City Council
of the
City of Las Cruces

Special Meeting

December 13, 2010
3:00 P.M.
Council Chambers, City Hall

MEMBERS PRESENT:	**STAFF:**
Mayor Ken Miyagishima	Terrence Moore, City Manager
Councillor Miguel Silva, District 1	Harry (Pete) Connelly, Interim City Attorney
Councillor Dolores Connor, District 2	Esther Martinez, City Clerk
Councillor Olga Pedroza, District 3	
Councillor Nathan Small, District 4	
Councillor Gill Sorg, District 5	
Councillor Sharon Thomas, District 6	

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 I would like to add another item under Item 1 for discussion; Item 1A: Engineering Studies and Reporting on the Historic Amador Hotel.

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 APPROVED. 6-0 Councillor Small was Absent.

I. 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 given.

II. RESOLUTIONS FOR DISCUSSION

1. Resolution No. 11-138: A Resolution Approving an Agreement Employing Robert L. Garza as City Manager Effective January 1, 2011.

Councillor Connor Moved to Adopt Resolution No. 11-138 and Councillor Sorg Seconded the motion.

Mayor Miyagishima said this is the contract for City Manager and we are going to be appointing Robert Garza as our City Manager effective January 1, 2011 with the annual base salary of $149,500 with a $6,000 per year or $500 per month car allowance as well as the other benefits.

Councillor Connor said this is a three-year contract.

Mayor Miyagishima said that is correct.

Councillor Silva said I want to mention that there was a transition committee formed about four weeks ago to explore the options for a new City Manager and we brought forward our findings at our Closed Meeting.

Rob Richardson, Member of the Public said I want to say that I support Robert Garza.

Ron Camunez, Member of the Public/Bohannon-Huston said I would like to thank Terrence for the work he has done as our City Manager and I am looking forward to working with Robert Garza as our new City Manager.

Alvin Dominguez, Member of the Public/NMDOT said I want to thank Terrence for the wonderful job he has done for this City and I think Robert Garza is very deserving of the City Manager position.

George Griffin, Member of the Public/Dona Ana Arts Council said I just want to say that it has been

great working with Terrence and we are looking forward to working with Mr. Garza.

Councillor Connor said I just want to say that there have been many stages of this process and a lot of thought went into it.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 11-138 and it was Unanimously APPROVED. 7-0

1A. Engineering Studies and Reporting on the Historic Amador Hotel.

Richard Turietta, NMSU Engineering School gave an overhead presentation and said the components that have been analyzed are the roof joint and beams, second floor bedroom joists and beams, second floor office joists and beams, balcony joists and beams and the main hall columns. The roof structural analysis is very straightforward, Live and Dead Loads combine to a very reasonable Ultimate Load which is easily handled by the current joists and beams. The second floor joists and beams in all cases except those of the second floor supporting joists were up to code. The joists in question are those supporting the second floor bedrooms. A straightforward fix is recommended which the fix is supporting the joists on underlying vigas. The balcony is structurally sound but it is recommended that the balcony be leveled. The columns in the main hall are structurally sound. The Historic Amador Hotel is structurally sound and can be restored and adaptively reused. The recommended next steps to allow more visibility to the building is to complete a Phase 1 and 2 environmental site assessments, expose historic structure by removing all added architectural features, remove carpet in selected rooms that will hold fund-raising events in order to assess the floor structure condition and the removal of select gypsum board ceiling to assess roof members.

Councillor Silva asked have you looked at a timeline or a total cost for this project?

Sonia Cooper, NMSU and Amador Hotel Foundation said the architect firm gave us a phasing report and phase one which is the designing and structural analysis comes to about $100,000, phase two thru five are the building stages. The timeline will depend upon our fundraising abilities.

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2. Resolution No. 11-139: A Resolution Authorizing the City of Las Cruces to Accept Awarded Funding on Behalf of the Thomas Branigan Memorial Library from the New Mexico State Library, Grants-In-Aide Program FY 2010/2011 and to Adjust the City of Las Cruces FY 2011 budget for the Amount of $9,647.84 with No Match Required.

Councillor Connor Moved to Adopt Resolution No. 11-139 and Councillor Sorg Seconded the motion.

Auguie Henry, Grants Administrator said there is a typo that will need to be corrected; the actual amount needs to be changed from $9,647.84 to $8,647.84.

Councillor Thomas Moved to Amend Resolution No. 11-139 to change the actual amount from $9,647.84 to $8,647.84 and Councillor Connor Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to Amend Resolution No. 11-139 to change the actual amount from $9,647.84 to $8,647.84 and it was Unanimously APPROVED. 7-0

Esther Martinez, City Clerk said we will also need another amendment to change the 4th Whereas amounts in parenthesis from $4,323.82 to $4,323.92

Councillor Connor Moved to Amend Resolution No. 11-139 for the 4th Whereas amounts in parenthesis be changed from $4,323.82 to $4,323.92 and Councillor Sorg Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to Amend Resolution No. 11-139 for the 4th Whereas amounts in parenthesis be changed from $4,323.82 to $4,323.92 and it was Unanimously APPROVED. 7-0

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 11-139 as Amended and it was Unanimously APPROVED. 7-0

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3. Resolution No. 11-140: A Resolution Authorizing the city of Las Cruces, on behalf of the Facilities Department, to Accept Funding in the Amount of $266,330 With a Required 20% Match, Met by Funds Set Aside in the Amount of $125,115.40 for Alameda Property Group, and In-Kind City Services for the Trail's Construction, From the New Mexico Energy, Minerals and Natural Resources Department (NMEMNRD), Recreational Trails Program, to Construct a Pedestrian/Bicycle Trail in the Alameda Arroyo; to Accept the Trail Easement from Las Cruces Public Schools, to Ensure Public Access to the Recreational Trail Improvements Funded by this Grant for a Minimum of Twenty-Five (25) Years, to Ratify the City Manager Acceptance of the Grant Funds and Adjust the FY2011 Budget.

Councillor Connor Moved to Adopt Resolution No. 11-140 and Councillor Thomas Seconded the motion.

Auguie Henry, Grants Administrator said this is to approve a 25 year easement that we need to development a trail in the Alameda Arroyo. This is part of a project that the Alameda Property Group had provided $125,000 for median upgrades in a prior City project. In January 2010, Council approved using that as part of the matching for a grant in the amount of $266,330 from the New Mexico Department of Energy and Minerals but the stipulation was that we had to have a 25 year easement on the property. We got approval from the School Board for the easement and your approval must be accomplished before December 31, 2010 in order for this grant to be finalized.

Councillor Thomas said it took a while to work things out with the school and I want to thank staff for all the work they've done.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 11-140 and it was Unanimously APPROVED. 7-0

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4. Resolution No. 10-11-461: A Resolution Awarding a Purchase Order to Proforce Marketing in the Amount of $52,053 for Dona Ana County Sheriff's Department Issued Tasers, city of Las Cruces as Fiscal Agent, Thru the Recovery Act: Justice Assistance Grand and to Adjust FY 2011 Budget.

Councillor Connor Moved to Adopt Resolution No. 10-11-461 and Councillor Small Seconded the motion.

Auguie Henry, Grants Administrator gave an overhead presentation and said the City of Las Cruces and the Dona Ana County Sheriff's Office (DASO) received $447,870 from the American Recovery and Reinvestment Act; Edward Byrne Memorial Justice Assistance Grant Program. DASO received $166,312 of the grant award and they budgeted $73,466 of the grant funds for the purchase of tasers and associated equipment to be issued to Certified Law Enforcement Officers currently employed with the department. The City of Las Cruces approved Proforce Marketing as a vendor for the tasers and related equipment for the purchase amount of $52,053 and as per the City Procurement Code Section 24-99, purchases of good in excess of $50,000 must be brought before Council for approval.

Councillor Silva asked what is the process for issuing these tasers?

Auguie Henry said we don't issue the tasers. The tasers are purchased by DASO and they are their property.

Councillor Silva said so we are purchasing these for them and not for ourselves.

Auguie Henry said that is correct. The City is the fiscal agent for DASO in the spending of these funds.

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 10-11-461 and it was Unanimously APPROVED. 7-0

Meeting Adjourned at 4:03 p.m.