

Item # 2

Regular Meeting
January 17, 2012

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

Regular Meeting

**January 17, 2012
1:00 P.M.**

Council Chambers, City Hall

MEMBERS PRESENT:

STAFF:

Mayor Ken Miyagishima **ABSENT**
Councillor Miguel Silva, District 1
Councillor Greg Smith, District 2
Councillor Olga Pedroza, District 3
Councillor Nathan Small, District 4
Councillor Gill Sorg, District 5 by **Telephone**
Councillor Sharon Thomas, District 6

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

DRAFT

I. OPENING CEREMONIES

Mayor Pro-tem Thomas called the meeting to order and asked for a moment of silence. Councillor Smith 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, Robert Garza, Councillor Thomas, Councillor Smith and the HR Staff recognized and presented Employee Service Awards to employees with 15, 20 and 25 years of service.

Councillor Smith presented a Proclamation to Rolf Mitchel and declared January 17, 2012 as Rolf Mitchel Day.

Councillor Smith presented a Proclamation to Jack Nixon and declared January 17, 2012 as Jack Nixon Day.

1 Councillor Smith presented a Proclamation to Sharon Trujillo-Kolosseus and declared January 28
2 thru February 5, 2012 as Celebrate Catholic Schools Week.

3

4 Councillor Smith presented a Proclamation to Dr. Brian Gilbert and declared February 3, 2012 as
5 Bright Star Dental Dentistry from the Heart Day.

6

7 Councillor Smith presented a Proclamation to Cheryl Fallstead and declared February 2012 as For
8 the Love of Art Month.

9

10 Councillor Smith presented the GFOA Distinguished Budget Presentation Award to Dick Gebhart.

11

12 David Dollahon and Amber Parker presented the National Night Out 2011 Award from the National
13 Association of Town Watch to the City of Las Cruces which was accepted by Fire Chief Brown and
14 Police Chief Williams.

15

16 Craig Fenske, KLCB Coordinator presented Libby the Green Dog Book.

17

18 Noreen Lehman gave a presentation on the Sister Cities Annual Report.

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21

22 Mayor Pro-tem Thomas read a Closed Meeting Statement and said the Las Cruces City Council met
23 in Closed Session at 1:30 p.m. on January 5, 2012. The following members were in attendance:
24 Mayor Miyagishima, Councillor Silva, Councillor Smith, Councillor Pedroza, Councillor Small,
25 Councillor Sorg, Councillor Thomas and City Manager Robert Garza. The meeting adjourned at 2:15
26 p.m. and only the limited items stated in the posted notice were discussed which was to discuss
27 limited personnel matters relating to City Manager Robert Garza's one year review.

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31 Councillor Small Moved to Allow Councillor Sorg to attend the meeting via telephone and
32 Councillor Smith Seconded the motion.

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36 Mayor Pro-tem Thomas called for the roll on the Motion to Allow Councillor Sorg to attend the
37 meeting via telephone and it was Approved. 5-0 Councillor Sorg and Mayor Miyagishima were
38 Absent.

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

5
 6 Mayor Pro-tem Thomas asked if anyone had any conflicts with anything on the agenda?

7
 8 Councillor Smith said regarding Item 17, Frank Papen is my wife's stepfather.

9
 10 Councillor Silva said I don't think that would be a conflict of interest for that item.

11
 12 Mayor Pro-tem Thomas said I think we agree that there isn't a conflict.

13
 14 -----

15
 16 **III. PUBLIC PARTICIPATION**

DRAFT

17
 18 Russ Warner, Member of the Public said I stopped at the intersection of Lohman and Telshor
 19 because the light was turning red but someone next to me sped up to go through the intersection. It's
 20 time that people take responsibility for their actions and start obeying the law.

21
 22 -----

23
 24 **IV. ACCEPTANCE OF AGENDA: THOSE ITEMS ON THE AGENDA INDICATED BY**
 25 **AN ASTERISK (*) ARE ON THE CONSENT AGENDA AND WILL BE VOTED ON**
 26 **BY ONE MOTION.**

27
 28 Mayor Pro-tem Thomas said Items 5, 6, 8 and 9 need to be removed from the Consent Agenda for
 29 discussion.

30
 31 -----

32
 33 Councillor Smith Moved to Approve the Agenda as Amended and Councillor Pedroza Seconded the
 34 motion.

35
 36 -----

37
 38 Mayor Pro-tem Thomas called for the roll on the Motion to accept the Agenda as Amended and it
 39 was Approved. 6-0 Mayor Miyagishima was Absent.

40
 41 -----

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1 **V. RESOLUTION(S) AND/OR ORDINANCE(S) FOR CONSENT AGENDA**

2

3 *(1) Resolution No. 12-112: A Resolution Ratifying the City Manager's Approval of a Services
4 Agreement Between the City of Las Cruces, on Behalf of Its Fire and Police Departments,
5 and the United States Navy and to Adjust the FY 2012 Budget.

6

7 *(2) Resolution No. 12-113: A Resolution Authorizing the City of Las Cruces to Accept
8 Awarded Funding From the National Endowment for the Humanities in the Amount of
9 \$750.00 With No Match Requirement for Programming Expenses Related to the Branigan
10 Cultural Center's "Lincoln: The Constitution and the Civil War" Exhibit.

11

12 *(3) Resolution No. 12-114: A Resolution Authorizing the City of Las Cruces to Accept
13 Awarded Funding from the New Mexico Humanities Council in the Amount of \$13,000.00
14 with a Match Requirement of \$13,000.00 for Expenses Related to the Museum of Art's
15 "New Mexico: 100 Years of Art" Exhibit and to Adjust the FY 2012 Budget.

16

17 *(4) Resolution No. 12-115: A Resolution to Accept a Grant Award from the New Mexico
18 Finance Authority in an Amount Not to Exceed \$50,000.00 for the Advancement of an
19 Economic Development Plan Between the City and Private Enterprise for Designated Public
20 Projects and to Adjust the FY 2012 Budget.

21

22 *(7) Resolution No. 12-118: A Resolution Authorizing the City of Las Cruces to Partner with
23 New Mexico Municipal League (NMML) to Financially Support the 2012 NMML 55th
24 Annual Conference Scheduled in the Las Cruces in August 2012 for an Amount Not to
25 Exceed \$80,000 and to Adjust the Fiscal Year 2011-2012 Budget.

26

27 *(10) Resolution No. 12-121: A Resolution to Accept the First Amendment to the Novation of
28 Cooperative Project Agreement Between the New Mexico Department of Transportation and
29 the City of Las Cruces for the Right-of-Way and Reconstruction of South Main Street From
30 Griggs Avenue to Lohman Avenue.

31

32 *(11) Resolution No. 11-12-364: A Resolution to Award for the Purchase of Twenty-Seven (27)
33 Dodge Charger Police Cars for the City of Las Cruces Police Department to Melloy Dodge
34 of Albuquerque, New Mexico, (Bid #3) Resulting from Bid No. 11-12-364 in the Amount
35 of \$905,129.00.

36

37 *(12) Council Bill No. 12-021; Ordinance No. 2643: An Ordinance Amending Las Cruces
38 Municipal Code, Section 24-61, to Modify the Structure of the Selection Advisory
39 Committee to Reflect Organizational Changes Within the City of Las Cruces.

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1 **VI. RESOLUTION(S) AND/OR ORDINANCE(S) FOR DISCUSSION**

2

3 *(5) Resolution No. 12-116: A Resolution Approving an Amended Residential Anti-
4 Displacement and Relocation Assistance Plan as Required by the Consolidated Plan
5 Regulations for the Community Development Block Grant Program and Home Investment
6 Partnerships Program for the U.S. Department of Housing and Urban Development.

7

8 Councillor Silva Moved to Adopt Resolution No. 12-116 and Councillor Small Seconded the
9 motion.

10

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12

13 Councillor Silva said I would just like to get some information regarding this program.

14

15 Jan Lauterbach, Neighborhood Services gave an overhead presentation and said the City is
16 designated as an entitlement community so the funds that are awarded to us and used in any project
17 that uses an acquisition or a displacement, the relocation plan goes into affect for any properties that
18 are involved.

19

20 Councillor Silva asked who is displaced and not displaced?

21

22 Jan Lauterbach said people are displaced if they are permanently removed from that property.

23

24 David Dollahon, Chief Planning Administrator said this is a required document but we are
25 encouraged by HUD to minimize our displacements because it is very costly.

26

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28

29 Mayor Pro-tem Thomas called for the roll on the Motion to Adopt Resolution No. 12-116 and it was
30 Approved. 5-0 Councillor Sorg and Mayor Miyagishima were Absent.

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34 *(6) Resolution No. 12-117: A Resolution Approving a Community Development Block Grant
35 (CDBG) Agreement Between the City of Las Cruces and Tierra Del Sol Housing Corporation
36 for the Low-Income Senior Roof Repair/Replacement Program.

37

38 Councillor Small Moved to Adopt Resolution No. 12-117 and Councillor Silva Seconded the
39 motion.

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1
2 Councillor Silva said I would like to get some information on this program.
3
4 Raymond Burchfield, Community Development said the program targets low-income Seniors ages
5 62 and over and they must be legal residents.
6
7 Mike Crudoff, Tierra Del Sol said we intend to market this program with flyers, word-of-mouth and
8 community meetings. We would like to replace at least four roofs so the program should go pretty
9 fast.
10
11 Councillor Silva asked is this going to be for the remainder of 2012?
12
13 Raymond Burchfield said they will have a year from the date the agreement is executed to complete
14 it.
15
16 Councillor Silva said so people who want information for this project should contact Tierra Del Sol.
17
18 Raymond Burchfield said that is correct.
19
20 -----
21
22 Mayor Pro-tem Thomas called for the roll on the Motion to Adopt Resolution No. 12-117 and it was
23 Approved. 6-0 Mayor Miyagishima was Absent.
24
25 -----
26
27 *(8) Resolution No. 12-119: A Resolution Approving the Painting of a Mural by Local Artists
28 on the Interior Walls and Ceiling of the Underpass at the North End of the Triviz Pathway.
29
30 Councillor Small Moved to Adopt Resolution No. 12-119 and Councillor Silva Seconded the
31 motion.
32
33 -----
34
35 Councillor Smith said this is a very narrow and confined pedestrian underpass already and I think
36 we need to consider the impacts on this area if the Day of the Dead mural is kept year round.
37
38 Mark Johnston, Parks and Recreation Director said there are always questions that arise when doing
39 a mural project but we have an agreement with the artist that allow us to remove, replace or repair
40 the art if there is any public controversy.
41
42 Councillor Smith said I'd like to know what is planned for this art project.

1
2 Isabel Fernandez, Artist said I want to make the tunnel feel like you are walking in an outdoor gallery
3 for the Day of the Dead and we want it to represent all types of art throughout the mural.

4
5 Councillor Smith said I think we should represent other types of our culture besides just the Day of
6 the Dead.

7
8 Councillor Small said I think we should avoid limiting ourselves to just one theme but I would feel
9 comfortable with moving things forward today.

10
11 Mayor Pro-tem Thomas said this agreement does give us the freedom to change it; correct?

12
13 Mark Johnston said that is correct.

14
15 Councillor Silva said I think it might be helpful to include some history on this tradition but I do like
16 the idea of it being like an outdoor gallery.

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20 Mayor Pro-tem Thomas called for the roll on the Motion to Adopt Resolution No. 12-119 and it was
21 Approved. 6-0 Mayor Miyagishima was Absent.

22
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24
25 *(9) Resolution No. 12-120: A Resolution Approving a Two-Year Lease Agreement Between
26 Kent-Land Ltd., RLLLP, and the City of Las Cruces for Use of Space Located at 8861 Trigg
27 Loop for a Temporary Fire Station in the West Mesa Area.

28
29 Councillor Small Moved to Adopt Resolution No. 12-120 and Councillor Silva Seconded the
30 motion.

31
32 -----
33
34 Councillor Silva asked why are we doing this step instead of just going to wait until the Fire Station
35 is built?

36
37 Travis Brown, Fire Chief said this is based on the grant that we received back in October which
38 provided funding for us to hire personnel and pay for their benefits and salaries for a two year period
39 so that allows us to move forward at this time with a very minimal cost to the City.

40
41 Councillor Silva asked what is the timeline for the new facility?

42

1 Travis Brown said we are hoping it will be opened in July 2013.

2

3 Councillor Small said the lease is for two years but if the facility is done sooner then what would be
4 the process to move in prior to the end of the lease?

5

6 Travis Brown said it is a two year agreement but during the second year we will have the option to
7 end the agreement with a 90-day notice and there is also an option for two 6-month extensions in
8 case something goes wrong with the project and we need to stay there longer.

9

10 Councillor Sorg asked can you described the present fire protection at the airport?

11

12 Travis Brown said currently, there is not a dedicated fire station in that area but there is an area were
13 we have some equipment and personnel respond from Station 3 on Valley Drive so typically there
14 is a 12 to 14 minute response time. Once the new facility is built then we anticipate the response time
15 to be about 2 to 3 minutes.

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19 Mayor Pro-tem Thomas called for the roll on the Motion to Adopt Resolution No. 12-120 and it was
20 Approved. 6-0 Mayor Miyagishima was Absent.

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24 (13) **BEFORE CONSIDERATION OF THE FOLLOWING RESOLUTION NO. 12-122;**
25 **A PUBLIC HEARING MUST BE HELD:**

26

27 Mayor Pro-tem Thomas opened the Public Hearing for Resolution No. 12-122 and said is there
28 anyone who wishes to speak for or against this item?

29

30 None given.

31

32 Mayor Pro-tem Thomas closed the Public Hearing.

33

34 Resolution No. 12-122: A Resolution Approving the Transfer of Ownership of State Liquor
35 License #2752 to Sunilaben Patel D/B/A Best Western Mission Inn, Located at 1765 South
36 Main Street, Las Cruces, New Mexico.

37

38 Councillor Smith Moved to Adopt Resolution No. 12-122 and Councillor Small Seconded the
39 motion.

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1 Mayor Pro-tem Thomas called for the roll on the Motion to Adopt Resolution No. 12-122 and it was
2 Approved. 6-0 Mayor Miyagishima was Absent.

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6 (14) **BEFORE CONSIDERATION OF THE FOLLOWING RESOLUTION NO. 12-123;**
7 **A PUBLIC HEARING MUST BE HELD:**

8
9 Mayor Pro-tem Thomas opened the Public Hearing for Resolution No. 12-123 and said is there
10 anyone who wishes to speak for or against this item?

11
12 None given.

13
14 Mayor Pro-tem Thomas closed the Public Hearing.

15
16 Resolution No. 12-123: A Resolution Approving the Transfer of the Location of State
17 Liquor License #4004 to Brewer Oil Co. D/B/A Holiday Chevron, Located at 2645 South
18 Valley Drive, Las Cruces, New Mexico.
19



20 Councillor Small Moved to Adopt Resolution No. 12-123 and Councillor Pedroza Seconded the
21 motion.

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24

25 Mayor Pro-tem Thomas called for the roll on the Motion to Adopt Resolution No. 12-123 and it was
26 Approved. 6-0 Mayor Miyagishima was Absent.

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30 (15) **BEFORE CONSIDERATION OF THE FOLLOWING RESOLUTION NO. 12-124;**
31 **A PUBLIC HEARING MUST BE HELD:**

32
33 Mayor Pro-tem Thomas opened the Public Hearing for Resolution No. 12-124 and said is there
34 anyone who wishes to speak for or against this item?

35
36 None given.

37
38 Mayor Pro-tem Thomas closed the Public Hearing.

39
40 Resolution No. 12-124: A Resolution Approving the Transfer of Ownership and Location
41 of State Liquor License #0097 to RJ's Red Hawk License, LLC D/B/A Red Hawk Golf Club,
42 Located at 3600 Arroyo Road, Las Cruces, New Mexico.

1
2 Councillor Silva Moved to Adopt Resolution No. 12-124 and Councillor Smith Seconded the
3 motion.

4

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7 Mayor Pro-tem Thomas called for the roll on the Motion to Adopt Resolution No. 12-124 and it was
8 Approved. 6-0 Mayor Miyagishima was Absent.

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11

12 (16) Resolution No. 12-125: A Resolution to Adjust the Adopted Fiscal Year 2011/2012 Budget
13 Allowing for Carry-Over Expenses and Reallocations of Operating and Capital Costs Due
14 to Mid-Year Developments Regarding Revenues and Expenditures.

15

16 Councillor Smith Moved to Adopt Resolution No. 12-125 and Councillor Small Seconded the
17 motion.

18

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20

21 Dick Gebhart, Budget Director gave an overhead presentation and said there are 49 funds adjusted
22 out of 211 and the significant mid-year budget changes are that the General Fund has lower revenues
23 by 1 percent, decreased expenditures/reserves by 1 percent, it has maintained the 2/12's reserve and
24 the copier/lease management has zero net change. The Gas Tax Fund has revenues lowered by 5
25 percent and decreased expenditures by 15 percent. The economic outlook remainder of FY12 is that
26 we are going to continue to generate jobs in the private sector, construction remains weak, energy
27 costs which is gasoline, will be steady and government employment will flatten out going forward.
28 The price of gasoline does have an impact on the GRT. The price has continued to rise but then it
29 started to relax a little in 2011 and has continued to slightly go down. The General Fund revenue has
30 dropped by \$752,000 which is due to the first half weakness of GRT (-\$498,000), formula increase
31 in property tax (\$207,000), weak collections in franchise fees (-\$253,000), weak collections in PD
32 fines (-\$188,000), strong collections in sub fees and admin transactions (\$186,000) and all others
33 which is mainly aquatic fees (-\$206,000). The property taxes are going up because of the Yield
34 Control Formula which is in the State Statute. In summary, our revenue drop is mainly due to the
35 sluggish economy but our budget is balanced and we have maintained twice the required reserve.

36

37 Mayor Pro-tem Thomas said I heard that gasoline is going to reach \$4.00 by this summer.

38

39 Dick Gebhart said if gas does get that high then we would have to make adjustments accordingly.

40

41 Councillor Small said it is positive news that the private sector has job growth and has
42 representatives of public sector, we need to take to heart the importance of jobs in our area.

43

1 Councillor Smith asked do we need to reassess our reserve?

2

3 Dick Gebhart said that is a judgement question and it is really up to the Council to make a
4 determination of what is their comfort level. This is a time of uncertainty and I think this gives you
5 some added insurance.

6

7 Councillor Silva asked do you think the gasoline indicator is a reliable indicator for the GRT?

8

9 Dick Gebhart said yes because of the amount of time it covers but over long term, the economy is
10 going to adjust and it might not be a good indicator at that time.

11

12 Councillor Silva said regarding the police fines, we've collected about \$200,000 less; how much are
13 we losing by going to Magistrate Court verses Municipal Court?

14

15 Dick Gebhart said I'm not sure I can answer that question because that change was made over three
16 years ago. I put most of the decline in the past six months of this year and it is due to the sluggish
17 economy and collection issues.

18

19 Councillor Silva asked has there been any discussions with the Court on how we can improve that
20 situation?

21

22 Robert Garza, City Manager said yes, there has been an attempt on my part and I do have a meeting
23 scheduled with the Presiding Judge. We have been discussing the collection issue and have been
24 monitoring it along with the Courts over the past six months.

25

26 Councillor Silva said even though the revenues are down one percent, you have decreased spending
27 by one percent so I just want to say that you are keeping our budget balanced and you are doing a
28 very good job.

29

30 Councillor Pedroza said considering the report, it might be wise for you to come before us more
31 frequently to keep us informed of the situation.

32

33 Dick Gebhart said sure, if that is the wish of the Council but I do want to remind you that there is
34 a monthly memo that goes out regarding GRT collections so you could look at that and get a handle
35 on where we are standing.

36

37 Robert Garza said we could do that but I would prefer to keep it as we are currently doing it which
38 is Mr. Gebhart informs us if there is any changes and he provides us with a monthly report.

39

40 Councillor Small said I think we also need to remember all the positives that are listed in the budget.

41

1 Mark Winson, Assistant City Manager said we have had departments request additional funding for
2 different things including unexpected cost due to things like the weather and we've had to deny some
3 of those request in order to keep the budget balanced.

4

5 Russ Warner, Member of the Public said that was a great presentation and it is very difficult to work
6 with corporate budgets. It is not wise to have his department come before Council for more
7 adjustments and I think you should stay with only the mid-year adjustment.

8

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11 Mayor Pro-tem Thomas called for the roll on the Motion to Adopt Resolution No. 12-125 and it was
12 Approved. 6-0 Mayor Miyagishima was Absent.

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16 (17) Resolution No. 12-126: A Resolution Approving the Naming of the Mesilla Park
17 Community Center in Honor of the Late Senator Frank O'Brien Papen.

18

19 Councillor Small Moved to Adopt Resolution No. 12-126 and Councillor Pedroza Seconded the
20 motion.

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23

24 Mark Johnston, Parks and Recreation Director said a group of citizens came before you in August
25 and wanted to recognize the late Senator Papen in some significant way. They suggested something
26 in the Downtown Plaza and we took that recommendation to the Parks and Recreation Board. One
27 of the concerns that the Board had was that we don't have a plaza and we don't have funding for the
28 construction of one so they wanted to make sure to recognize the late Senator with something that
29 is already in place. This center is in the Senator's neighborhood and it is already there.

30

31 Robert Garza, City Manager said the Council was pretty clear on their intentions to name the
32 Downtown Plaza after the late Senator Papen but that isn't something that we typically do until it
33 is there. This is something we could do now and that is something we could do later.

34

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36

37 Mayor Pro-tem Thomas called for the roll on the Motion to Adopt Resolution No. 12-126 and it was
38 Approved. 5-0-1 Mayor Miyagishima was Absent and Councillor Smith Abstained.

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41

42 (18) Resolution No. 12-127: A Resolution Adopting the City of Las Cruces Long Range Transit
43 Plan.

1
2 Councillor Pedroza Moved to Adopt Resolution No. 12-127 and Councillor Smith Seconded the
3 motion.

4

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6

7 Tom Murphy, MPO Officer gave an overhead presentation and said the purpose of the Long Range
8 Transit Plan is to guide the development of the transit system over the next 20 to 30 years. There has
9 been a community involvement process which included three stakeholders meetings, a Council Work
10 Session on June 26th and it was presented to the Transit Board on November 17th at which the Board
11 recommended full approval to the Council.

12

13 Amanda Luker, HDR continued the overhead presentation and said the recommended transit network
14 would provide cross regional service for more direct connections to neighborhood schools, NMSU,
15 Downtown Las Cruces and other important activity centers. The recommended short-term
16 investments would include customer service improvements, high frequency bus service upgrades for
17 priority corridors, local bus route reconfiguration and to launch an initial neighborhood circulator.
18 The recommended mid-term investments would be transfer points upgrades, US-70 East commuter
19 express service launch, US-70 East park and ride construction, initial arterial BRT launch and high
20 frequency bus service for priority corridors.

21

22 Scott Miller, HDR continued the overhead presentation and said the recommended long-term
23 investments would be the continued investment in arterial BRT, higher capacity transit service
24 opportunities and new neighborhood circulators. The 2012-2016 short-term cost estimate for your
25 current system is about \$24 million and the estimated short-term cost for the planned transit
26 investments would be an increase of about \$3 million. Some potential funding sources are local
27 general revenues, tax increment financing, project specific grants, public-private partnerships and
28 a regional transit district.

29

30 Mayor Pro-tem Thomas asked would you recommend that we look at corridors and start considering
31 zone changes?

32

33 Scott Miller said yes.

34

35 Mayor Pro-tem Thomas said there are a lot of other things currently going on regarding transit so my
36 concern here is that I really want to see that our City transit is being developed in cooperation with
37 the Southwest Transit District. I'm not sure if we need to say that in the resolution.

38

39 Tom Murphy said the RTD draft Fiscal Plan states that if they were to do a GRT, a bulk of the
40 receipts would be returned to each of the local governments for enhancements to their transit system.
41 So, both of the planning efforts are complementary to each other and each would be looked at
42 accordingly.

43

1 Mayor Pro-tem Thomas said it always helps to have real life examples so I would like to know if it'd
2 be possible for you to do a presentation on the systems here and show us models of any possibilities?

3

4 Robert Garza, City Manager said absolutely, that is something we could do as a follow-up.

5

6 Councillor Small said I am glad to see that Picacho is include in the plan but I'd like to know what
7 approach would be taken to look at the zoning for the corridors?

8

9 Tom Murphy said upon the adoption of the plan, staff could mention the transit benefits for
10 upcoming zone changes.

11

12 Councillor Smith said I think it is critical to let people know what the advantages are and the
13 opportunities of transit.

14

15 Tom Murphy said there is going to be a way that people could track the buses online to see when the
16 next bus would arrive at a bus stop.

17

18 Councillor Pedroza said I think public transportation is good for the environment because it doesn't
19 release as much toxic fumes. Is there any plans to use alternative energy sources or vehicles for
20 public transportation?

21

22 Tom Murphy said we are looking at moving toward a hybrid system.

23

24 Councillor Silva asked if we were to consider a TIF as a funding option, how would it work?

25

26 Scott Miller said different communities have taken very different approaches to the tax increment
27 financing. The most common is to set up districts within a community and designate a district as a
28 tax increment financing zone.

29

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32 Mayor Pro-tem Thomas called for the roll on the Motion to Adopt Resolution No. 12-127 and it was
33 Approved. 6-0 Mayor Miyagishima was Absent.

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37 (19) Resolution No. 11-12-401: A Resolution Awarding the Bid for the Sonoma Ranch
38 Boulevard South Extension Project to Morrow Enterprises, Inc., for the Base Bid plus
39 Additive Alternates Number One and Two in the Amount of \$1,249,909.82 plus \$94,524.43
40 for New Mexico Gross Receipts Tax. The City Manager Is Authorized to Approve Change
41 Orders in an Amount Not to Exceed \$86,410.87, for a Total Project Authorization of
42 \$1,430,845.12.

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1 Councillor Small Moved to Adopt Resolution No. 11-12-401 and Councillor Silva Seconded the
2 motion.

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6 Louis Grijalva, Project Development Administrator gave an overhead presentation and said this will
7 be a temporary road connection between Lohman and the new Centennial High School. The road
8 would include two 11 foot paved lanes, two 4 foot paved bike lanes, striping, signage, storm drains
9 and utilities. We received seven bids and the lowest bid came from Morrow Enterprise which was
10 lower than the engineer estimate base bid. The duration of the project will be 120 working day and
11 hopefully it will be started in February.

12

13 Councillor Small said I support this project but since the bid was about 30% under the amount that
14 was allocated, there should be a significant amount of money that is freed up for other street projects;
15 correct?

16

17 Robert Garza, City Manager said this project was funded with bond cycling funds and there are still
18 a lot of other projects in that bond cycling bundle so just like this one came in under budget, there
19 might be some that come in over budget. If after all the projects are done and there is still money left
20 over then we would come back to Council for direction.

21

22

23

24 Mayor Pro-tem Thomas called for the roll on the Motion to Adopt Resolution No. 11-12-401 and
25 it was Approved. 5-0 Councillor Small and Mayor Miyagishima were Absent.

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29 **VII. BOARD APPOINTMENTS**

30

31 Mayor Pro-tem Thomas appointed Felix Cordero (District 2) to the Mesilla Valley Public Housing
32 Authority as the Mayor's appointment.

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

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38 (20) Council Bill No. 12-022; Ordinance No. 2644: An Ordinance Approving a Zone Change
39 from C-2 (Commercial Medium Intensity) to C-3 (Commercial High Intensity) for a 1.309
40 ± Acre Tract of Land Located at 650 S. Valley Drive and a Zone Change From C-3/R-4
41 (Commercial High Intensity/Multi-Dwelling High Density & Limited Retail and Office) to
42 C-3 (Commercial High Intensity) for the 0.668 ± Acre Northern Portion of 7.91 ± Acre Tract

1 of Land Located at 780 S. Valley Drive Submitted by Borderland Engineers and Surveyors
2 on Behalf of TBRC Leasing, LLC and Las Cruces Toyota, Inc., Property Owners (Z2846).

3
4 Mayor Pro-tem Thomas and Council agreed to bring this item back.

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7
8 (21) Council Bill No. 12-023; Ordinance No. 2645: An Ordinance Approving a Zone Change
9 from C-2 (Commercial Medium Intensity) to C-3C (Commercial High Intensity-Conditional)
10 for a 1.79 ± Acre Parcel Known as Lot C-1 of the Los Enamorados Estates Master Planned
11 Area Located at the Northwest Corner of Mesa Grande and Calle Bella. Submitted by
12 Southwest Engineering Inc., Property Owner (Z2847).

13
14 Mayor Pro-tem Thomas and Council agreed to bring this item back.

15
16 **DRAFT**

17
18 **IX. GENERAL DISCUSSION**

19
20 1. Mayor

21
22 Mayor Pro-tem Thomas said there is going to be a presentation from Transportation Excellence for
23 the 21st Century tomorrow at 11 o'clock in these chambers.

24
25 We are beginning to work on the Neighborhood Summit which is going to be held here in City Hall
26 on February 11th in the morning.

27
28 -----

29
30 2. City Council

31
32 Councillor Sorg said regarding foreclosures, in New Mexico 18.2% of homeowners are under water
33 and as of December 950, homes were foreclosed on. I think this has a direct effect on our economy
34 so I would like to ask that we have a resolution or an appropriate measure for Council to support the
35 Mortgage Fair Foreclosure Act.

36
37 Robert Garza, City Manager said we can definitely get a resolution for Council's support.

38
39 -----

40
41 Councillor Small said there are several potholes on Second Street and it would be great to get some
42 crews out there to repair them.

1 There have been issues with arson on old homes in the Mesquite area and the Police and Fire
2 Departments are doing a great job in trying to address it. We do need to confront these issues and
3 try to work through it.

4

5 Councillor Silva said regarding that situation, the Mesquite Overlay has been in the works for some
6 time now and I think we need some expediency on it.

7

8 Councillor Small said the Border Book Festival is a big event that is held in Mesilla and when people
9 come down to attend events in Mesilla, they are more than likely to stay at a hotel and visit places
10 in Las Cruces. I think we need to look at other festivals that are held in our region and see how we
11 can play a supportive and beneficial role.

12

13 I would like to know if the presentation from Transportation Excellence for the 21st Century is going
14 to be video taped?

15

16 Robert Garza, City Manager said I don't know if any arrangements have been made.

17

18 Councillor Small said since it is being held in Council Chambers during regular hours, I think it
19 would be highly in our interest to video tape it.

20

21 Robert Garza said I will talk to staff about it.

22

23

24

25 Councillor Pedroza said I would like to thank some staff from Public Works, Dan Soriano and Jeff
26 Honeycutt; last week they went with me to the home of a constituent who was very worried about
27 structural stuff that she thought was putting her in danger. They looked over the house and found a
28 perfect solution.

29

30 I would like to thank everyone who participated in the Martin Luther King march and the Martin
31 Luther King breakfast.

32

33 There were three articles in the Sun News regarding the Council considering some form of reform
34 for campaign finances. I think it is important to start the conversation and have Pete Connelly give
35 us some kind of a presentation.

36

37 Robert Garza, City Manager said that issue has been raised several times by Council and Legal is
38 already working on it. We will put it on our work session schedule and it will likely be heard
39 sometime in March.

40

41

42

1 Councillor Smith said I'd like to thank Councillor Small for his comments regarding the potholes
2 and I'd like to mention that I have always had good success with referring potholes to the "Ask the
3 City" section on our web page.

4

5 Regarding the preservation ordinance, I'd like to add my voice that it be brought forward.

6

7 The second Casas de Antano tour will be on February 12th and most of the casas will be in the
8 Alameda Depot District.

9

10

11

12 Councillor Silva said regarding election reform, I think we definitely need to address reporting
13 frequency and leftover campaign funding.

14

15 Regarding Item 10 on our Consent Agenda, I know the south roundabout has been put on hold but
16 I would strongly recommend that we push it forward and get it done sooner than later.

17

18 I'd like staff to move forward with looking at a parking policy for the Downtown area. It was brought
19 to my attention by vendors in the Downtown area that they'd like to see something like a two hour
20 parking limit so they don't get in the position of having employees parking in front on Main Street
21 and taking up parking spaces all day.

22

23 We are hosting the New Mexico Municipal League Conference in August and I think that is a real
24 plus to the community.

25

26 I pulled Items 5 and 6 from the Consent Agenda because I think it is really important to get that type
27 of information out to the community.

28

29 I want to mention that on April 28th the Downtown Las Cruces Partnership is putting together a
30 Chalk Art festival in the Downtown area.

31

32 Over the past five days or so, we were hit hard with graffiti in the Klein Park area so I was wanting
33 staff to take a look at it.

34

35 I think our Strategic Planning Work Shop was very productive and I think it set us on positive path
36 towards what we are going to accomplish as a community. One item that came up was raising
37 additional revenues for the many projects that we have by adding a potential increase of .25% to the
38 GRT which would be 25 cents per \$100 spent. That would raise \$5 million for projects in this
39 community but I think we should do a feasibility study to see if our residents can really afford it.

40

41 Robert Garza, City Manager said we've discussed doing a survey and this might be a good time and
42 topic for a community survey.

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3. City Manager

Robert Garza, City Manager said the Ground Breaking Ceremony for Fire Station #7 will be on January 25th and there will be a Ground Breaking Ceremony for the South Main Project but the date hasn't been set yet.

I spoke with Jim Richards about the timing for our annual trek because of the timeline for the Mainstreet Conference, the problem with the particular dates which are the first week in April, is that the Senate will not be in session so we'll only have one representative there. What we want to do on our next trip is meet with agency heads so some of the potential dates we are currently looking at are April 24th thru 27th or April 16th thru 19th.

The presentations from our Pre-Budget Retreat have been posted on the web page.

Regarding our lobbying efforts with D.C., it was recommended that we consider recognizing Senator Bingaman for everything he has done for our city. I'm working on finding out when he will be in Las Cruces so hopefully we can align that with one of the upcoming Council meetings.

Meeting Adjourned at 4:45 p.m.