

ITEM #1

Regular Meeting  
February 6, 2012



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

**Regular Meeting**

**February 6, 2012  
1:00 P.M.**

**Council Chambers, City Hall**

**MEMBERS PRESENT:**

**STAFF:**

- 14 Mayor Ken Miyagishima
- 15 Councillor Miguel Silva, District 1
- 16 Councillor Greg Smith, 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 Pedroza led the Pledge of Allegiance.

Jeremy Borchert sang the National Anthem.

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.

Councillor Pedroza presented a Proclamation and declared February 6, 2012 as Navy Pilot Training Day.

Councillor Pedroza presented a Proclamation and declared February 12, 2012 as Race Relations Sunday.

Councillor Pedroza presented a Proclamation and declared February 25, 2012 as Jennie Curry Storyfest Day.

1 Councillor Pedroza presented Certificates of Recognition to the artists of the Art on Loan Program.  
2  
3 David McCollum, Las Cruces Bulletin presented Mayor Miyagishima with a book on the history of  
4 Las Cruces, New Mexico.  
5  
6 Eric Martin, Facility Management Acting Administrator introduced Merideth Hildreth as the City's  
7 new Sustainability Officer.

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

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

17

18 Councillor Smith said regarding Item 8, my sister-in-law and her husband own Las Cruces Toyota.

19

20 Councillor Small said I think we should take that item off of the Consent Agenda because there are  
21 many merits to it.

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25 **III. PUBLIC PARTICIPATION**

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27 Clay Doyle, Vice President - El Paso Electric Company introduced Tom Shockley as the new interim  
28 CEO of El Paso Electric.

29

30 Tom Shockley, El Paso Electric Interim CEO said several important things have happened, one of  
31 which was the resignation of our CEO and another one was that we filed a rate case in accordance  
32 with the El Paso City Council but it only covers our Texas area so it won't affect New Mexico.

33

34 Russ Warner, Member of the Public said I want to thank the young man who sang the National  
35 Anthem for doing it the right way.

36

37 Emilio Gutierrez, Mexico Journalist said (through a translator) I have been seeking political asylum  
38 for the past three years from my home country of Mexico. I have been in Las Cruces for the past  
39 three years and I am looking for your support to find a way to present my case. I believe through you  
40 that we can find a way to change the policies to help people like me.

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1 Mayor Miyagishima said I will be meeting with Allen Bernstein, he oversees the Customs and  
2 Border Control, so if you can get me your packet by tomorrow then I can make sure he gets it.

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

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10 Mayor Miyagishima said Item 8 needs to be removed from the Consent Agenda for discussion.

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14 Councillor Thomas Moved to Approve the Agenda as Amended and Councillor Small Seconded the  
15 motion.

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17 **DRAFT**  
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19 Mayor Miyagishima called for the roll on the Motion to accept the Agenda as Amended and it was  
20 Unanimously Approved. 7-0

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24 **V. CITY COUNCIL MINUTES**

- 25  
26 \*(1) Regular Meeting of January 3, 2012  
27 \*(2) Regular Meeting of January 17, 2012

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31 **VI. RESOLUTION(S) AND/OR ORDINANCE(S) FOR CONSENT AGENDA**

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33 \*(3) Resolution No. 12-129: A Resolution to Accept the Memorandum of Agreement Between  
34 the Community Foundation of Southern New Mexico Unified Prevention! (UP!) Coalition  
35 and the City of Las Cruces, on Behalf of the Las Cruces Police Department and to Adjust the  
36 FY 2012 Budget.

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38 \*(4) Resolution No. 12-130: A Resolution Authorizing the City of Las Cruces to Accept  
39 Awarded Funding From the New Mexico Humanities Council in the Amount of \$6,642.00  
40 With a Match Requirement of \$6,642.00 for Expenses Related to the Branigan Cultural  
41 Center's "Journey Stories in Las Cruces and Southern New Mexico" Exhibit and to Adjust  
42 the FY 2012 Budget.

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2 \*(5) Resolution No. 12-131: A Resolution Authorizing the Las Cruces Records Center to Accept  
3 a Grant Award from the New Mexico Historical Records Advisory Board's FY 2012  
4 Preservation Grant in the Amount of \$5,100.00 With a \$2,966.53 Match Requirement, to  
5 Ratify the City Manager's Signature on the Grant Agreement, and to Adjust the FY 2012  
6 Budget.

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8 \*(6) Resolution No. 12-132: A Resolution Authorizing the City of Las Cruces Convention and  
9 Visitors Bureau to Accept Awarded Funding from the New Mexico Tourism Department in  
10 the Amount of \$14,000.00 with a Match Requirement of \$14,000.00 for a Cooperative  
11 Marketing Initiative Totaling \$28,000.00, to Ratify the City Manager's Signature on the  
12 Grant Agreement, and to Adjust the FY 2012 Budget.

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14 \*(7) Resolution No. 12-133: A Resolution Adopting a New "Health-Related Public Services  
15 Application and Guide," as Recommended by the Health and Human Services Advisory  
16 Committee.

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20 **VII. RESOLUTION(S) AND/OR ORDINANCE(S) FOR DISCUSSION**

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22 \*(8) Council Bill No. 12-022; Ordinance No. 2644: An Ordinance Approving a Zone Change  
23 from C-2 (Commercial Medium Intensity) to C-3 (Commercial High Intensity) for a 1.309  
24 ± Acre Tract of Land Located at 650 S. Valley Drive and a Zone Change From C-3/R-4  
25 (Commercial High Intensity/Multi-Dwelling High Density & Limited Retail and Office) to  
26 C-3 (Commercial High Intensity) for the 0.668 ± Acre Northern Portion of 7.91 ± Acre Tract  
27 of Land Located at 780 S. Valley Drive Submitted by Borderland Engineers and Surveyors  
28 on Behalf of TBRC Leasing, LLC and Las Cruces Toyota, Inc., Property Owners (Z2846).

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30 Councillor Small Moved to Adopt Council Bill No. 12-022; Ordinance No. 2644 and Councillor  
31 Thomas Seconded the motion.

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35 Ted Scanlon, Applicant Representative gave an overhead presentation and said there are two tracts  
36 of land which are a 1.309 acre tract that is being rezoned from C-2 to C-3 and the other is a 0.6676  
37 acre tract that is being rezoned from C-3/R-4 to just C-3. The C-2 to C-3 rezoning is being done to  
38 be in compliance with the current Zoning Code. The Children's Garden is expanding their building  
39 so they are purchasing a tract of land from Las Cruces Toyota.

40  
41 Councillor Small said this is being done in a very nice way by being able to expand a business that  
42 helps serve families. I'm not sure if this will impact the traffic in that area but I would ask that  
43 anything in the future would have that looked at for this area.

1

2 Councillor Silva said there is going to be a large subdivision going in that area so how does that  
3 impact the area? Have you done your own traffic analysis?

4

5 Ted Scanlon said part of the process is to look at traffic trip generation and impact of any expansion  
6 or new facility so as part of that process we do take a look at that with the City Traffic Engineers.  
7 We have met all the basic City requirements and the Engineers didn't see any traffic issues. We don't  
8 anticipate a lot of traffic issues with this project and the new subdivision.

9

10 Councillor Silva asked what is the timeline for this project?

11

12 Ted Scanlon said this project is currently under construction but there is a condition on the Building  
13 Permit that no CO would be issued to the expansion until the replat and rezoning is completed.

14

15 Councillor Silva said then we don't have a choice, construction already began before the zoning was  
16 approved.

17

18 Robert Kyle, Business & Development Services Administrator said NMDOT was one of the  
19 reviewing entities and a traffic impact analysis was required for their review. The Planning and  
20 Zoning Commission did recommend approval of this proposal without any conditions on the zone  
21 change.

22

23 Councillor Silva asked why did staff give them the okay to start construction prior to the zone change  
24 approval?

25

26 Robert Kyle said they were advised that they could proceed to construct at their own risk as long as  
27 they moved forward with the rezoning and replatting.

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31 Mayor Miyagishima called for the roll on the Motion to Adopt Council Bill No. 12-022; Ordinance  
32 No. 2644 and it was Approved. 6-0-1 Councillor Smith Abstained.

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36 (9) Resolution No. 12-134: A Resolution Supporting the Jemez-Anthony Casino Project.

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38 Councillor Silva Moved to Adopt Resolution No. 12-134 and Councillor Thomas Seconded the  
39 motion.

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2 Former Mayor Ruben Smith said since I left office, this is the only project that I have taken on and  
3 I have been working seven years on it. I think the perception is that this project has been denied and  
4 that it is dead but the reality is that the project is very much alive. A key component of this  
5 application is an EIS (Environmental Impact Statement) and that document is still sitting in its final  
6 form in the regional office in Albuquerque. Since the denial, we've met with the Governor, the  
7 Senate Secretary in Washington and the Governor's representative in Washington. It was jointly  
8 agreed upon by the Bureau of Indian Affairs and the Pueblo that the application would be  
9 resubmitted along with any of the deficiencies that were given by the denial. The City of Anthony  
10 and the City of Anthony, Texas and the Town of Mesilla have supported this and we've had the full  
11 support of Dona Ana County. We are now here in front of the City of Las Cruces because I think it  
12 is very important that you show your support for this project. We've signed an agreement with the  
13 County that provides probably close to \$1 million for services, like police services, so we aren't  
14 asking for any freebies. I am supporting this project because it is a huge job opportunity for southern  
15 New Mexico. The Hispano Chamber and the Greater Las Cruces Chamber are also in support of this  
16 project.

17

18 Councillor Smith said I don't see any mention of talking with the Native American groups that are  
19 in this area.

20

21 Former Mayor Ruben Smith said we have met with the Mescalero tribe as well as all the other  
22 recognized tribes in New Mexico. The Mescaleros are not supporting this nor is Stan Fulton who is  
23 working with the Mescaleros but we are going to continue to work with all the tribes, including the  
24 ones that are opposed to this project.

25

26 Councillor Sorg asked how much gross receipt taxes and property taxes will this casino pay?

27

28 Former Mayor Ruben Smith said I don't know the gross receipt taxes but technically when a Federal  
29 entity comes in they don't have to pay their full share of property taxes but we would be paying  
30 \$605,000 in property taxes. MVEDA did a study and they came up with \$85 million in sales with  
31 a projected gross receipt tax of \$702,000 per year.

32

33 Councillor Silva said I was initially against this project but after I started talking with people I  
34 realized the need for this project.

35

36 Councillor Small said one of my constituents expressed their concern with this project bringing in  
37 an increase in crime.

38

39 Former Mayor Ruben Smith said recently there was a casino opened in Socorro, Texas about the  
40 same size of what we are proposing, same type of gaming, same distance from Sunland Park. They  
41 had exact same issues as what Anthony, Texas did. It was about a 50% drop-out rate in school.  
42 Crime rate was just totally unheard of and gang involvement was also an issue they had to deal with.  
43 When the casino was up and running, all those figures decreased and that's what we are expecting

1 in the City of Anthony.

2

3 Councillor Small said I do see a great deal of merit with families who are able to find employment.

4

5 Councillor Thomas said I have seen casinos go up in isolated areas with high crime rates and  
6 unemployment issues and I have seen those communities change over time. If people want to gamble  
7 then they are going to gamble and they will drive where ever there's a casino. This will bring good  
8 jobs so I do support this project.

9

10 Councillor Smith said I do applaud prospering the community and bringing jobs but I have concerns  
11 with the impact this would have on our Native American community and the types of jobs this could  
12 bring to our community, like prostitution; so, I'm not sure we want to go there.

13

14 Councillor Pedroza said I agree with bringing jobs into the community but I would caution on the  
15 types of jobs that are brought by it. If there is a hotel built, it is my experience that hotel workers  
16 aren't well paid. I wouldn't want to see the top paying jobs going to people out of state and then the  
17 minimal jobs going to people here so if there was a way to guarantee that wouldn't happen then I  
18 would support it.

19

20 Former Mayor Ruben Smith said in the inter-governmental agreement, we stated that 75% of the  
21 people employed would be New Mexico residents and more than likely it would be above that  
22 amount. Gerald Peters who is from Santa Fe and owns several different businesses including a bank,  
23 is financing the project and when he does something, he does it first class so I would seriously doubt  
24 that the employees he would hire for the hotel project would not receive some medical benefits.

25

26 Veronica Sal, Member of the Public asked has there been any consideration given to our neighbors  
27 in Juarez and the issues with the cartel? We don't need any of those types of things brought here.

28

29 Former Mayor Ruben Smith said I can't respond to that because I don't know how that would impact  
30 this casino and not other casinos, and I don't know if it has impacted any of the other casinos.

31

32 Russ Warner, Member of the Public said I think it is important to remember that most of the heaviest  
33 criticism is coming from people who's main concern is that it will hurt their own gaming operation.

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37 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-134 and it was  
38 Approved. 6-1 Councillor Silva, Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor  
39 Thomas and Mayor Miyagishima voted Aye. Councillor Smith voted Nay.

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1 (10) Resolution No. 12-135: A Resolution Approving Amendments to the Agreement Employing  
2 Robert L. Garza as City Manager Effective January 1, 2011 and to Adjust the Adopted Fiscal  
3 Year 2011/2012 Budget.

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5 Councillor Small Moved to Adopt Resolution No. 12-135 and Councillor Sorg Seconded the motion.

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9 Robert Garza, City Manager said this document is a reflection of what was discussed during our  
10 closed session about a month ago.

11  
12 Mayor Miyagishima asked were any changes made to it?

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14 Robert Garza said there was discussion of the employee, which is me, to be able to convert the  
15 vehicle allowance into my base salary; there was a question raised about whether it would be looked  
16 at as salary later or how other parties, such as PERA, would look at it; so, if we left it as we agreed  
17 then the suggestion was to put in there that the employee indemnifies and holds harmless the Council  
18 from any claims resulting from PERA or any other third party as a result of that but that would only  
19 be in the occasion that I do convert that to my base salary.

20  
21 Mayor Miyagishima said I appreciate you including that in the agreement.

22  
23 Councillor Silva asked would it be wiser to do the actual conversion of the vehicle allowance and  
24 insert that Mr. Garza would be responsible for his own vehicle allowance or that it would be up to  
25 the employee whether he takes it as an allowance or converts it?

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27 Harry (Pete) Connelly, City Attorney said the Office of the City Attorney has disqualified itself in  
28 this matter.

29  
30 Councillor Silva said then I would address that question to Mr. Garza.

31  
32 Robert Garza said in order to make it as simple as possible, my preference would be to just adjust  
33 the base pay to reflect the vehicle allowance amount and direct staff to strike all references to the  
34 \$6,000 vehicle allowance throughout the document.

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36 Andre Moquin, HR Director said in the past, we've just eliminated the sections of the contract that  
37 refer to the vehicle allowance but leave the section that refers to the mileage reimbursement.

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41 Councillor Silva Moved to Amend Resolution No. 12-135 to remove Section 6 paragraphs A, B and  
42 C which refers to the vehicle allowance and add in Section 3 paragraph A that the base salary will  
43 be increased by \$6,000 and Mayor Miyagishima Seconded the motion.

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Mayor Miyagishima called for the roll on the Motion to Amend Resolution No. 12-135 to remove Section 6 paragraphs A, B and C which refers to the vehicle allowance and add in Section 3 paragraph A that the base salary will be increased by \$6,000 and it was Unanimously Approved. 7-0

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Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-135 as Amended and it was Unanimously Approved. 7-0

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(11) Resolution No. 12-136: A Resolution Repealing Resolution 02-222, and Directing the City Manager to Publish all Current City Manager Policies.

Councillor Thomas Moved to Adopt Resolution No. 12-136 and Councillor Sorg Seconded the motion.

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Andre Moquin, HR Director gave an overhead presentation and said this is repealing Resolution 02-222 which was adopted in 2001, regarding employee awards and recognition. We conducted an employee survey and the two things that employees stated that they appreciated most was time off and cash awards. Some of the other things were polo shirts, Council recognition, turkeys, letters of appreciation, dinners out, billboards or newspaper ads expressing employee recognition and some people stated that if an employee doesn't want to be recognized then that would be okay as well. Our current policy is in need of some revision and since it was adopted by Council, we have to bring it back to Council for their approval of the revision. We are recommending that we make a customization of our policy as our best option and we'd like to see a new City Manager Policy be developed.

Mayor Miyagishima said I think it is really important that we recognize our employees that retire with the City.

Robert Garza, City Manager said I included the publishing of the updated City Manager's Policies and they are available on the intranet for all the City employees.

Councillor Silva said I think the publishing of the policies is another good step toward transparency.

Councillor Pedroza said I just want to say that I think the City Manager's newsletter is very clear and it is important to update these policies.

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Mayor Pro-tem Thomas called for the roll on the Motion to Adopt Resolution No. 12-136 and it was Unanimously Approved. 7-0

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(12) Resolution No. 12-137: A Resolution Authorizing Las Cruces Senior Programs to Accept a Capital Appropriation from the State of New Mexico Aging and Long-Term Services Department for Improvements at Munson Senior Center Through a Severance Tax Bond in the Amount of \$250,000.00 with No Match Requirement, to Ratify the City Manager's Signature on the Appropriation Agreement, and to Adjust the FY 2012 Budget.

Councillor Small Moved to Adopt Resolution No. 12-137 and Councillor Sorg Seconded the motion.

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Auguie Henry, Grants Administrator gave an overhead presentation and said this is a resolution to accept funding for the Munson Center to complete their renovation and upgrade their billiards room. The City of Las Cruces Senior Programs Section was allocated \$250,000 from a Severance Tax Bond appropriation and was previously allocated \$178,500 from a General Obligation Bond appropriation so this would be to accept this funding.

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Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-137 and it was Unanimously Approved. 7-0

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(13) Resolution No. 12-138: A Resolution Authorizing an Agreement Between the City of Las Cruces and the Children's Reading Foundation of Dona Ana County for a Pilot Project to Supply Books on Roadrunner Transit Vehicles.

Councillor Thomas Moved to Adopt Resolution No. 12-138 and Councillor Small Seconded the motion.

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Mike Bartholomew, Transit Administrator gave an overhead presentation and said this is a program to put books on buses and get children's books in the hands of children. This pilot project will end with the expiration of the agreement which is in June 2016. This agreement formally recognizes the

1 participation of the Children's Reading Foundation of Dona Ana County and defines the respective  
2 roles for the duration of the pilot program. The Transit Department will be supplying the vehicles  
3 to get the books out into the community and the Reading Foundation is numbering and collecting  
4 the books so our responsibility will be to get these books onto the bus and into the hands of children.

5

6 Councillor Thomas said it's great that we are getting this program started. I guess I didn't realize that  
7 they can also take the books home.

8

9 Mike Bartholomew said that is correct; they can also take the books home.

10

11 Councillor Sorg said I think this is a wonderful idea.

12

13 Councillor Pedroza said I don't understand why the book holder is located near the exit door.

14

15 Mike Bartholomew said we are limited on the locations available on the bus for the holders and this  
16 was determined to be the best location.

17

18 Councillor Pedroza asked are there spanish books available?

19

20 Mike Bartholomew said I don't recall seeing any spanish books but we have had discussions with  
21 the Book Foundation and Coas Bookstore and stated that it isn't out-of-bounds to have spanish  
22 books available.

23

24 Councillor Smith said it is an additional benefit to riding the bus, that you can actually get a free  
25 book.

26

27 Councillor Silva asked how many youths ride the bus?

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29 Mike Bartholomew said I don't know because the way we count ridership on the bus is by fare and  
30 the reduced fare could be for the elderly, the youth or students. I would estimate about 15% to 20%  
31 are high school age or younger.

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35 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-138 and it was  
36 Approved. 6-0 Councillor Pedroza was absent.

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40 (14) Resolution No. 12-139: A Resolution Approving a One (1) Year Lease Agreement Between  
41 Jose R. And Ruben Coronado and the City of Las Cruces for Use of the Building Located at  
42 211 North Water Street for Operation of the City Convention and Visitors Bureau.

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1 Councillor Thomas Moved to Adopt Resolution No. 12-139 and Councillor Sorg Seconded the  
2 motion.

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6 Eric Martin, Facility Maintenance Acting Administrator gave an overhead presentation and said this  
7 is for a lease renewal for the Convention and Visitors Bureau which is located at 211 North Water  
8 Street. The Lessor is Jose Coronado and Ruben Coronado and this is a one year lease agreement with  
9 the option to terminate providing a 60 day written notice. The rent is \$4,668 per month with a 3%  
10 increase upon renewal option to \$4,808.04 per month. The City shall maintain the premises in good  
11 order and condition with the exception of normal wear and tear and the City will repair any damages  
12 to the premises.

13

14 Mayor Miyagishima asked does the City pay the property taxes and the insurance?

15

16 Eric Martin said I will have to go back and check on that for you.

17

18 Councillor Sorg asked is the Convention and Visitors Bureau planning to move?

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20 Eric Martin said yes, that is my understanding.

21

22 Robert Garza, City Manager said this has always been a temporary location because we felt that it  
23 wasn't the best location for it and it would be better to have it located somewhere Downtown. We  
24 would also like to find a location that they would be able to purchase instead of rent.

25

26 Councillor Silva asked has any consideration been giving to move this to the old City Hall building?

27

28 Eric Martin said that is an option that the City could consider.

29

30 Mayor Miyagishima said the utility payment for the old City Hall alone would far exceed their  
31 current rent payment.

32

33 Councillor Silva asked what are you paying for utilities at your current location?

34

35 Jennifer Bales, Convention and Visitors Bureau said we are currently paying about \$5,000 a month  
36 for utilities.

37

38 Robert Garza said we are here today to extend the lease for one year which would give us time to  
39 explore our options.

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41 Eric Martin said I did find out that the City does provide liability insurance for the property and  
42 Coronado is paying the casualty insurance and they are also paying all the property taxes.

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Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-139 and it was Unanimously Approved. 7-0

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

Councillor Silva Moved to Adopt Council Bill No. 12-023; Ordinance No. 2645 and Councillor Sorg Seconded the motion.

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Paul Pompeo, Southwest Engineering gave an overhead presentation and said this property was brought into the City with the Los Enamorados Estates Master Plan and we've already gone before the Planning and Zoning Commission for an amendment to the master plan and they recommend approval for the proposed zone change. There was no public input or participation at the meeting for the proposed zone change and major master plan amendment.

Councillor Sorg asked is this property currently in compliance with our code?

Paul Pompeo said no, this zone change will bring it into compliance.

Councillor Sorg asked what type of store will this be?

Paul Pompeo said it will be a Dollar General.

Councillor Sorg asked will there be access from the Calle Bella area?

Paul Pompeo said not vehicular and I'm not sure about pedestrian.

Councillor Thomas asked will there be clear defined safe pedestrian access?

Paul Pompeo said there will be defined sidewalks and I know there will be one ADA access route coming off of those sidewalks to the other properties.

1 Councillor Thomas said I would really like to see it as neighborhood-commercial that is pedestrian  
2 friendly.

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6 Mayor Miyagishima called for the roll on the Motion to Adopt Council Bill No. 12-023; Ordinance  
7 No. 2645 and it was Unanimously Approved. 7-0

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11 **VIII. BOARD APPOINTMENTS**

12  
13 Mayor Miyagishima reappointed Councillor Silva and Councillor Small and appointed Councillor  
14 Smith to the Board of Directors for the Animal Services.

15  
16 Mayor Miyagishima reappointed Councillor Silva and Councillor Small to the ETZ Authority.  
17

18 Mayor Miyagishima reappointed himself to the Metro Narcotics Board.  
19

20 Mayor Miyagishima reappointed himself and Councillor Silva to the South Central Solid Waste  
21 Authority.  
22

23 Mayor Miyagishima reappointed Councillor Small and appointed Councillor Smith to the West Mesa  
24 Strategic Planning Committee.  
25

26 Mayor Miyagishima appointed himself to MVEDA.  
27

28 Mayor Miyagishima appointed Councillor Smith to MVRDA.  
29

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31

32 Councillor Small Moved to Approve the Mayor's board appointments of Councillor Silva,  
33 Councillor Small and Councillor Smith to the Board of Directors for the Animal Services;  
34 Councillor Silva and Councillor Small to the ETZ Authority; Mayor Miyagishima to the Metro  
35 Narcotics Board; Mayor Miyagishima and Councillor Silva to the South Central Solid Waste  
36 Authority; Councillor Small and Councillor Smith to the West Mesa Strategic Planning Committee;  
37 Mayor Miyagishima to MVEDA; and Councillor Smith to MVRDA and Councillor Thomas  
38 Seconded the motion.

39  
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41

1 Mayor Miyagishima called for the roll on the Motion to Approve the Mayor's board appointments  
2 of Councillor Silva, Councillor Small and Councillor Smith to the Board of Directors for the Animal  
3 Services; Councillor Silva and Councillor Small to the ETZ Authority; Mayor Miyagishima to the  
4 Metro Narcotics Board; Mayor Miyagishima and Councillor Silva to the South Central Solid Waste  
5 Authority; Councillor Small and Councillor Smith to the West Mesa Strategic Planning Committee;  
6 Mayor Miyagishima to MVEDA; and Councillor Smith to MVRDA and it was Unanimously  
7 Approved. 7-0

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11 Mayor Miyagishima reappointed Chris Cruz, Kathy Mesa, Marla Ridgway and appointed Kari  
12 Shepan to the Fourth of July Committee.

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15

16 Councillor Thomas Moved to Approve the Mayor's board appointments of Chris Cruz, Kathy Mesa,  
17 Marla Ridgway and Kari Shepan to the Fourth of July Committee and Councillor Pedroza Seconded  
18 the motion.

19  
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21

22 Mayor Miyagishima called for the roll on the Motion to Approve the Mayor's board appointments  
23 of Chris Cruz, Kathy Mesa, Marla Ridgway and Kari Shepan to the Fourth of July Committee and  
24 it was Unanimously Approved. 7-0

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27

28 Councillor Small reappointed Dawn Rue to the Parks & Recreation Advisory Board.

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31

32 Mayor Miyagishima reappointed William Little, James Allen Hayes and Fernando Cadena to the  
33 City of Las Cruces Utilities Board of Commissioners.

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36

37 Councillor Silva Moved to Approve the Mayor's board reappointments of William Little, James  
38 Allen Hayes and Fernando Cadena to the City of Las Cruces Utilities Board of Commissioners for  
39 a term to begin July 1, 2012 and expire on June 30, 2016; and Councillor Thomas Seconded the  
40 motion.

41  
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43

1 Mayor Miyagishima called for the roll on the Motion to Approve the Mayor's board appointments  
2 of William Little, James Allen Hayes and Fernando Cadena to the City of Las Cruces Utilities Board  
3 of Commissioners for a term to begin July 1, 2012 and expire on June 30, 2016; and it was  
4 Unanimously Approved. 7-0

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7

8 Mayor Miyagishima appointed Matt Holt to the Labor Board.

9

10

11

12 Councillor Silva Moved to Approve the Mayor's board appointment of Matt Holt to the Labor Board  
13 and Councillor Thomas Seconded the motion.

14

15

16

17 Mayor Miyagishima called for the roll on the Motion to Approve the Mayor's board appointment  
18 of Matt Holt to the Labor Board and it was Unanimously Approved. 7-0

19

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21

22 Mayor Miyagishima said Councillor Smith is automatically appointed to the University Avenue  
23 Corridor Board.

24

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26

27 Mayor Miyagishima said Councillor Silva is automatically appointed to the Weed & Seed Advisory  
28 Board.

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### 32 **IX. REVIEW OF PROPOSED ORDINANCE(S)**

33

34 (16) Council Bill No. 12-024; Ordinance No. 2646: An Ordinance Approving a Zone Change  
35 From C-3C (Commercial High Intensity-Conditional) to C-3C (Commercial High Intensity-  
36 Conditional) on 6.04 ± Acres of Land Located on the South Side of Stern Drive, 0.35 ± Miles  
37 East of Its Intersection With Avenida De Mesilla; Parcel ID# 02-30595. Submitted by Ted  
38 G. Scanlon on Behalf of Hacienda RV, LLC, Property Owner (Z2842).

39

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

41

1 (17) Council Bill No. 12-025; Ordinance No. 2647: An Ordinance Approving a Zone Change  
 2 from R-4 (Multi-Dwelling High Density & Limited Retail and Office) to C-1 (Commercial  
 3 Low Intensity) for Five (5) Distinct Properties Located at 204-232 N. Campo Street, 330 E.  
 4 Las Cruces Avenue and 313 E. Organ Avenue. The Zone Change Request Includes One  
 5 Variance for a Numerical Reduction of 5-Feet to the Minimum Required 5-Foot Side Yard  
 6 Setback. Submitted by Leslie K. Skaggs, Property Owner (Z2845).

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

9  
 10 (18) Council Bill No. 12-026; Ordinance No. 2648: An Ordinance Approving a Zone Change  
 11 From RE (Single-Family Residential Estate) to R-1AC (Single-Family Medium Density-  
 12 Conditional) for a 0.3933 ± Acre Parcel Located at 3615 Spitz Street Submitted by Kenneth  
 13 Ronald Sowell, Property Owner (Z2848).

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

16  
 17 (19) Council Bill No. 12-027; Ordinance No. 2649: An Ordinance Approving a Zone Change  
 18 From H (Holding) to R-3 (Multi-Dwelling Medium Density) for a 9.00 ± Acre Parcel  
 19 Located on the West Side of Jornada Drive, 1,025 ± Feet North of Its Intersection With  
 20 Peachtree Hills Road Submitted by Pillar Engineering LLC on Behalf of Amani LLC,  
 21 Property Owner (Z2849).

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

24

25

26

27 **X. GENERAL DISCUSSION**

28

29 1. Mayor

30

31 Mayor Miyagishima said I've been summoned for Jury Duty and the one day that might cause some  
 32 conflict is on April 16<sup>th</sup> which is a Monday.

33

34 Councillor Thomas said I will keep that date clear on my calendar.

35

36

37

38 2. City Council

39

40 Councillor Thomas said Councillor Sorg, Councillor Small, Craig Fenske and I have been working  
 41 on Neighborhood Organizations so I want to pass out some information about it to Council. I will  
 42 send everyone the announcements digitally so you can send it out to your constituents? It will be held

1 on February 11<sup>th</sup>, here in City Hall and registration begins at 8:30 a.m.

2

3 I spoke with someone who said their recycling bin has more in it than their trash can so they'd like  
4 to know if we were going to start picking up the recycling bins once a week instead of every other  
5 week?

6

7 Jorge Garcia, Utilities Director said we are working with Southwest Solid Waste to see if we can  
8 offer a second recycling container because we have received a lot of requests from people who want  
9 another container.

10

11 Councillor Thomas asked is there going to be a joint meeting with the Las Cruces Public Schools  
12 on June 7<sup>th</sup>?

13

14 Robert Garza, City Manager said yes.

15

16 Councillor Thomas asked is it okay if we invite some people from the New Mexico Finance  
17 Authority?

18

19 Robert Garza said that will be fine.

20

21 Councillor Thomas said I also would like to discuss the Regional Safe Routes to School.

22

23 Robert Garza said that is one of the topics on the agenda.

24

25

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26

27 Councillor Sorg passed.

28

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30

31 Councillor Small said one of the discussion items at last week's meeting for the Animal Services  
32 Center was updating the ordinances and I would recommend that we begin thinking about what types  
33 of public input processes we are going to have because it is an important issue.

34

35 Mr. Garza, what are your thoughts regarding discussion opportunities for the Airport during a work  
36 session?

37

38 Robert Garza, City Manager said the Airport status and strategies is on our February 27<sup>th</sup> Work  
39 Session agenda and we are hoping through that discussion to talk a little bit about economic  
40 development, marketing, the relationship with the Airport to the region and what we should be trying  
41 to do to bring growth to the Airport.

42

1 Councillor Small said I think we should think of additional stakeholders to invite to that Work  
2 Session.

3

4 Robert Garza said it would be good if you could submit any names that you can think of so we can  
5 inform them of the meeting.

6

7 Councillor Small said it is good to see Tashiro Road open again.

8

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10

11 Councillor Pedroza said this month is Black History Month and there are a number of events which  
12 I will be sending out a list of the events to anyone that is interested.

13

14 I went to the Munson Center for the Senior Aging Conference and I thought it was excellent.

15

16 I want to comment on the improved communication with the City residents, I think that what is being  
17 made available now is current and understandable.

18

19 There was an announcement for upcoming road work listed in the newspaper and I know we are  
20 going to get a lot of people upset about these streets closing but I think the closing of streets to work  
21 on them is a good thing.

22

23

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24

25 Councillor Smith said I want to mention that the Centennial Casa de Antano Tour starts at 1:00 p.m.  
26 on February 11<sup>th</sup>.

27

28

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29

30 Councillor Silva said last week there was a ribbon cutting for the Multi-Use Outfall Channel and I  
31 want to compliment staff and my colleagues on this project.

32

33 I look forward to discussing the Airport opportunities during the workshop and I think there will be  
34 even more opportunities to look at with the opening of the Spaceport.

35

36 We are having a Ground Breaking Ceremony at the end of this month for south Main Street and I'd  
37 like to suggest that we have a meeting with the contractors, south-end property owners and business  
38 owners to help it run smoothly.

39

40 This past Saturday Councillor Smith and I attended a Charrette hosted by the Downtown Las Cruces  
41 Partnership and the NMSU School of Architecture came down as a class project to assist with the  
42 future Plaza. The only problem I had was that City staff wasn't invited and I urged them to be sure

1 and invite staff for future events.

2

3 I saw an ambulance that was traveling on Water Street for an emergency situation and they had to  
4 go all the way to Griggs Street because Las Cruces Street was closed due to the Farmers Market. I  
5 think those types of emergency situations need to be included in our discussions about opening up  
6 Las Cruces Street during the Farmers Market.

7

8 There is a project coming up in March at the Las Cruces Convention Center called NMMOM (New  
9 Mexico Mission of Mercy) and it is going to be the largest charity event in Las Cruces. They are  
10 looking for 1700 volunteers and the cut off date to volunteer is February 17<sup>th</sup>. They will be providing  
11 free dental services on March 2<sup>nd</sup> and 3<sup>rd</sup> to people in the Las Cruces and Dona Ana region and they  
12 are predicting to serve 2,201 people.

13

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15

16 Councillor Sorg said the Groundbreaking Ceremony for south Main Street is on February 22<sup>nd</sup>.

17

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19

20 3. City Manager

21

22 Robert Garza, City Manager said we will be keeping Council notified of all the Groundbreaking  
23 events.

24

25 Regarding Legislative issues, I spoke with our Lobbyist and he told me that the likely outcomes of  
26 this session are the budget and capital outlay and the only things left to be discussed regarding the  
27 capital outlay is whether or not it is going to be a smaller number or larger number. Another issue  
28 is the Hold Harmless, there was a meeting this morning to discuss that issue and there was a  
29 comment made that they should wait until they get every city in the State in the same room to discuss  
30 it. The Fireworks Bill, which would give us some local control, seems to be moving along. We do  
31 have a full day trip planned for this Thursday to Santa Fe and we hope Council will be able to make  
32 it.

33

34 I just want to mention again that the El Paso Electric rate case does not apply to us.

35

36 There is a Ribbon Cutting Ceremony this Wednesday at 11 o'clock for the Training Center in the  
37 West Mesa.

38

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41 **Meeting Adjourned at 4:17 p.m.**