local Government Coordination and Preparedness Through the
5 New Mexico Department of Public Safety, Office of Emergency Management and the Doña
6 Ana County / City of Las Cruces Office of Emergency Management for FY 2006 Grant.
7

8 *(9) Resolution No. 10-259: A Resolution Authorizing the Continuation of the Educational
9 Partnership Between the City of Las Cruces Museum of Art Studio Program and Doña Ana
10 Community College.
11

12 *(10) Resolution No. 10-260: A Resolution Authorizing a Budget Adjustment to Expend
13 Revenues Generated Through Fine Art Museum Arts Sales at the Las Cruces Museum of Art
14 in the Amount of \$3,000.
15

16 -----
17

18 **VII. RESOLUTIONS AND/OR ORDINANCES FOR DISCUSSION**
19

20 *(4) Resolution No. 10-254: A Resolution Authorizing the Las Cruces Sustainability Program
21 to Apply for the New Mexico Environment Department's "New Mexico Recycling and
22 Illegal Dumping Alliance" Grant in the Amount of \$12,000.00, With, No Required In-Kind
23 or Cash Match, and to Ratify the City Manager's Approval to Meet the Grant Submission
24 Deadline.
25

26 Councillor Connor Moved to Adopt Resolution No. 10-254 and Councillor Small Seconded the
27 motion.
28

29 -----
30

31 Councillor Silva asked wouldn't it be more effective to have an office site recycling program rather
32 than having big bins outside?
33

34 Tom Schuster, Sustainability Officer gave an overhead presentation and said we are also working
35 on an internal recycling building. The units are for collection at a public place and we are proposing
36 that one be located at this facility and two others would be place at the recreation complex on
37 Hadley.
38

39 -----
40

41 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-254 and it was
42 Unanimously APPROVED. 7-0

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

*(7) Resolution No. 10-257: A Resolution Authorizing the Application for a Grant From the New Mexico Department of Transportation, Aviation Division, in the Amount of \$173,414.22 for Required Upgrades to the Las Cruces International Airport Fuel Farm.

Councillor Sorg Moved to Adopt Resolution No. 10-257 and Councillor Small Seconded the motion.

Councillor Thomas asked is the City responsible for the other fifty percent?

Lisa Murphy, Airport Director said yes.

Councillor Thomas asked where is the matching funding coming from for Item 7?

Lisa Murphy said that has not been determined yet.

Councillor Thomas said so, by passing this resolution, we are not committing to these funds?

Lisa Murphy said this does not commit us to anything. This is purely an application for the grant and these are environmental regulations that we will have to meet in some way.

Councillor Silva said I think staff needs to include the information regarding where the funding is coming from, in the resolutions.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-257 and it was Unanimously APPROVED. 7-0

*(8) Resolution No. 10-258: A Resolution Authorizing the Application for Two Grants From the New Mexico Department of Transportation, Aviation Division, for Projects at the Las Cruces International Airport, One in the Approximate Amount of \$6,250 For the Replacement of the Automated Weather Observation System (AWOS) and One in the Approximate Amount of \$2,493 For a Wildlife Hazard Assessment.

Councillor Thomas Moved to Adopt Resolution No. 10-258 and Councillor Connor Seconded the motion.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-258 and it was APPROVED. 6-0 Councillor Small was Absent.

BEFORE CONSIDERATION OF THE FOLLOWING RESOLUTION NO. 10-261, A PUBLIC HEARING MUST BE HELD.

Mayor Miyagishima said this item is open for a public hearing. Is there anyone who wishes to speak against this item?

None was given. Mayor Miyagishima closed the public hearing.

Resolution No. 10-261: A Resolution Approving the Transfer of Ownership and Location of Liquor License No. 2712 to Perez Enterprises, LLC D/B/A Beverly Hills Hall Located at 150 North Hermosa, Las Cruces, New Mexico.

Councillor Connor Moved to Adopt Resolution No. 10-261 and Councillor Silva Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-261 and it was APPROVED. 6-0 Councillor Small was Absent.

Resolution No. 10-262: A Resolution Authorizing the City of Las Cruces Police Dept. To Accept Funds in the Amount of \$250,000 (No Matching Funds Required) for a One-Year Project to Reduce Truancy and Collateral Delinquencies, From the Dept. Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP) OJJDP FY10 Earmarks Program - Juvenile Justice and Law Enforcement After School Program, and to Adjust the FY2010 Budget.

Councillor Connor Moved to Adopt Resolution No. 10-262 and Councillor Silva Seconded the motion.

1 Officer Lauris Gallegos, LCPD gave an overhead presentation and said we were notified that there
2 is \$250,000 available but it requires a full-blown grant to be attached to it and the due date is this
3 Thursday, April 22, 2010. This funding could fund the salaries for identified needs within the
4 program. The three main parts of this program are mentoring, truancy and case and crisis
5 management services. I want to mention that there are no matching funds required for this funding.

6

7 Councillor Pedroza asked is this going to be limited to the Mesquite neighborhood?

8

9 Officer Lauris Gallegos said that district feeds all three of the high schools, five of the elementary
10 schools and two of the middle schools and all of these schools are experiencing high truancy rates
11 so this would be one of the areas that we would need to go to fight the truancy problems.

12

13 Councillor Silva asked what is the current truancy caseload?

14

15 Officer Lauris Gallegos said currently, there are 172 cases County wide and of those truancy cases,
16 the students are also failing their classes.

17

18

19

20 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-262 and it was
21 Unanimously APPROVED. 7-0

22

23

24

25 (13) Resolution No. 10-263: A Resolution Authorizing the City of Las Cruces to Apply for the
26 Google "Fiber for Communities" Grant for Fiber Optic Infrastructure Construction, With No
27 Cash or In-Kind Match Specified, and to Ratify the City Manager's Approval to Meet the
28 Grant Submission Deadline.

29

30 Councillor Small Moved to Adopt Resolution No. 10-263 and Councillor Connor Seconded the
31 motion.

32

33

34

35 Auguie Henry, Grant Writer gave an overhead presentation and said Google has put out a bid for city
36 broadband services and they are asking for local governments to submit forms and demographics of
37 their city. They are searching for a city to be a test site for their service. The form was a fill in the
38 blank form which has already been filled out and submitted since the due date was by April 4, 2010.

39

40 Councillor Silva said you stated that this service wasn't free; would it be like our cable bill?

41

42 Auguie Henry said all they stated was that they were going to provide a competitive rate.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-263 and it was Unanimously APPROVED. 7-0

(14) Resolution No. 10-264: A Resolution Authorizing the Proposed Fee Schedule for FY 2010-2011 for the City of Las Cruces Museum System Including the Branigan Cultural Center, the Las Cruces Museum of Art, the Las Cruces Museum of Natural History, and the Las Cruces Railroad Museum.

Councillor Connor Moved to Adopt Resolution No. 10-264 and Councillor Silva Seconded the motion.

Lisa Pugh, Museum of Art Manager gave an overhead presentation and said this is for our annual fee schedule for our entire museum system. These fees offset our expenses and are determined by our cost of supplies, equipment, utilities and in some cases, transportation.

Councillor Small said we want to keep the fees as low as possible to encourage attendance but we also have to consider our budget and being able to cover our cost; is there an area of fall-off?

Lisa Pugh said the fees are set so they offset our expenses; there is very little revenue that is generated over and above our expenses. We do work with people who can't afford the fee by devising a payment plan and we also have scholarships available.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-264 and it was Unanimously APPROVED. 7-0

(15) Resolution No. 10-265: A Resolution Authorizing Change Order Number One to Amendment Number Two; to the Contract With Jaynes Corporation, Inc., of Albuquerque, New Mexico (As Originally Approved by Council Via Resolution 08-09-504), for the Construction of the Main Street Improvements and to Establish a Guaranteed Maximum Price (GMP) of \$_____ ; Plus New Mexico Gross Receipts Tax of \$_____ ; for a Total Contract Authorization of \$_____ ; and Amending the FY10 Budget.

1
2 Councillor Connor Moved to Adopt Resolution No. 10-265 and Councillor Small Seconded the
3 motion.

4

5

6

7 Mike Johnson, Public Works Director gave an overhead presentation and said staff will be
8 suggesting that this item be tabled after this discussion. I want to mention that all three of the
9 projects that we are providing to you today, don't have sufficient funding to move forward. We have
10 had several public meetings regarding this issue since March 2009 and the current design does
11 include fifty trees and three different shade structures. We have \$265,000 available in State
12 appropriated funding and approximately an additional \$731,000 that is available to apply for, for this
13 northern project. The three options we are providing to you are; the first option is to build Main
14 Street from Lucero Street to Las Cruces Street which would only be the underground portion with
15 the exception of the street lighting; there could be budget adjustments made to cover the installation
16 of the landscaping and the above ground street furniture. The second option would be the full build
17 out of the project, from Lucero Street to Hadley Street which would be the complete road
18 construction, the landscaping; but, that would not connect the street. The third option would be the
19 complete build out of the road, including the above and under ground amenities. We could consider
20 getting some of the funding from our general fund, the GRT street maintenance funds, the MFA new
21 street project fund or from the Downtown TIDD.

22

23 Councillor Small said when this does come back to us, we would really like to have ways that we
24 can use some of our local contractors and have bid transparency for this project.

25

26 Mike Johnson said we had to go with Jaynes Construction to secure the funding but as part of their
27 bid process, they only contracted local firms.

28

29 Councillor Small said I know we have to come up with more funding but I would be very
30 uncomfortable using funds from our GRT street maintenance.

31

32 Councillor Connor said no one wants to see a street without landscaping but the whole purpose of
33 this project is to open up that street and get traffic moving through this area. I would be hesitant to
34 open up a couple of blocks that we already have landscaped and beautiful, just to have a street that
35 you can drive from one end to another. It would be a hard sell to the community to say we have this
36 end and this end done but you can't drive through the middle. I would lean more toward using TIDD
37 funds and having a complete street.

38

39 Councillor Silva said we need to be resourceful and use some of our local artists for this project.

40

41 Councillor Connor said I would be in favor of option one.

42

1 Councillor Pedroza said I agree that we need have a full street so I would go with option one.

2

3 Cindi Fargo, Downtown Las Cruces Partnership said our board has suggested that we ask this
4 Council to move forward with full force and maximize your resources to opening Main Street
5 entirely.

6

7 Dan Jett, Member of the Public said options two and three look the same but have different costs;
8 you have the wrong information on the computer screen.

9

10 Mayor Miyagishima said thank you for pointing that out and we will correct it.

11

12 Greg Smith, Downtown Las Cruces Partnership said opening this street means a great deal for this
13 city.

14

15 Councillor Connor asked if we decide to use the TIDD funds, would we need to have a TIDD
16 meeting prior to making a decision to use these funds?

17

18 Mark Sutter, Finance Director said the Council is also the TIDD Board but we'll figure that out at
19 that time.

20

21

22

23 Councillor Silva Moved to Table Resolution No. 10-265 until May 3, 2010 and Councillor Connor
24 Seconded the motion.

25

26

27

28 Mayor Miyagishima called for the roll on the Motion to Table Resolution No. 10-265 until May 3,
29 2010 and it was Unanimously APPROVED. 7-0

30

31

32

33 **VIII. BOARD APPOINTMENTS**

34

35 Mayor Miyagishima re-appointed Paul R. Miller to the Housing Authority.

36

37 Mayor Miyagishima re-appointed Christopher Cruz, Marla Ridgeway, Paul Whatley and appointed
38 Ali Ahmad and Ryan Dailey to the Fourth of July Committee.

39

40 Mayor Miyagishima re-appointed Andrew Burke to the Transit Advisory Board.

41

1 Mayor Miyagishima re-appointed Janet Green, Mark Santiago and appointed Michael Beckett to the
2 Convention & Visitors Bureau.

3

4

5

6 Councillor Connor Moved to Approve the Mayor's Board Appointments to the Housing Authority,
7 the Fourth of July Committee, the Transit Advisory Board and the Convention & Visitors Bureau
8 and Councillor Small Seconded the motion.

9

10

11

12 Mayor Miyagishima called for the roll on the Motion to Approve the Mayor's Board Appointments
13 to the Housing Authority, the Fourth of July Committee, the Transit Advisory Board and the
14 Convention & Visitors Bureau and it was Unanimously APPROVED. 7-0

15

16

17

18 **IX. REVIEW OF PROPOSED ORDINANCE(S)**

19

20 None given.

21

22

23

24 **X. STATUS/UPDATES ON CURRENT PROJECT LIST**

25

26 1. **State Legislative Fall Back**

27 2. **Strategic Plan** - *(Implementation documents being prepared, finalizing plan for council
28 review and consideration.)*

29 3. **Las Cruces Convention Center** – *(Exterior steel framing, sheathing and insulation in
30 process including roof membrane installation, mechanical and electrical rough-in as well
31 as completion of fireproofing of beams and columns. Site work continues with installation
32 of water and gas utilities, concrete pour for loading dock as well as for trellis areas.)*

33 4. **Downtown Main Street Construction** - *(The project design is ongoing with Bohannan-
34 Huston, Inc. Bohannan-Huston has completed the design for the north end portion of the
35 project. The City is currently in the process of receiving final prices for the northern
36 portion and should be going to Council for approval in April /May 2010. Bohannan-
37 Huston has begun the design of the southern portion of the project)*

38 5. **Impact Fees** – *(The project is on-going. The project is in Phase II - Development of the
39 Impact Fee Capital Improvements Plan (IFCIP). The project Consultant prepared a
40 summary of the service area options derived from the discussions held by the City
41 Council during the Work Sessions in March, April, and May of 2009. The purpose of the
42 summary is to provide information in a concise format for the CIAC and City Council to*

1 use in making their decision on which service area option to use in the IFCIP document
2 to calculate the impact fees. Staff presented the summary document to the CIAC for the
3 first time on November 19, 2009. The CIAC further discussed the service area options at
4 their meeting on December 17, 2009 and made a recommendation of Option 3: "Growth
5 Area' Impact Fees only". The summary document and recommendation from CIAC were
6 presented to the City Council at the January 11, 2010 City Council work session. Staff
7 presented additional information at the February 17, 2010 City Council work session.
8 City Council directed staff to proceed with exempting the "In-fill" area of the city;
9 keeping the Public Safety fee as a city-wide fee; and, to consider excluding or showing
10 the West Mesa Industrial Park separately. Staff will proceed with a resolution for
11 approval by the City Council to solidify this direction. Staff is working with the
12 consultant to modify the contract to redo the Land Use Assumptions and proceed with
13 finalizing the Impact Fee Capital Improvements Plan.)

14 6. **Vision 2040** – (The current drafts are posted on the Vision 2040 website
15 (<http://vision2040.nmsu.edu>) and are available on CD and in print upon request. Staff
16 has submitted comments to the consultant based on public input and staff review. Revised
17 drafts are forthcoming.)

18 7. **Citywide Swimming Pool Enhancement Program** – (Several building related activities
19 continues for the aquatic center including but not limited to texture gypsum board
20 ceilings, electrical, fire sprinkler, mechanical-HVAC trim, aluminum window system
21 installation and painting of CMU walls. Pool construction activities include finishing
22 rebar and beginning shotcrete for leisure pool area, work in pump pit area as well as
23 mechanical room. Site work includes utility connections and grading.)

24 8. **Development and Construction of the Intermodal Facility** - (The Selection Advisory
25 Committee completed the interviewing and rating process of the top three highest ranked
26 firms and a selection has been made. Staff will begin contract negotiations with the top
27 selected firm and will forward a proposed contract to City Council for consideration in
28 the near future.)

29 9. **Bicycle Facilities Planning** - (May is National Bicycling Month. The Education and
30 Encouragement Work Group of the Bicycle Friendly Community Task Force (BFC) is
31 working on several ideas for events in May. The proposals include a series of
32 neighborhood bicycle rides, a series of articles promoting bicycling in Las Cruces, Bike
33 to Work Day on May 21st, the Ride of Silence on May 19th, and a proclamation declaring
34 May as National Bicycle Month.)

35 10. **EPA Smart Growth Implementation Assistance Program (SGIA)** - (Phase One
36 continues on the project, titled: Making Redevelopment Work for the Neighbors: The El
37 Paseo Project. The main purpose of the project is to develop a robust public
38 participation model for deliberative planning and visioning. The EPA staff team and
39 federal partners from Federal Highway Administration (FHA) and Housing and Urban
40 Development (HUD) together with City staff, policy makers, and stakeholders conducted
41 an initial site visit in January 2010 which included a tour of the El Paseo area and

1 meetings with business, transportation, housing and policymaking groups. The Scope of
2 Work continues to reflect new resources from the federal partners. For example, monies
3 for potential economic development strategies may be available. Future events are being
4 discussed like a Walk & Safety Audit in late April/early May and two visioning charrettes
5 in the fall of 2010. Staff is continuously reaching out to a diverse set of public and
6 stakeholders in the El Paseo area, and is available to discuss this project with any
7 interested parties or individuals. Regular conference calls occur on Tuesday from 1:00-
8 2:00 PM in Room 1158, City Hall, 700 Main Street.)

- 9 11. **New City Web Site** – (The new web site is scheduled to go live in the July-August
10 timeframe. Content from the current web site is being migrated to the new site. Some
11 significant re-work of content is required to provide a unified design and user interface
12 functionality, and to upgrade existing content to ADA and Section 508 standards.
13 Departmental stakeholders (who will be responsible for authoring content) have been
14 involved in a number of meetings to provide inputs on the new web site as well. The new
15 site will support greater citizen engagement by providing citizens the ability to receive
16 information via RSS feeds, newsletters, and alerts, as well as providing new content and
17 capabilities. The next phase in the project will involve training departmental authors in
18 the use of the content management system editor, authoring methods, and pertinent
19 standards, guidelines, and laws.)
- 20 12. **Downtown Revitalization Activities** - (Construction on La Placita has been delayed
21 until mid April. Construction is expected to take 6 months. The legislature has passed the
22 Las Cruces TIDD and the Governor has signed it.)
- 23 13. **Police Auditor Procurement Update**
- 24 14. **Grants/ARRA Status** - (Matrix.)

25
26 -----
27
28 **XI. GENERAL DISCUSSION**

29
30 1. **MAYOR**

31
32 Mayor Miyagishima said regarding the County's sewer plant that they are trying to put on North
33 Valley, do we have the capacity to help them so they don't have to build another sewer plant?

34
35 Jorge Garcia, Utilities Director said we do have the capacity to serve the North Valley area but there
36 are some legal restrictions.

37
38 Mayor Miyagishima said I was asked to create a committee called the "Las Cruces Art Commission"
39 which would enhance the art and cultural events for the City.

40

1 Mayor Miyagishima said we received confirmation from our Lobbyist Larry Horan that there is no
2 legislation regarding the cell phone hands free issue. I would like for staff to begin working on
3 clarifying our cell phone penalty.

4

5 Terrence Moore, City Manager said we are in the process of making arrangements to bring that issue
6 back before Council in May.

7

8

9 2. **CITY COUNCIL**

10

11 Councillor Thomas said I would like to thank Mike Johnson for the work on the Telshor/Lohman
12 Project and it looks like it is almost completed.

13

14 Mike Johnson, Public Works Director said they are currently working on the striping of the streets
15 and it should be done in about another week.

16

17 Councillor Thomas said on Thursday at 8:30 a.m. at the Las Cruces Community Center, there is
18 going to be a discussion regarding the Downtown turnaround.

19

20 Councillor Sorg passed.

21

22 Councillor Small said I have some constituents that brought the PACE Program to my attention
23 which is a program that helps the elderly with nursing home services in their own homes. In New
24 Mexico, the only place this program is available is in Albuquerque but we are working on trying to
25 bring it down here to Las Cruces. There will be a meeting regarding this program on Friday at the
26 Munson Senior Center.

27

28 I also want to make sure we are still planning public meetings for the El Molino project.

29

30 Last week, I attended a meeting with the Department of Transportation regarding the proposed
31 rehabilitation of Valley Drive and this is a much needed project that will help ease the heavy traffic
32 areas; especially around Mayfield High School.

33

34 Councillor Pedroza said tomorrow afternoon at 1:00 p.m., here in the City Council conference room,
35 there will be a meeting with the group that is handling the Community Gardens Project.

36

37 I continue to see people tripping on the first step in Chambers and we need to put up a sign that states
38 "watch your step."

39

40 Councillor Connor said we need to remove some of the seats in Chambers because they are right
41 against the wall and people are hesitating to sit in that area.

42

1 There was a remarkable turnout for the White Sands Film Festival and it was a great event.

2

3 The Audit Department is going through every department and the first report we received was from
4 the Public Works Department which did have some findings listed. I would like to see that when
5 these audits are done that two or three Councillors sit down with the Auditor and the Department
6 Director to go through any findings that are listed in the report.

7

8 Terrence Moore said I can make arrangements to that effect.

9

10 Councillor Silva said it would be nice for the City Manager to provide information regarding
11 matching funds in our Council report.

12

13 It was brought to my attention by the Project Management Team that there are trucks that park up
14 against the concrete wall of the parking lot which in the long run will cause damage to the wall. This
15 is an issue that needs to be addressed.

16

17 The echo is really bad here in Chambers and we need to check on the status of the sound cushions.

18

19 Terrence Moore said we are still waiting on the delivery of the sound cushions which will be
20 installed as soon as they get here.

21

22 Councillor Silva said I feel that we should hire an independent auditor for our project management.

23

24 Terrence Moore said the City has an external audit process that includes looking into our projects.

25

26 Councillor Silva said I think we need an additional outside audit done. I have concerns with our
27 process for gross maximum pricing for projects.

28

29 Mayor Miyagishima said we have professionals working for us and we get audited every year so if
30 there are any findings then they will come out.

31

32 Councillor Thomas said I think that when we do a project and it states this amount is the gross
33 maximum price then we need know exactly what is included within that maximum price.

34

35 Councillor Silva said I would just like to get the cost for an outside auditor and then we can decide
36 at that time if we want to have one.

37

38 I attended the White Sands Film Festival and I think there is a lot of potential in the film industry
39 for our area.

40

41

42

1 3. **CITY MANAGER**

2

3 A. Update Concerning Revenue Forecasts and Projections.

4

5 Dick Gebhart, Budget Director gave an overhead presentation regarding the quarterly updates of
6 revenue forecasts and projections and said we are showing some improvement but it is a very
7 sluggish pattern due to the economic situation.

8

9

10 B. Update of the Status of the Billing Software Implementations.

11

12 Robert Scaling, Treasurer gave an overhead presentation regarding the status of the billing
13 software implementations and said we went live with this system on August 11th. There were
14 some issues in the beginning but we have overcome them.

15

16 Councillor Connor said I would like to know how many payments have actually been collected
17 from Western Union after we have about six months worth of data. Has the drop off box from
18 the old City Hall been relocated to this facility?

19

20 Robert Scaling said yes.

21

22

23

24 Mayor Miyagishima left the meeting at approximately 7:18 p.m.

25

26

27

28 C. Other Items - Information Only

29

30 None given.

31

32

33

34 **Meeting Adjourned at 7:24 p.m.**