

Regular Meeting  
September 19, 2011



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

**Regular Meeting**

**September 19, 2011**

**1:00 P.M.**

**Council Chambers, City Hall**

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**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 **ABSENT**
- 20 Councillor Sharon Thomas, District 6

- Mark Winson, Assistant City Manager
- Harry (Pete) Connelly, City Attorney
- Esther Martinez, City Clerk

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**I. OPENING CEREMONIES**

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

28 Presentation of Certificates of Appreciation/Proclamations.

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

33 Mayor Miyagishima recognized the Mayor's Top Teens of 2011.

35 Councillor Silva and Councillor Connor presented a Proclamation to Mark Johnston and declared September 26, 2011 as Play Day.

38 Councillor Silva presented a Proclamation to Rachel Morningstar and declared October 24, 2011 as Food Day.

41 Councillor Silva presented a Proclamation to Jim Bates and Sandy Schemnitz and declared September 24, 2011 as National Hunting and Fishing Day.

1 John Christopher, Comcast Cares made a presentation for Comcast Cares Day at Alameda  
2 Elementary to Leslie Cervantes, Las Cruces Public Schools.

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4 John Northcutt, Chairman of the Art on Loan Ad Hoc Committee presented a report to City Council.

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

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

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15 None given.

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19 **III. PUBLIC PARTICIPATION**

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21 None given.

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25 **IV. ACCEPTANCE OF AGENDA: THOSE ITEMS ON THE AGENDA INDICATED BY**  
26 **AN ASTERISK (\*) ARE ON THE CONSENT AGENDA AND WILL BE VOTED ON**  
27 **BY ONE MOTION.**

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29 Mayor Miyagishima said Item 6 needs to be removed from the Consent Agenda for discussion.

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33 Councillor Silva Moved to approve the Agenda as Amended and Councillor Small Seconded the  
34 motion.

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38 Mayor Miyagishima called for the roll on the Motion to accept the Agenda as Amended and it was  
39 APPROVED. 6-0 Councillor Sorg was Absent

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**V. CITY COUNCIL MINUTES**

\* (1) Regular Meeting of September 6, 2011

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

\* (2) Resolution No. 12-048: A Resolution Authorizing the City of Las Cruces to Accept a Grant Award Modification to Decrease Grant Award Number G10SN0006A by the Amount of \$3,778.86 From the Office of National Drug Control Policy for the Support of the Regional Interagency Drug Task Force and the Warren Reese Southern New Mexico High Intensity Drug Trafficking Area Law Enforcement Center at the Southwest Border of New Mexico High Intensity Drug Initiative, to Ratify the Mayor's Approval of the Modified Contract and to Adjust FY 2012 Budget.

\* (3) Resolution No. 12-049: A Resolution Authorizing a Contract With the New Mexico High Intensity Drug Trafficking Areas Investigative Support Center for the Reimbursement of Law Enforcement Overtime Expenses for Domestic Highway Enforcement Operations in the Amount of \$9,450, to Ratify the City Manager's Approval of the Contract, and to Adjust the FY 2012 Budget.

\* (4) Resolution No. 12-050: A Resolution Authorizing the City of Las Cruces to Accept a Nutrition Service Incentive Program (NSIP) Agreement for Cash-in-Lieu of Commodities from the North Central New Mexico Economic Development District Non-Metro Area Agency on Aging for Fiscal Year 2012 in the Amount of \$136,752, and to Adjust the City's Fiscal Year 2012 Budget.

\* (5) Resolution No. 12-051: A Resolution Accepting a Grant from the New Mexico Department of Transportation, Fiscal Year 2011/2012 Municipal Arterial Program in the Amount of \$210,018.00 for Rehabilitation and Drainage Improvements to Amador Avenue from 17<sup>th</sup> Street to Motel Blvd.; and to Amend the Fiscal Year 2011/2012 Budget. A 25% City Match of \$70,006.00 Is Required.

\* (7) Council Bill No. 12-010; Ordinance No. 2632: An Ordinance Approving a Zone Change from PUD (Planned Unit Development) to R-2 (Multi-Dwelling Low Density) for 15.64 ± Acres of Land Located at 1571 Medina Drive. Submitted by Thomas Hassell, Executive Director on Behalf of the Housing Authority of the City of Las Cruces, Property Owner (Z2838).

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

\*(6) Resolution No. 12-052: A Resolution Endorsing the Efforts of a Regional Consortium Steering Committee That is Preparing a Sustainable Communities Regional Planning Grant to the US Department of Housing and Urban Development.

Councillor Small Moved to Adopt Resolution No. 12-052 and Councillor Thomas Seconded the motion.

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Councillor Silva asked how much are we actually applying for with this grant?

Councillor Thomas said the County is working on a project and so are we, so we decided to work together but the County will be taking the lead and will be the fiscal agent. It is due October 6<sup>th</sup> and we'd like to kinda of build off of our El Paseo project plan.

Councillor Silva said it is my understanding that this is to be used to create something like an umbrella, we're not creating anything new here.

Councillor Thomas said yes, the first step would be to pull everyone together and work together to pull funding.

David Weir, Community Development said we'd be looking at about a \$4 million project and the match would be a minimum of 20% of that amount. The City's contribution would be in-kind services for our portion of the match.

Councillor Thomas said it would be 20% over 3 years and when you consider all the members, it really isn't that much.

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Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-052 and it was APPROVED. 6-0 Councillor Sorg was Absent.

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(8) Resolution No. 12-053: A Resolution Designating a Voting Delegate and an Alternate to Attend the Annual Business Meeting of the National League of Cities on Saturday, November 12, 2011, in Phoenix, Arizona.

1 Councillor Small Moved to Adopt Resolution No. 12-053 and Councillor Silva Seconded the  
2 motion.

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6 Esther Martinez, City Clerk said we need to appoint a Voting Delegate and an Alternate to attend  
7 the Annual Business Meeting of the National League of Cities which will be held on November 12<sup>th</sup>  
8 in Phoenix, Arizona.

9

10 Councillor Silva said I would like to attend this meeting.

11

12 Councillor Thomas said I would like to go as well.

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16 Councillor Connor Moved to Amend Resolution No. 12-053 to select Councillor Silva as the Voting  
17 Delegate and Councillor Thomas as the Alternate and Councillor Thomas Seconded the motion.

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21 Mayor Miyagishima called for the roll on the Motion to Amend Resolution No. 12-053 to select  
22 Councillor Silva as the Voting Delegate and Councillor Thomas as the Alternate and it was  
23 APPROVED. 6-0 Councillor Sorg was Absent.

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27 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-053 as Amended  
28 and it was APPROVED. 6-0 Councillor Sorg was Absent

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32 (9) Resolution No. 12-054: A Resolution Approving a Home Investment Partnership Act  
33 (HOME) Program Agreement Between the City of Las Cruces and Tierra Del Sol Housing  
34 Corporation for Direct Down Payment Assistance of Affordable Housing Units.

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36 Councillor Connor Moved to Adopt Resolution No. 12-054 and Councillor Thomas Seconded the  
37 motion.

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41 David Dollahon, Neighborhood Services Administrator gave an overhead presentation and said this  
42 is a Home Agreement with Tierra Del Sol Housing Corporation. It is to provide direct down-payment

1 assistance to ten low income households that are working through the Tierra Del Sol's Home  
2 Ownership Program. There is a total of \$75,000 in assistance from the Home Program which equals  
3 \$7,500 for each household.

4

5 Mayor Miyagishima said I put this on the non-consent so people can see the types of programs that  
6 are available and some of the things that the City is doing.

7

8 Councillor Thomas said I highly support Tierra Del Sol's work.

9

10 Councillor Pedroza said Tierra Del Sol does excellent work throughout the County but I was  
11 wondering if it would be possible for someone from Tierra Del Sol to come and give us a  
12 presentation?

13

14 David Dollahon said we will coordinate with the Mayor and the City Manager to try to schedule a  
15 Work Session for them to give a presentation to Council.

16

17 Russ Warner, Member of the Public said this is a great program but what you need to look at is at  
18 the present time, most of the lenders are really exercising a tight underwriting policy which is  
19 requiring larger down payments. I think it would be very important for any applicant to do some  
20 research before applying to a mortgage lender because being rejected from one can hurt them when  
21 applying with someone else.

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25 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-054 and it was  
26 APPROVED. 6-0 Councillor Sorg was Absent

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

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36 Councillor Connor Moved to Adopt Council Bill No. 12-009; Ordinance No. 2631 and Councillor  
37 Thomas Seconded the motion.

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41 David Dollahon, Neighborhood Services Administrator gave an overhead presentation and said  
42 there will need to be a two-part amendment to different sections of Chapter two of the Municipal

1 Code. The first part relates to repealing Sections 2-646 through 2-649, removes the Housing  
2 Authority Board of Commissioners as a non-standard board from the City's Board Ordinance. This  
3 is needed in order to facilitate the future merger between the City and County's Housing Authorities.  
4 The second part amends Section 2-737, facilitating the new merged Mesilla Valley Public Housing  
5 Authority (MVPHA) Board representation on the City's Affordable Housing Land Bank and Trust  
6 Fund Advisory Committee (AHLBTF) and requires that the AHLBTF Advisory members for  
7 MVPHA representatives be City appointees. There will be five members on the board which two will  
8 be appointed by the Mayor, two appointed by the County Commission and the fifth member would  
9 have to be a resident commissioner that is appointed by both the Mayor and the County Commission.  
10 The added language needs to have an effective date of January 1, 2012. Once the preliminary  
11 agreement to create MVPHA has been agreed to by the City, county and Housing Authority staff,  
12 it will need to be reviewed and approved by HUD then after it is reviewed by the State Auditor, it  
13 will need to be adopted by the City Council and the County Commission with the effective date of  
14 January 1, 2012.

15

16 Councillor Connor asked what is the State Auditor going to be reviewing; is there a JPA?

17

18 David Dollahon said no, the Municipal Housing Statute clearly states that we don't have to do a Joint  
19 Powers Agreement, it only has to be adopted by resolution. We are requesting a component unit  
20 determination for audit purposes from the State Auditor because the board would be totally separate  
21 from the City and the County's audits.

22

23 Councillor Silva said under accountability, it talks about "upon receipt of written request, MVPHA  
24 will make records available to the parties and to any Federal, Local and State party", and that really  
25 concerns me because it is almost like we are setting up a organization or a system that is very similar  
26 to how Memorial General Hospital was set up years ago. It was very difficult to get records from  
27 them for our audit and if we set this up the same way then to me, that's not transparency.

28

29 David Dollahon said under Section 2 Fiscal Agency, Item B-9, that provides all accounting records  
30 necessary to prepare a stand alone statement shall be by a certified independent public accountant  
31 certified by the MVPHA and all applicable records shall be included in the annual audited financial  
32 statement. They will have to do an annual audit which is public record.

33

34 Mayor Miyagishima said this is similar to other City and County joint boards and having it as a stand  
35 alone makes it separate from the City; isn't that correct, David?

36

37 David Dollahon said that is correct. The difference is unlike the other boards, the MVPHA will have  
38 it's own financial books.

39

40 Councillor Silva asked when did we do a cost benefits analysis?

41

42 David Dollahon said we did not do a cost benefits analysis because most of the County's money that

1 goes to the Housing Authority is primarily Section 8 vouchers which can be used anywhere inside  
2 Dona Ana County, inside the City limits. This is being done at the request of the current Housing  
3 Authority to reduce their administrative burden because HUD is looking at cutting administrative  
4 funds to the extent as possible.

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8 Councillor Connor Moved to Amend Council Bill No. 12-009; Ordinance No. 2631 to add a Section  
9 5 that states this ordinance will go into effect on January 1, 2012 and that the previous roman  
10 numeral five be renumbered to number six and Councillor Small Seconded the motion.

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14 Mayor Miyagishima called for the roll on the Motion to Amend Council Bill No. 12-009; Ordinance  
15 No. 2631 to add a Section 5 that states this ordinance will go into effect on January 1, 2012 and that  
16 the previous roman numeral five be renumbered to number six and it was APPROVED. 6-0  
17 Councillor Sorg was Absent

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21 Mayor Miyagishima called for the roll on the Motion to Adopt Council Bill No. 12-009; Ordinance  
22 No. 2631 as Amended and it was APPROVED. 6-0 Councillor Sorg was Absent

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26 (11) Council Bill No. 12-011; Ordinance No. 2633: An Ordinance Approving a Zone Change  
27 From C-2 (Commercial Medium Intensity) to C-3C (Commercial High Intensity-Conditional)  
28 for 7.10 ± Acres of Land Located at the Northeast Corner of Bataan Memorial West and  
29 Morningside Road; Parcel ID# 02-22393 and 02-22394. Submitted by Manuel and Martha  
30 Moreno, Rafael E. Marquez, Property Owners (Z2839).

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32 Councillor Connor Moved to Adopt Council Bill No. 12-011; Ordinance No. 2633 and Councillor  
33 Thomas Seconded the motion.

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37 Adam Ochoa, Planner gave an overhead presentation and said the applicant is proposing to develop  
38 a convention center / exhibition hall on the subject properties which would require a C-3C zoning  
39 designation. Staff strongly recommends conformance to Urban design Element of the  
40 Comprehensive Plan, Goal 3, Policy 3.9.4 and Goal 3, Policy 3.10.5 to help mitigate the mixed land  
41 uses. The re-zoning request is consistent with the Goals, Objectives and Policies of the City of Las  
42 Cruces Comprehensive Plan. On July 26, 2011, the Planning and Zoning Commission recommended

1 conditional approval for the zone change request. The conditions are stipulated as follows: (1) land  
2 use for the proposed C-3C zoning designation is limited to an events center only, (2) the developer  
3 shall comply with all requirements of the 2001 Zoning Code as amended, including adequate  
4 buffering between the proposed development and the residential uses to the north and the east, (3)  
5 tall shade trees around the perimeter of the property shall be required to help buffer the proposed use  
6 from the residential uses adjacent to the property, (4) the developer shall comply with Urban Design  
7 Elements of the Comprehensive Plan, Goal 3, Policy 3.9.4 and Goal 3, Policy 3.10.5 to help mitigate  
8 the mixed land uses, (5) access to the proposed C-3 property shall be from Bataan Memorial West  
9 only, Morningside Road shall be used for emergency services only, no commercial access shall be  
10 permitted off Lemo Drive for the proposed C-3 property and (6) all new utilities shall be placed  
11 underground. Staff recommends that Council consider eliminating conditions 2, 3 and 4 and that  
12 condition 5 be restated to read "primary access to the proposed C-3 property be from Bataan  
13 Memorial West only and secondary access to Morningside Road be reserved for emergency services  
14 only.

15

16 Mayor Miyagishima said I didn't put this on the consent agenda because there is a lot of noise related  
17 to event halls and I wanted to make sure that the residents in that area are aware of it.

18

19 Councillor Connor said the report states that there is a medium water fire flow, can you explain it?

20

21 Adam Ochoa said there will need to be some improvements made to increase the water fire flow  
22 which will be addressed during the building permit process.

23

24 Councillor Pedroza said I would be interested in knowing what the response is from the residents  
25 in that area.

26

27 Adam Ochoa said we have sent out public notices and certified letters to the surrounding area and  
28 we have not received any public comments as of yet. We did receive a letter before the Planning and  
29 Zoning Commission meeting from a resident who was concerned with the lighting and the noise but  
30 all those issues will be addressed in accordance to the Code.

31

32 Councillor Pedroza asked have you had any public meetings with the neighbors?

33

34 Adam Ochoa said we have only had the Planning and Zoning meeting.

35

36 Dan Lilley, Lilley Engineering said I did the traffic analysis for this project. They did knock on every  
37 door in the area and they were able to contact everyone except one neighbor. The main concerns  
38 were with the traffic, drainage, lights, the things that we will have to conform to by City standards  
39 when we develop the property. I would like to clarify for the Moreno's, there is a requirement of  
40 access only through Bataan Memorial West; should the Highway Department not allow us access  
41 through Bataan Memorial and force us to have access through Morningside; that would be a conflict

1 between their wishes and the zoning restrictions. If that was the case, would we have to be back  
2 before Council for an additional change or would we be able to work with staff on it?

3

4 Harry (Pete) Connelly, City Attorney said that request wasn't considered by the Planning and Zoning  
5 Commission and they would have to hear his request for access through that street so it would be  
6 inappropriate for the City Council to decide on something that wasn't before the Planning and  
7 Zoning Commission.

8

9 David Weir, Community Development Director said the Planning and Zoning recommended that  
10 condition, could Council just not approve that condition? Maybe we can have a recess to discuss this  
11 with the City Attorney.

12

13 Harry (Pete) Connelly said I would like to have a conference to discuss this issue with staff.

14

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17 Councillor Connor Moved for a five minute recess and Councillor Small Seconded the motion.

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21 Mayor Miyagishima said all those in favor signify by saying Aye.

22

23 Council said Aye.

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27 Cheryl Rodriguez, Development Services Administrator said the conditions that were brought  
28 forward to the Planning and Zoning Commission was that no primary access could come from  
29 Morningside Road. Basically, the main reason is that you don't want commercial access through a  
30 residential neighborhood so with Bataan Memorial being an arterial, staff was recommending that  
31 the access be granted. If NMDOT doesn't allow access there then it will have to go back to staff and  
32 we will have to review the whole site conditions and do another assessment which then would have  
33 to go back to Planning and Zoning.

34

35 Adrian Moreno, Owner's son said regarding your concerns with the noise, this building is going to  
36 be made of cinder block and there will be plenty of buffering which will help take care of a lot of  
37 the noise and light. We would like to pave it so there will be less dust and this building will help  
38 bring some movement to that area.

39

40 Mayor Miyagishima said I would recommend that you install "R Channel" walls because it really  
41 does hold in the noise.

42

1 Councillor Thomas said I don't recommend that you put loud speakers outside in the parking lot.

2

3 Councillor Small said thank you for the clarification and I think it is a good opportunity to keep  
4 people in Las Cruces instead of them having to have their events in El Paso.

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8 Councillor Thomas Moved to Amend Council Bill No. 12-011; Ordinance No. 2633 to include three  
9 conditions which are (1) land use for the proposed C-3C zoning designation is limited to a  
10 Convention Center Exhibition Hall only, (2) primary access to the proposed C-3 property shall be  
11 from Bataan Memorial West only, Morningside Road shall be used as a secondary access for  
12 emergency services only, and (3) all new utilities shall be placed underground and Councillor  
13 Connor Seconded the motion.

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17 Mayor Miyagishima called for the roll on the Motion to Amend Council Bill No. 12-011; Ordinance  
18 No. 2633 to include three conditions which are (1) land use for the proposed C-3C zoning  
19 designation is limited to a Convention Center Exhibition Hall only, (2) primary access to the  
20 proposed C-3 property shall be from Bataan Memorial West only, Morningside Road shall be used  
21 as a secondary access for emergency services only, and (3) all new utilities shall be placed  
22 underground and it was APPROVED. 6-0 Councillor Sorg was Absent

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26 Mayor Miyagishima called for the roll on the Motion to Adopt Council Bill No. 12-011; Ordinance  
27 No. 2633 as Amended and it was APPROVED. 6-0 Councillor Sorg was Absent

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### 31 **VIII. BOARD APPOINTMENTS**

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33 Mayor Miyagishima appointed Pleddie Baker (District 4) to the Senior Programs Advisory Board.

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37 Councillor Small Moved to Approve the Mayor's Board Appointment of Pleddie Baker (District 4)  
38 to the Senior Programs Advisory Board and Councillor Connor Seconded the motion.

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1 Mayor Miyagishima called for the roll on the Motion to Approve the Mayor's Board Appointment  
2 of Pleddie Baker (District 4) to the Senior Programs Advisory Board and it was APPROVED. 6-0  
3 Councillor Sorg was Absent.

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7 Mayor Miyagishima appointed Dawn Starostka (District 6) to the Convention and Visitors Bureau  
8 Advisory Board.

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12 Councillor Thomas Moved to Approve the Mayor's Board Appointment of Dawn Starostka (District  
13 6) to the Convention and Visitors Bureau Advisory Board and Councillor Connor Seconded the  
14 motion.

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18 Mayor Miyagishima called for the roll on the Motion to Approve the Mayor's Board Appointment  
19 of Dawn Starostka (District 6) to the Convention and Visitors Bureau Advisory Board and it was  
20 APPROVED. 6-0 Councillor Sorg was Absent.

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24 Mayor Miyagishima appointed Timothy Farr (District 4) to the ADA Advisory Board.

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28 Councillor Small Moved to Approve the Mayor's Board Appointment of Timothy Farr (District 4)  
29 to the ADA Advisory Board and Councillor Thomas Seconded the motion.

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33 Mayor Miyagishima called for the roll on the Motion to Approve the Mayor's Board Appointment  
34 of Timothy Farr (District 4) to the ADA Advisory Board and it was APPROVED. 6-0 Councillor  
35 Sorg was Absent.

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

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41 (12) Council Bill No. 12-012; Ordinance No. 2634: An Ordinance Authorizing the Execution  
42 and Delivery of a Loan Agreement and Intercept Agreement by and Between the City of Las

1 Cruces (The "Governmental Unit") and the New Mexico Finance Authority, Evidencing a  
 2 Special, Limited Obligation of the City to Pay a Principal Amount of \$950,000, with Interest  
 3 Thereon, for the Purpose of Purchasing Two Fire Pumpers for Use by the Governmental Unit  
 4 and Paying a Loan Processing Fee; Providing for the Payment of the Principal and Interest  
 5 Due under the Loan Agreement Solely from the Pledged State Shared Gross Receipts Tax  
 6 Revenues Distributed to the City; Providing for the Contingent Distribution of the Pledged  
 7 Revenues to Be Redirected to the New Mexico Finance Authority or its Assigns for the  
 8 Payment of Principal and Interest Due on the Loan Agreement Pursuant to an Intercept  
 9 Agreement; Setting the Maximum Rate of the Loan; Approving the Form and Terms of the  
 10 Loan Agreement and Intercept Agreement; Ratifying Actions Heretofore Taken; Repealing  
 11 All Action Inconsistent with this Ordinance; and Authorizing the Taking of Other Actions  
 12 in Connection with the Execution and Delivery of the Loan Agreement and Intercept  
 13 Agreement.

14  
 15 Mayor Miyagishima and Council agreed to bring this item back.

16  
 17 (13) Council Bill No. 12-013; Ordinance No. 2635: An Ordinance Approving a Zone Change  
 18 From R-2 (Multi-Dwelling Low Density) to C-2C (Commercial Medium Intensity-  
 19 Conditional) for 0.17 ± Acres of Land Located at 132 W. Willoughby Avenue. The Zone  
 20 Change Request Includes One Variance for a Numerical Reduction of 10-Feet to Minimum  
 21 Required 10-Foot Opaque Bufferyard. Submitted by Susan Frary, Property Owner (Z2840).

22  
 23 Mayor Miyagishima and Council agreed to bring this item back.

24  
 25 (14) Council Bill No. 12-014; Ordinance No. 2636: An Ordinance Approving a Concept Plan and  
 26 Final Site Plan for a Planned Unit Development (PUD) Known as Dave McTimski Inc. The  
 27 Subject Property Encompasses 15.503 ± Acres and is Located on the Southwest Corner of  
 28 Northrise Drive and Roadrunner Parkway; Parcel ID# 02-41024. Submitted by Quantum  
 29 Engineering Consultants on Behalf of Lord William S & ETAL C/O Randy McMillan,  
 30 Property Owner (PUD-10-02 & PUD 10-03).

31  
 32 Mayor Miyagishima and Council agreed to bring this item back.

33  
 34 (15) Council Bill No. 12-015; Ordinance No. 2637: An Ordinance Approving a Concept Plan for  
 35 a Planned Unit Development (PUD) Known as the Good Samaritan Society Village II. The  
 36 Subject Property Encompasses 13.223 ± Acres and is Located on the Southwest Corner of  
 37 Northrise Drive and Roadrunner Parkway; Parcel ID# 02-41025. Submitted by Quantum  
 38 Engineering Consultants on Behalf of the Evangelical Lutheran Good Samaritan Society,  
 39 Property Owner (PUD-10-06).

40  
 41 Mayor Miyagishima and Council agreed to bring this item back.

42

1 (16) Council Bill No. 12-016; Ordinance No. 2638: An Ordinance Approving a Concept Plan and  
 2 Final Site Plan for a Planned Unit Development (PUD) Known as Metro Verde Amendment  
 3 No. 1. The Subject Properties Encompass 695 ± Acres and Are Located in the Sierra Norte  
 4 Area North of the Future Expansion of Arroyo Road and South of the City Limits; Parcel  
 5 ID#s 02-36419, 02-36420, 02-36421, 02-36422, 02-37650, 02-38810, 02-38811. Submitted  
 6 by DVI on Behalf of Sierra Norte Land Holdings, LLC & Barbara W. Johnson, Property  
 7 Owner (PUD-11-01 & PUD-11-02).

8

9 Mayor Miyagishima and Council agreed NOT to bring this item back.

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11

12

13 **X. GENERAL DISCUSSION**

14

15 **2. CITY COUNCIL**

16

17 Councillor Silva said I want to thank staff for clarifying the titles on today's agenda. I also want to  
 18 thank the Plain Air Project with the Dona Ana Arts Council. They did a great job promoting the City  
 19 and sending artists throughout the entire community to paint different scenes all around the  
 20 community. I want to compliment Jobe Materials and Mike Johnson for recycling asphalt into the  
 21 South Project and the Millings Project.

22

23

24

25 Councillor Connor passed.

26

27

28

29 Councillor Pedroza said there were several lawyers that taught some fifth graders about the  
 30 Constitution and we all had a great time.

31

32 I want to remind everyone that there is going to be a Food Summit on September 30<sup>th</sup> and October  
 33 1<sup>st</sup> at the Court Youth Center. There are tickets available for this event and if you want to go both  
 34 days it will cost \$15 and it'll cost \$10 for one day.

35

36 The National Association for the Advancement of Color People, the Dona Ana County Branch is  
 37 having a Catfish Dinner on October 7<sup>th</sup> and the tickets cost \$7.

38

39 Two weekends ago, the University Presbyterian Church organized a group of volunteers in District  
 40 3 to help paint the outside of a house so I want to thank them.

41

1 I went to the Sapphire Energy Corporation to do a tour and it was very exciting and very interesting.

2

3 I want to congratulate the Mayor and Mr. John Munoz for being called to Washington to receive  
4 recognition for their leadership in Las Cruces.

5

6 -----

7

8 Councillor Connor left the meeting at approximately 3:45 p.m.

9

10 -----

11

12 Councillor Small said I'd like to thank my colleagues for supporting the Amador improvements and  
13 for supporting the Robledos redevelopment which will be about fifteen acres of subsidized housing.

14

15 Regarding Sapphire Energy, next Monday, about 9 a.m., we are going to have a tour and the entire  
16 company leadership for Sapphire Energy will be giving a presentation at our Work Session later in  
17 the day.

18

19 On October 8<sup>th</sup> there is going to be a grand opening for the (inaudible) and Trap Range.

20

21 During the same weekend as the Food Summit, there is going to be a Renewable Energy Conference  
22 and I would encourage folks who are interested to be a part of it.

23

24 I would like to congratulate Chief Williams for the excellent article that came out in the Dog Cruces  
25 regarding K-9 units in Las Cruces.

26

27 -----

28

29 Councillor Thomas said regarding the Army Sustainability talk that we had here, it is a very  
30 interesting project that happens to coincide with the Good Neighborhood Committee. They talked  
31 about all the Army Bases trying to reach a net zero use of energy and one of the projects going on  
32 at Fort Bliss is to produce as much energy as they actually use and taking things that they usually  
33 take to recycle and turning it into energy. Eric Martin, who is our Sustainability Officer, also spoke  
34 about the things that are going on in the City so it was a very interesting discussion.

35

36 Last week I was at the Western Planners Association meeting in Santa Fe and our El Paseo Project  
37 was given an award by the New Mexico Chapter of APA. I'd like to know if we could present the  
38 award at our October 3<sup>rd</sup> meeting?

39

40 Mayor Miyagishima said of course.

41

1 Councillor Thomas said Commissioner Perez, Commissioner Caviness, George Pearson and I were  
2 invited by NMDOT to give a report at their recent Transportation Commission meeting and so I  
3 would like to know if we could give that report at next week's Work Session?  
4

5 I want to mention that I spoke with Councillor Sorg yesterday, he is still in the hospital but he  
6 sounded much better and is expecting to be home in a couple of days. It will probably be a week or  
7 so before he will be back.  
8

9

10

11 **1. MAYOR**

12

13 Mayor Miyagishima said my trip to Washington was fast but I did meet the Ambassador of Mexico  
14 and we are going to be sending some Hatch chili to him and to the White House. The U.S.  
15 Government has basically decided to focus more on trading with Mexico because right now it is  
16 about \$1 billion a day and they want to try to double it so they are giving their commitment to  
17 Transit. They gave a commitment that they will bring government officials to help facilitate trading.  
18 One of the other recipients was High Tech High which is a very interesting program. It is a Charter  
19 School but the students are all taught business.  
20

21

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23

24 **3. CITY MANAGER**

25

26 **A. Other items - Information Only.**

27

28 Mark Winson, Assistant City Manager said I was gone most of last week but things are cruising  
29 along very well. I want to mention that Las Cruces does have one more resident, my wife arrived  
30 Thursday evening. I also want to mention that Mr. Garza and Mr. Denmark will be back on  
31 Thursday so until then, please contact me if you have any issues.  
32

33

34

35

36 **Meeting Adjourned at 4:00 p.m.**