

Special Meeting
June 8, 2011



City Council
of the
City of Las Cruces

Item 4

Special Meeting

June 8, 2011

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 **Absent**
- 19 Councillor Gill Sorg, District 5
- 20 Councillor Sharon Thomas, District 6

- Robert Garza, City Manager
- Harry (Pete) Connelly, City Attorney
- Esther Martinez, City Clerk

DRAFT

Mayor Miyagishima called the meeting to order and led the Pledge of Allegiance.

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.*

None given.

II. ORDINANCES FOR DISCUSSION / ADOPTION

(1) Council Bill No. 11-038; Ordinance No. 2618: An Ordinance Authorizing the Issuance and Sale of the City of Las Cruces, New Mexico State Shared Gross Receipts Tax Improvement Revenue Bonds, Series 2011A, in an Aggregate Principal Amount of \$10,000,000 for the Purposes of Paying Costs of Construction of Roadways and Construction, Furnishing and Equipping of Facilities; Providing That the Bonds Will Be Payable and Collectible from the Pledged State Shared Gross Receipts Tax Revenues Distributed to the City; Approving

1 Certain Other Agreements and Documents in Connection Therewith; Prescribing Other
2 Details Concerning the Bonds and the Funds Appertaining Thereto; Ratifying Action
3 Previously Taken in Connection Therewith; and Repealing All Action in Conflict Herewith.
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5 Councillor Connor Moved to Adopt Council Bill No. 11-038; Ordinances No. 2618 and Councillor
6 Silva Seconded the motion.
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10 Kevin Powers gave an overhead presentation and said the web-based bond sale was held this
11 morning and we had four bidders for the Flood Control bonds which were George K Baum &
12 Company, Hutchinson, Shockey, Erley & Company, Robert W. Baird & Company, Inc. and
13 Southwest Securities, Inc. Robert W. Baird was the best TIC bid at 2.69% and after some
14 restructuring the final results were an issue size of \$1,530,000 and the TIC was 2.786%. We had six
15 bidders for the Series 2011A bonds which were George K Baum & Company, Stifel Nicolaus &
16 Company, Inc., Hutchinson, Shockey, Erley & Company, Morgan Stanley & Company, Inc., Robert
17 W. Baird & Company, Inc., and Southwest Securities, Inc. Robert W. Baird was the best TIC bid at
18 2.869% and after the restructuring the final result was an issue size of \$9,640,000 and the TIC was
19 2.875%.

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21 Councillor Thomas said this is good timing and you presented a good report.
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23 Duane Brown said we are going to need to substitute these ordinances with ordinances that we have
24 inserted the purchase price from today's bid. In this case, the purchaser is required to send in a good
25 faith deposit that is equal to 2% of the amount of the bond issues so Robert W. Baird has sent in
26 \$230,000 and it has been confirmed that money is in the City's treasury.
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30 Councillor Connor Moved to Amend Council Bill No. 11-038; Ordinance No. 2618 to include the
31 substitute ordinance and Councillor Thomas Seconded the motion.
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35 Mayor Miyagishima called for the roll on the Motion to Amend Council Bill No. 11-038; Ordinance
36 No. 2618 to include the substitute ordinance and it was APPROVED. 6-0 Councillor Small was
37 Absent.
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1 Mayor Miyagishima called for the roll on the Motion to Adopt Council Bill No. 11-038; Ordinance
2 No. 2618 as Amended and it was APPROVED. 6-0 Councillor Small was Absent.

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6 (1) **Council Bill No. 11-039; Ordinance No. 2619:** An Ordinance Authorizing the Issuance and
7 Sale of the City of Las Cruces, New Mexico State Shared Gross Receipts Tax Revenue
8 Bonds, (Flood Control Projects), Series 2011B, in an Aggregated Principal Amount of
9 \$1,500,000 for the Purpose of Defraying the Cost of Flood Control Projects; Providing That
10 the 2011B Bonds Will Be Payable from the Revenues Derived from the Fifth One Quarter
11 of On Percent (1/4%) Increment of Municipal Gross Receipts Tax Distributed to the City;
12 Establishing the Maturity Dates, Interest Rates and Other details of the Bonds; Approving
13 the Execution of Certain Documents Relating to the Bonds; Ratifying Action Previously
14 Taken in Connection Therewith; and Repealing All Action in Conflict Herewith.

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16 Councillor Connor Moved to Adopt Council Bill No. 11-039; Ordinances No. 2619 and Councillor
17 Thomas Seconded the motion.

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21 Councillor Connor Moved to Amend Council Bill No. 11-039; Ordinance No. 2619 to include the
22 substitute ordinance and Councillor Silva Seconded the motion.

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26 Mayor Miyagishima called for the roll on the Motion to Amend Council Bill No. 11-039; Ordinance
27 No. 2619 to include the substitute ordinance and it was APPROVED. 6-0 Councillor Small was
28 Absent.

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32 Mayor Miyagishima called for the roll on the Motion to Adopt Council Bill No. 11-039; Ordinance
33 No. 2619 as Amended and it was APPROVED. 6-0 Councillor Small was Absent.

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37 Meeting Adjourned at 1:27 p.m.