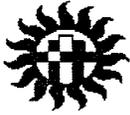


Regular Meeting
August 15, 2011



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

Regular Meeting

**August 15, 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
- 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

I. OPENING CEREMONIES

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

Presentation of Certificates of Appreciation/Proclamations.

Mayor Miyagishima and a representative from the Animal Services Center of the Mesilla Valley presented the Pet of the Week.

Mayor Miyagishima presented Distinguished Service Awards for Tough Enough to Wear Pink Organization to Pat Sisbarro, Laura Conniff, Magellia Boston and Mary Henson.

Mayor Miyagishima and Councillor Pedroza presented the Mayor's Citation for Public Safety Award to Jennifer Terrazas.

Councillor Thomas presented a Proclamation to Jennifer Terrazas and declared August 15, 2011 as Jennifer Terrazas Day.

Councillor Thomas presented a Proclamation to Ann Carlson and declared August 15, 2011 as City of Las Cruces Museums Volunteer Appreciation Day.

1
2 Councillor Thomas and Councillor Sorg gave verbal presentations regarding the NMML Upcoming
3 Annual Conference Resolutions.

4
5 -----
6

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

11
12 Mayor Miyagishima asked if anyone had any conflicts with anything on the agenda?

13
14 None given.

15
16 **DRAFT**
17

18 **III. PUBLIC PARTICIPATION**

19
20 Russ Warner, Member of the Public said I'd like to thank Council and staff for the excellent job they
21 do on recycling. Our neighbors are now recycling and things are ending up where they should be
22 instead of in our landfills.

23
24 Councillor Silva asked can we have the South Central Solid Waste Authority give us an update on
25 the status of the Recycling Program?

26
27 Klaus Kemmer, Solid Waste Administrator said I have been keeping track of the solid waste and it
28 has reduced a little bit but not as much as I had hoped. We're looking at a savings of about \$100,000
29 a year on the fees that I pay to South Central for disposal.

30
31 David Cunniff, Member of the Public gave an overhead presentation on the status of his
32 neighborhood which is in the Roberts Drive area.

33
34 -----
35

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

39
40 Mayor Miyagishima said Items 2, 5 and 9 need to be removed from the Consent Agenda for
41 discussion.

1

2

3

4 Councillor Small Moved to approve the Agenda as Amended and Councillor Thomas Seconded the
5 motion.

6

7

8

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

11

12

13

14 **V. RESOLUTIONS AND/OR ORDINANCES FOR CONSENT AGENDA**

15

16 *(1) Resolution No. 12-028: A Resolution Authorizing the Las Cruces Museum of Art to Accept
17 a Grant from the New Mexico Arts Grant Program in the Amount of \$6,394.00 with a
18 \$1,598.50 Cash Match Requirement for the "New Mexico: 100 Years of Art" Exhibit, to
19 Ratify the City Manager's Signature on the Grant Acceptance Package, and to Adjust the FY
20 2012 Budget.

21

22 *(3) Resolution No. 12-030: A Resolution Authorizing the Acceptance of Grant Funding on
23 Behalf of the Las Cruces Police Department in the Amount of \$8,400 From the New Mexico
24 Department of Transportation for the Reimbursement of Overtime and Training Expenses
25 for Pedestrian Safety Enforcement Blitzes, to Ratify the City Manager's Approval of the
26 Project Agreement, and to Adjust the FY 2012 Budget.

27

28 *(4) Resolution No. 12-031: A Resolution Authorizing the City of Las Cruces to Accept a Grant
29 Award in the Amount of \$1,287,336 With No Match Required From the Department of
30 Homeland Security, Federal Emergency Management Agency's FY 2010 Staffing for
31 Adequate Fire and Emergency Response (Safer) Grants Program and to Adjust FY 2012
32 Adopted Budget.

33

34 *(6) Resolution No. 12-033: A Resolution Authorizing the City of Las Cruces to Accept a
35 Contract in the Amount of \$544,857 from the North Central New Mexico Economic
36 Development District Non-Metro Area Agency on Aging for Fiscal Year 2011-2012 to
37 Provide Congregate and Home Delivered Meals, Health Promotion, In-Home Respite,
38 Caregiver Support, Grandparents Raising Grandchildren Support Services and to Adjust the
39 Fiscal Year 2011-2012 City Budget.

40

41 *(7) Resolution No. 12-034: A Resolution Authorizing the City of Las Cruces to Accept a Grant
42 Award for Fiscal Year 2011-2012 in the Amount of \$37,779 From the Corporation for

1 National and Community Service for the Retired and Senior Volunteer Program and to
2 Adjust the Fiscal Year 2011-2012 City Budget.

3
4 *(8) Resolution No. 11-12-311: A Resolution Awarding an Indefinite Quantity, Indefinite Cost
5 Price Agreement for the Senior Nutrition Program to Creamland Dairies LLC, of El Paso,
6 TX and Shamrock Foods Company of Albuquerque, NM for Fiscal Year 2011-2012 for the
7 Period September 1, 2011, Through June 30, 2012, With the Option to Renew for Three (3)
8 Additional One (1) Year Periods Subject to Approved Budget Appropriations and Annual
9 Renewal.

10
11 *(10) Council Bill No. 12-006; Ordinance No. 2628: An Ordinance Approving a Zone Change
12 from R-1A (Single-Family Medium Density) to O-1 (Office, Neighborhood-Limited Retail
13 Service) for 0.30 ± Acres of Land Located at 2220 South Solano Drive. Submitted by Kirk
14 Clifton on Behalf of Sandra Espiritu, Property Owner (Z2831).

15
16 *(11) Council Bill No. 12-007; Ordinance No. 2629: An Ordinance Approving a Zone Change
17 From C-2 (Commercial Medium Intensity) to C-3 (Commercial High Intensity) for 1.55 ±
18 Acres of Land Located at 4790 Stern Drive. Submitted by Mario Manriquez on Behalf of
19 A & E Enterprises Inc., Property Owner (Z2938).

20
21 -----
22
23 **VI. RESOLUTIONS AND/OR ORDINANCES FOR DISCUSSION**

24
25 *(2) Resolution No. 12-029: A Resolution Authorizing the Las Cruces Transit Section to
26 Accept \$617,500.00 From the Federal Transit Administration, Section 5309 Capital
27 Funds with a City Match Requirement of \$154,375.00 for the Purpose of Creating an
28 Architectural and Engineering Design for the Proposed Transit Maintenance and
29 Operations Facility, to Ratify the City Manager's Signature on the Grant Acceptance
30 Package, and to Adjust the FY 2012 Budget.

31
32 Councillor Small Moved to Adopt Resolution No. 12-029 and Councillor Sorg Seconded the
33 motion.

34
35 -----
36
37 Councillor Sorg said there is a City match requirement of \$154,000 but I didn't see any budget
38 analysis for that money.

39
40 Michael Bartholomew, Transit Administrator said the budget was put together by the Grants
41 Office but I believe it is going to come out of our fund balance for the General Fund.

42

1 Councillor Silva asked what is the total cost of this project?

2

3 Eric Martin, Project Management Administrator said it is closer to \$23 million to \$25 million.

4

5 Robert Garza, City Manager said the budget summary is included in your packet on page 23.

6 There is an ending balance of \$282,000 for the Transit Fund and we are planning on taking the

7 \$154,000 from those funds.

8

9

10

11 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-029 and it was

12 Unanimously APPROVED. 7-0

13

14

15

16 *(5) Resolution No. 12-032. A Resolution Authorizing the City of Las Cruces to Accept
17 Donation and Transfer of 10.08 Acre Property From Doña Ana County.

18

19 Councillor Silva Moved to Suspend the Rules and discuss Items 5 and-13 concurrently and

20 Councillor Small Seconded the motion.

21

22

23

24 Mayor Miyagishima called for the roll on the Motion to Suspend the Rules and discuss Items 5

25 and 13 concurrently and it was Unanimously APPROVED. 7-0

26

27

28

29 Councillor Sorg Moved to Adopt Resolution No. 12-032 and Councillor Thomas Seconded the
30 motion.

31

32

33

34 Cathy Mathews, Landscape Architect gave an overhead presentation and said this is to accept the

35 County's donation of a 10.08 acre property for the construction of a neighborhood park. The

36 County passed a resolution for this transfer on June 14, 2011 and the New Mexico Board of

37 Finance must approve the transfer which upon the City's approval of this resolution, the County

38 will be taking the issue before them at their September meeting. The BLM, Local, State and the

39 DC offices must approve the transfer and issue a Certificate of Transfer. There are plans to

40 include a playground area, street walkways to connect both sidewalks, native plants, trail

41 improvements and there are park impact fees already designated for the construction of this park.

42

1 Brian Denmark, Assistant City Manager said the park impact fees are the old impact fees and
2 they can only be used in this part of the community; correct?

3

4 Cathy Mathews said that is correct.

5

6 Councillor Thomas said the public meeting was well attended; I think there were about fifty
7 people there, and this is going to be a neighborhood park that won't include things like basketball
8 courts or tennis court to draw other people from other neighborhoods to the area.

9

10 Councillor Pedroza said the park won't occupy the entire lot of land; correct?

11

12 Cathy Mathews said that is correct.

13

14 Councillor Silva asked what will the annual operations cost be for this park?

15

16 Cathy Mathews said I don't know the annual operations cost for this park but we don't anticipate
17 that it will drastically add to the operations cost for the Parks Department because the majority of
18 it will remain naturally undeveloped and we are going to try to keep down the maintenance cost
19 during the designing process.

20

21 Councillor Silva said regarding the cemetery, will we doing any type of recognition for any
22 Veterans that are buried there?

23

24 Cathy Mathews said the cemetery was a pauper cemetery that was operated by the County from
25 the time it was obtained from the BLM so I think the County has the records of who is buried
26 there but I'm not sure if it is detailed out as to whether or not they were Veterans. We will look
27 into though.

28

29 Armando Cordero, Dona Ana County said I'm not sure if we know who is buried there because
30 there aren't any kinds of plaques in this cemetery but I think there is only about twenty-four
31 people buried there.

32

33 Brian Denmark, Assistant City Manager said there is currently \$229,085 which I think will be
34 used for the construction of the park and the maintenance across the board is about fifty cents per
35 square foot but the maintenance for this park should be about ten cents per square foot.

36

37 Councillor Sorg asked will the County still be putting people in the cemetery?

38

39 Cathy Mathews said no, it is my understanding that the County's current practice for paupers is
40 cremation.

41

42

1

2 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-032 and it was

3 Unanimously APPROVED. 7-0

4

5

6

7 *(9) Council Bill No. 12-005; Ordinance No. 2627: An Ordinance Amending Sections 13-
8 102, 13-105, and 13-106 of the City's Affordable Housing General Oversight Ordinance
9 Within the Las Cruces Municipal Code, 1997, as Amended.

10

11 Councillor Small Moved to Adopt Council Bill No. 12-005; Ordinance No. 2627 and Councillor

12 Sorg Seconded the motion.

13

14

15

16 David Dollahon, Neighborhood Development Administrator gave an overhead presentation and
17 said we have three sections of Chapter 13 regarding our Affording Housing General Oversight
18 Ordinance that are before you for amendment. This is to ensure the continuation of compliance
19 with the State's Affordable Housing Act and the appropriate rules created under it. The
20 amendment to Section 13-102 adds new definitions for contribution and market value and it
21 amends the definition of housing assistance grant, residential housing and adds qualification
22 requirements for rental requirements of persons of low and moderate incomes. The amendment
23 to Section 13-105 revises the language and the amendment to Section 13-106 adds new language
24 for single family property. There is a substitution for Exhibit A which is on the third page and it
25 is correcting a typo on the third page which currently states "which ever one is less" and it should
26 state "which ever one is longer" and that is how it is stated in the substitution.

27

28

29

30 Councillor Connor Moved to Amend Council Bill No. 12-005; Ordinance No. 2627 to include
31 the substituted Exhibit A and Councillor Thomas Seconded the motion.

32

33

34

35 Mayor Miyagishima called for the roll on the Motion to Amend Council Bill No. 12-005;
36 Ordinance No. 2627 to include the substituted Exhibit A and it was Unanimously APPROVED.

37 7-0

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40

41 Mayor Miyagishima called for the roll on the Motion to Adopt Council Bill No. 12-005;
42 Ordinance No. 2627 as Amended and it was Unanimously APPROVED. 7-0

1 -----

2

3 (12) Resolution No. 12-035: A Resolution Authorizing the City of Las Cruces to Enter Into a
4 Memorandum of Agreement (MOA) With the New Mexico Department of Transportation
5 for the Construction of Del Rey Blvd. And Elks Drive as Part of the NMDOT I-25 Grade
6 Separation at Engler Project.

7

8 Councillor Small Moved to Adopt Resolution No. 12-035 and Councillor Thomas Seconded the
9 motion.

10

11 -----

12

13 Mike Johnson, Public Works Director gave an overhead presentation and said the New Mexico
14 Department of Transportation (NMDOT) has programmed \$10.4 million for the construction of the
15 I-25 grade separation at Engler Road project which will construct Engler Road under I-25 connecting
16 Del Rey Boulevard and Elks Drive. The project is scheduled for bid in October 2011 and the
17 construction would begin in February 2012. The City's major responsibilities would be for the design
18 and construction of the Del Rey Boulevard and Engler Road intersection and improvements to Del
19 Rey Boulevard, own and maintain Engler Road between Elks Drive and Del Rey Boulevard and the
20 intersection with Del Rey and Elks Drive and to maintain ownership and maintenance
21 responsibilities of the traffic signals at the intersection of Engler Road and Elks Drive and the
22 intersection of Engler Road and Del Rey Boulevard. The contract with Gannett Fleming West to
23 design Engler Road and Del Rey Boulevard has been executed for the amount of \$43,222. The Del
24 Rey Boulevard and Engler Road Improvements Project will be included in the FY12-13 budget and
25 the estimated project cost will be between \$175,000 to \$250,000.

26

27 Councillor Sorg said this is going to help with the east and west connections in this city.

28

29 Councillor Silva said this states that we are going to be the fiscal agent so when there are purchases
30 of right-of-ways; how are we going to go about it?

31

32 Mike Johnson said we are looking at right-of-ways in the Elks area and the Del Rey area so NMDOT
33 will be handing the areas along the red line on the diagram and we would be handling the rest.

34

35 -----

36

37 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-035 and it was
38 Unanimously APPROVED. 7-0

39

40 -----

41

1 (13) Resolution No. 12-036: A Resolution Authorizing the City of Las Cruces to Apply for a
2 Recreation or Public Purpose Lease With the Bureau of Land Management for a Park Site
3 Located on Paseo de Oñate.

4
5 Councillor Small Moved to Adopt Resolution No. 12-036 and Councillor Sorg Seconded the motion.

6
7 -----
8
9 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-036 and it was
10 Unanimously APPROVED. 7-0

11
12 -----
13
14 (14) Resolution No. 11-12-317: A Resolution Awarding the Contract for the South Main Street
15 Improvements Project to Burn Construction Company Inc., of Las Cruces New Mexico in
16 the Amount of \$1,203,560.68 Plus \$91,019.28 for New Mexico Gross Receipts Tax. The
17 City Manager is Authorized to Approve Change Orders in an Amount Not to Exceed
18 \$85,597.47, for a Total Project Authorization of \$1,380,177.43 and to Amend the FY
19 2011/2012 Budget.

20
21 Councillor Small Moved to Adopt Resolution No. 11-12-317 and Councillor Sorg Seconded the
22 motion.

23
24 -----
25
26 Mike Johnson, Public Works Director gave an overhead presentation and said this is for the award
27 to Burn Construction for the South Main Street Improvements Project. The project will consist of
28 new asphalt paving, new sidewalks, drive pads to conform to the current Americans with Disabilities
29 Act, installation of a new storm drain system, installation of new water, gas and sanitary sewer lines,
30 removal of existing concrete pavement and there will be no changes made to the existing irrigation
31 ditch. There were four bids received and Burn Construction came in with the lowest bid. The
32 contract duration is for 160 working days and the funding sources are from NMDOT, MAP, Street
33 Maintenance, Flood Control and Utility Funds.

34
35 Councillor Sorg said this seems to be a very expensive project; is this a normal cost for this type of
36 project?

37
38 Mike Johnson said for an urban project, it doesn't jump out as being absorbingly high. There are
39 some additional things like the replacement of the concrete that is about forty to fifty years old and
40 that added a little more to the cost.

41

1 Councillor Small said I think this project was a good choice and it is good to see this moving
2 forward.

3

4 Councillor Connor asked will you have to obtain any right-of-ways for the installation of the
5 sidewalks?

6

7 Mike Johnson said no.

8

9 Councillor Connor said there are some very old and large trees near the corner going to the plaza,
10 what are you going to do about them?

11

12 Mike Johnson said I don't have an answer for you right now but I will check into it for you.

13

14 Councillor Connor said I have concerns with dealing with old infrastructure and not having enough
15 funds available. I don't think \$85,000 is going to be enough.

16

17 Councillor Small said I know you rebid this project because the first bids were too high and I think
18 you deserve a "hats off" for rebidding it.

19

20

21

22 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 11-12-317 and it was
23 Unanimously APPROVED. 7-0

24

25

26

27 **VII. BOARD APPOINTMENTS**

28

29 Mayor Miyagishima appointed Dr. Adrian Hanson to the Las Cruces Utilities Board.

30

31

32

33 Councillor Connor Moved to Approve the Mayor's board appointment of Dr. Adrian Hanson to the
34 Las Cruces Utilities Board and Councillor Small Seconded the motion.

35

36

37

38 Mayor Miyagishima called for the roll on the Motion to Approve the Mayor's board appointment
39 of Dr. Adrian Hanson to the Las Cruces Utilities Board and it was Unanimously APPROVED. 7-0

40

41

42

DRAFT

1 Mayor Miyagishima appointed John G. Hadley (Building Industry), Arlene Ehly (Realty Industry),
2 Bill Allen (Las Cruces Chamber) and Sylvia Lauer (Land Title Industry) to the Land Bank and Trust
3 Advisory Committee.

4
5
6

7 Councillor Connor Moved to Approve the Mayor’s board appointments of John G. Hadley (Building
8 Industry), Arlene Ehly (Realty Industry), Bill Allen (Las Cruces Chamber) and Sylvia Lauer (Land
9 Title Industry) to the Land Bank and Trust Advisory Committee and Councillor Small Seconded the
10 motion.

11
12
13

14 Mayor Miyagishima called for the roll on the Motion to Approve the Mayor’s board appointments
15 of John G. Hadley (Building Industry), Arlene Ehly (Realty Industry), Bill Allen (Las Cruces
16 Chamber) and Sylvia Lauer (Land Title Industry) to the Land Bank and Trust Advisory Committee
17 and it was Unanimously APPROVED. 7-0

18
19
20

DRAFT

21 **VIII. REVIEW OF PROPOSED ORDINANCE(S)**

22

23 (15) Council Bill No. 12-008; Ordinance No. 2630: An Ordinance Authorizing the Execution and
24 Delivery of a Loan Agreement and Intercept Agreement by and Between the City of Las
25 Cruces, New Mexico (The “Governmental Unit”) and the New Mexico Finance Authority,
26 Evidencing a Special, Limited Obligation of the Governmental Unit to Pay a Principal
27 Amount of \$2,045,000, Together with Interest Thereon, for the Purpose of Refunding the
28 Gasoline Tax Improvement Revenue Bonds, Series 2000A and Paying a Loan Processing
29 Fee; Providing for the Payment of the Principal and Interest Due under the Loan Agreement
30 Solely from the Pledged Gasoline Tax Revenues of the Governmental Unit Distributed to the
31 Governmental Unit by the State Taxation and Revenue Department, Providing for the
32 Distribution of Those Pledged Gasoline Tax Revenues to Be Redirected by the State
33 Taxation and Revenue Department to the New Mexico Finance Authority or its Assigns for
34 the Payment of Principal and Interest Due on the Loan Agreement Pursuant to an Intercept
35 Agreement; Approving the Form and Terms Of, and Other Details Concerning the Loan
36 Agreement and the Intercept Agreement; Ratifying Actions Heretofore Taken; Repealing All
37 Action Inconsistent with this Ordinance; and Authorizing the Taking of Other Actions in
38 Connection with the Execution and Delivery of the Loan Agreement and Intercept
39 Agreement.

40
41
42

41 Mayor Miyagishima and Council agreed to bring this item back.

1 (16) Council Bill No. 12-009; Ordinance No. 2631: An Ordinance Repealing Subdivision VII,
 2 Municipal Housing Authority, Sections 2-646 Through 2-649 of Chapter 2 of the Las Cruces
 3 Municipal Code, 1997, as Amended, and Amending Section 2-737 to Reflect the New Name
 4 of the Mesilla Valley Public Housing Authority for Their Appointees to the City's Affordable
 5 Housing Land Bank and Trust Fund Advisory Committee.

6
 7 Mayor Miyagishima and Council agreed to bring this item back.
 8
 9 -----

10
 11 **IX. GENERAL DISCUSSION**

12
 13 **1. MAYOR**

14
 15 Mayor Miyagishima passed.

16 **DRAFT**
 17
 18
 19 **2. CITY COUNCIL**

20
 21 Councillor Thomas said Councillor Sorg and I attended the Transportation Summit in Irvin, Texas
 22 and there was a lot of discussion regarding the reauthorization legislation that currently is in
 23 Congress and what's going to happen when the gas tax expires so it was a very interesting event.
 24 There is an organization called Transportation Excellence for the 21st Century and they decided that
 25 they were going to put together a statewide transportation plan. They have now moved it to
 26 Oklahoma and Arkansas to work on other high speed corridors and they are interested in having us
 27 join their organization. They are interested in having a corridor that runs from El Paso to Las Cruces
 28 and beyond to places like Albuquerque and Colorado. I think the cost of the membership is \$3,000
 29 but I will have to get back to you with the exact amount.

30
 31 We have an opportunity to learn about sustainability in the Military on September 8, 2011 here in
 32 the Council Chambers from 7:00 to 9:00.
 33
 34 -----

35
 36 Councillor Sorg said what if we saw today that an airplane crashed in El Paso that killed 92 people,
 37 that is the number of people that die on our highways every day so we need to do something about
 38 our transportation system.

39
 40 -----
 41

1 Councillor Small said I brought up that we need to have scanning capabilities at the dais and I'd like
2 to know what is going on with it.

3

4 Robert Garza, City Manager said we have looked into it but we don't have any equipment right now.
5 There is equipment that we can use but we have concerns about people showing up with documents
6 and putting them on TV without us having the opportunity to review them.

7

8 Councillor Small said I'd like for us to have something in place sooner than later with the proper
9 policies in place.

10

11 I know it was just brought up at the last meeting but I'd like to have some follow-up regarding
12 expanding the permits for flags on properties.

13

14 I think the Neighborhood Summit idea is a great idea and I like the idea of doing it on a weekend.

15

16 I was reflecting on the ordinance passed relating to impact fees becoming effective in January 2013
17 and I think we should further fine tune it and consider instead of having a specific date, do it by the
18 economic indicators like the growth of the GRT.

19

20 I'd like to thank Alma Cortez with the Codes Department for the quick response regarding some
21 code issues. I have been involved in Neighborhood and Police Department meetings to discuss
22 Neighborhood Watch Groups and other things like the Gang Task Force and no one ever left the
23 meetings feeling like they wasted their time.

24

25 Mayor Miyagishima said regarding the impact fee issue, you'd like to have a resolution in place that
26 would fine tune the definition of the economy picking up.

27

28 Councillor Small said yes.

29

30 Councillor Silva said I agree that the economic indicators do need to be defined and I think we
31 should have an economic summit in the next month or so.

32

33 Robert Garza, City Manager said to clarify, you want to revisit the implementation timeline, have
34 staff look at the mechanisms and come up with some suggestions for indicators of the community's
35 economic health.

36

37 Mayor Miyagishima said I don't know about revisiting but we want to fine tune it to say that the
38 impact fees won't take place until we see the economy pick up and define picking up.

39

40

41

1 Councillor Pedroza said I have strong reservations on beginning the impact fee process again
2 because we've already had 37 public meetings regarding impact fees. I think we can explore
3 economic indicators that we can look at to satisfy people but my inclination is not to restart this
4 process.

5
6 I recently had my computer hacked and everyone on my contact list received an email stating that
7 I was stranded and needed them to send me money. I changed my password and I spoke with the
8 Attorney General and they suggest that you use fourteen characters for your password.

9
10 I have volunteered to teach fifth graders about the Constitution, Bill of Rights and the Freedom of
11 Speech and I would like to challenge my other legal colleges to do the same.

12
13 There will be a Food Summit on September 30 and October 1 at the Court Youth Center.

14
15 There is some graffiti at Young Park so I will be calling our Codes Department.

16
17 A few years ago I visited the Federal Court in Albuquerque and at that time they had state of the art
18 technology and they have a device that allows the judge to see a document before it is shown to the
19 courtroom so that might be something Mr. Garza could look into for us.

20
21 -----

22
23 Councillor Connor said I want to give a big kudos to the Music in the Park event at Young Park, it
24 was a great event and there were about 200 people there.

25
26 The White Sands Film Festival will be here in the last weekend of August and it will begin that
27 Thursday night.

28
29 Regarding the issues with signs and flags, there is a church property on Sonoma Ranch Boulevard
30 and they are unable to put a sign stating "future home of" because they haven't pulled a building
31 permit. The problem is that they need to raise the funds to build the church so maybe we need to
32 exempt churches from these restrictions.

33
34 I have been asked about the weed citations and how it includes a possible penalty of 90 days in jail
35 so we may need to review it and have Alma Cortez give a presentation to explain why they are so
36 strict.

37
38 I received an email on Saturday morning from the Mesilla Valley Soccer League stating that they had
39 to again cancel the women's match and seven men's matches on Thursday and Friday because the
40 fields didn't have any lines and the goals were not secure. Some of these teams come from
41 Alamogordo, Deming and other areas and they had secured the field but we didn't have it ready for
42 them. This has happened before and I'd like an explanation on why the field wasn't prepared.

1

2

3

4 Councillor Silva said I also want to compliment the City for the Music in the Park series this summer
5 because they have been great events.

6

7 I'd like to thank the Chief for attending the neighborhood meeting this past week in District 1, it was
8 very informative. There was a conversation regarding police cameras and I'd like to ask the Chief
9 where we are on getting something like that in place?

10

11 Chief Williams, LCPD said we are in the process of utilizing a \$9,000 grant from the Transportation
12 Safety Bureau for cameras. There are other things to consider besides the cost of the cameras and
13 that is the storage capacity, the retention schedule and it has to be compatible with our current
14 system.

15

16 Councillor Silva said I was contacted by the Mayor of Deming and he is part of the Border Trade
17 Alliance and one of the initiatives that they are trying to move forward is allowing mexican nationals
18 to come into the U.S. for 72 hours and increase the mileage from 25 miles to 50 miles.

19

20 I want to mention that the Salsa Fest is kicking off our Centennial Celebration on August 28, 2011.

21

22

23

24

3. CITY MANAGER

25

A. Other items - Information Only.

26

27 Robert Garza, City Manager said there is a lot of activity that has been happening in the Las
28 Cruces Utility Board so I am going to start giving monthly reports on the updates regarding that
29 board.

30

31 There were some issues this month with the printing of the utility bills so some residents are
32 receiving their bills after the due date but I'd like everyone to know that there won't be any late
33 fees issued this month.

34

35 Regarding the Joint Superfund Project, we awarded the bid to Highland Enterprise for about \$2
36 million for the clean up project. We had estimated the cost at about \$3.5 million but we were
37 able to get it at a much lower cost.

38

39 I want to remind everyone that school is back in session so everyone needs to be aware of the
40 school zones and watch out for the kids.

41

1 We have closed our outdoor pools and the Aquatics Center pool is scheduled to be closed for a
2 week or two for cleaning but then it will be re-opened to the public year round.

3

4 We are having an Open House this Thursday for a meet and greet with our new Assistant City
5 Manager Mark Winson.

6

7 Regarding the trees on South Main, I just want to let you know that the trees will remain there
8 but there will be some shrubs removed.

9

10

11

12 **Meeting Adjourned at 4:15 p.m.**

DRAFT