



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

Regular Meeting

June 18, 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

I. OPENING CEREMONIES

25 Mayor Miyagishima called the meeting to order and asked for a moment of silence. Councillor Sorg
26 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
31 presented the Pet of the Week.

33 Councillor Sorg presented a Proclamation to Claudia Chavez and declared July 2012 as Park &
34 Recreation Month.

36 Councillor Sorg presented a Proclamation to Les Finley and declared June 24 thru June 30, 2012 as
37 National Mosquito Awareness Week.

39 Councillor Sorg presented a Proclamation to Ron Dawes and Scott Wallace and declared June 18,
40 2012 as Las Cruces Rexall Day.

42 Councillor Sorg presented a Proclamation to Ernesto Garcia and declared June 18, 2012 as KGRT
43 104 Day.

1
2 Councillor Sorg presented a Proclamation to Anna Mae Evans and declared June 23, 2012 as Kent
3 Evans Day.

4
5 Jeff Haozous, Chairman of the Fort Sill Apache Tribe gave an overhead presentation regarding the
6 return of the Fort Sill Chiricahua Warm Springs Apache to its New Mexico homeland.

7
8 -----
9

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

14
15 Mayor Miyagishima asked if anyone had any conflicts with anything on the agenda?
16
17 None given.

18
19 -----
20

21 **III. PUBLIC PARTICIPATION**

22
23 Charlie McDonald, Member of the Public said I live on Tornillo Street and there is a dilapidated
24 house located at 1040 N. Campo and nothing seems to be happening with it. It is located across the
25 street from the Police Department and I think you need to consider having it condemned.

26
27 -----
28

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

32
33 Mayor Miyagishima said Item 6 and Item 9 need to be removed from the Consent Agenda for
34 discussion.

35
36 -----
37

38 Councillor Small Moved to Approve the Agenda as Amended and Councillor Smith Seconded the
39 motion.

40
41 -----

1
2 Mayor Miyagishima called for the roll on the Motion to Approve the Agenda as Amended and it was
3 Unanimously Approved. 7-0

4
5 -----
6

7 **V. CITY COUNCIL MINUTES**

- 8
- 9 *(1) Regular Meeting of May 21, 2012
- 10 *(2) Regular Meeting of June 4, 2012

11
12 -----
13

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

15
16 *(3) Resolution No. 12-206: A Resolution Approving the Expansion of the Licensed Premises
17 for Liquor License Number 8007 Issued to the BPOE Elks Lodge #1119 Located at 3000
18 Elks Drive, Las Cruces, New Mexico, and Ratifying the Approval of the New Mexico
19 Regulation and Licensing Department, Alcohol and Gaming Division.

20
21 *(4) Resolution No. 12-207: A Resolution Authorizing the City of Las Cruces to Continue an
22 Agreement With the South Central Council of Governments for Fiscal Year 2012-2013 and
23 to Provide an Annual Membership Fee of \$11,140.00.

24
25 *(5) Resolution No. 12-208: A Resolution Approving an Agreement Between the City of Las
26 Cruces and SER de New Mexico, Jobs for Progress, Inc. (SER), to Continue Summer
27 Employment Services for "At-Risk" High School Age Youth, Total Cost of the Program Will
28 Not Exceed \$51,000.00.

29
30 *(7) Resolution No. 12-210: Authorizing the Execution and Delivery of a Local Government
31 Planning Grant Agreement By and Between the New Mexico Finance Authority (The
32 "Finance Authority"), and City of Las Cruces (The "Grantee"), in the Amount of Fifty
33 Thousand Dollars (\$50,000) Evidencing an Obligation of the Grantee to Utilize the Grant
34 Amount Solely for the Purpose of Financing the Costs of Economic Development Feasibility
35 Study and Solely in the Manner Described in the Grant Agreement; Certifying That the Grant
36 Amount, Together With Other Funds Available to the Grantee, is Sufficient to Complete the
37 Project; Approving the Form of and Other Details Concerning the Grant Agreement;
38 Ratifying Actions Heretofore Taken; Repealing All Action Inconsistent With This
39 Resolution; and Authorizing the Taking of Other Actions in Connection With the Execution
40 and Delivery of the Grant Agreement.

41

- 1 *(8) Resolution No. 12-211: A Resolution Authorizing a Fee Schedule for the City of Las Cruces
2 Branigan Library.
3
- 4 *(10) Resolution No. 12-213: A Resolution Approving a Signalization Agreement Between the
5 City of Las Cruces and the New Mexico Department of Transportation to Provide for the
6 Maintenance of Traffic Signals at the Intersections of US 70 Frontage Road East and Mesa
7 Grande, US 70 Frontage Road West and Mesa Grande, US 70 Frontage East and Sonoma
8 Ranch Blvd., and US 70 Frontage West and Sonoma Ranch Blvd., Project No. AC-NH-HPP-
9 (MIP)-070-2(31)152, Control No. 3780.
10
- 11 *(11) Resolution No. 12-214: A Resolution Authorizing the Purchase of Nine (9) Vehicles for the
12 Use of the Las Cruces Fire and Police Departments From the Vehicle Acquisition Fund
13 (“VAF”), in the Amount of \$219,115.50.
14
- 15 *(12) Resolution No. 11-12-421: A Resolution Awarding an Indefinite Quantity, Indefinite Cost
16 Pricing Agreement to Springtime Janitorial Supply of Carlsbad, New Mexico, for Custodial
17 Supplies, Consulting, and Other Related Services for Up to Four (4) Years Conditioned
18 Upon Approved Budgets and Annual Renewals.
19
- 20 *(13) Resolution No. 11-12-523: A Resolution to Award the Purchase of One (1) 2012 Ford E-350
21 Prisoner Transport Van for the City of Las Cruces Police Department, Prisoner Transport
22 Unit, From Braun Northwest, Inc. Of Chehalis, Washington, Through Houston-Galveston
23 Area Council (HGAC Buy) Contract No. AM-04-10 in the Amount of \$81,574.00.
24
- 25 *(14) Council Bill No. 12-033; Ordinance No. 2655: An Ordinance Approving a Zone Change
26 From C-2 (Commercial Medium Intensity) to M-1/M-2C (Industrial Standard-Conditional)
27 on 3.138 ± Acres of Land Located on the North Side of Picacho Avenue, 0.20 ± Miles West
28 of Its Intersection With Valley Drive; Parcel ID# 02-01986. Submitted by Manuel M. &
29 Leticia S. Pinon, Property Owners (Z2851).
30

31
32
33 **VII. RESOLUTION(S) AND/OR ORDINANCE(S) FOR DISCUSSION**

- 34
35 *(6) Resolution No. 12-209: A Resolution Authorizing the Execution and Delivery of a Water
36 Project Fund Loan/Grant Agreement By and Between the New Mexico Water Trust Board
37 and the New Mexico Finance Authority (The “Lenders/Grantors”) and the City of Las Cruces
38 (The “Borrower/Grantee”) in the Amount of One Hundred Eleven Thousand Eight Hundred
39 Dollars (\$111,800) Evidencing an Obligation of the Borrower/Grantee to Utilize the
40 Loan/Grant Amount Solely for the Purpose of Financing the Costs of Planning and Design
41 of (1) Pumps and Regulating and Measuring Equipment to Enable Burn Lake, Owned by the
42 City of Las Cruces, to be Used as a Regulating Reservoir by Elephant Butte Irrigation
43 District, and (2) Erosion Control Measures, Slope Protection, Solar Powered Aerators and

1 Recreational Amenities Including a Multi-Use Trail, ADA Compliant Water Access, Parking
2 Facilities and Picnicking Facilities in an Around Burn Lake, and Solely in the Manner
3 Described in the Loan/Agreement; Providing for Payment of the Loan Amount Solely From
4 Pledged Revenues; Certifying That the Loan/Grant Amount, Together with Other Funds
5 Available to the Borrower/Grantee, is Sufficient to Complete the Project; Approving the
6 Form of and Other Details Concerning the Loan/Grant Agreement; Ratifying Actions
7 Heretofore Taken; Repealing All Action Inconsistent With This Resolution; and Authorizing
8 the Taking of Other Actions in Connection With the Execution and Delivery of the
9 Loan/Grant Agreement.

10
11 Councillor Small Moved to Adopt Resolution No. 12-209 and Councillor Thomas Seconded the
12 motion.

13

14

15

16 Councillor Pedroza asked is this going to give any authority over Burn Lake to the Elephant Butte
17 Authority?

18

19 Auguie Henry, Grants Administrator said this does not give any authority of Burn Lake to the
20 Elephant Butte District. We are partners with them in trying to retain water to Burn Lake from their
21 district.

22

23 Councillor Pedroza said so we are already partners with them.

24

25 Auguie Henry said this grant and loan package is strictly for the development of Burn Lake.

26

27 Councillor Silva asked what is the objective of this project?

28

29 Auguie Henry said the project has been developed to make Burn Lake an actual recreation area for
30 the City so part one is to complete the pumps which is being done with the Elephant Butte District
31 so water can be pumped into the lake, and then we will have funding for only the planning and
32 design of a park area.

33

34 Councillor Silva said so now we are going to fill the lake with the pumps; in the past it has always
35 been filled by a natural waterline.

36

37 Auguie Henry said this was originally designed as an overflow and a place to store water and the
38 pumps were used to get it back.

39

40 Cathy Mathews, Landscape Architect said currently the lake is setup to accept water into the lake
41 so with these pumps we would be able to use Burn Lake as a regulating reservoir and it would be

1 able to accept additional water into the lake then we would be able to return that water back to the
2 Elephant Butte Irrigation District.

3

4 Councillor Silva said I know that currently the farmers are having their water decreased and now we
5 are going to increase water for the lake.

6

7 Mayor Miyagishima said this will allow Burn Lake to hold additional water so when the farmers do
8 need it then the pumps would be able to pump it back to them.

9

10 Councillor Silva said I have had many constituents come up to me and tell me that their perception
11 of this is that we are trying to create a lake in the middle of the desert which just doesn't make any
12 sense.

13

14 Councillor Small said the project and the grant are intended for the purpose of allowing the Elephant
15 Butte District to store water at Burn Lake which would be released later on for irrigation and also
16 for the planning and design of the recreational park at Burn Lake.

17

18

19

20 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-209 and it was
21 Unanimously Approved. 7-0

22

23

24

25 *(9) Resolution No. 12-212: A Resolution Authorizing a Fee Schedule for the City of Las Cruces
26 Museum System.

27

28 Councillor Thomas Moved to Adopt Resolution No. 12-212 and Councillor Sorg Seconded the
29 motion.

30

31

32

33 Councillor Smith said I am a big fan of our Museum System and I don't doubt that these fees are
34 necessary but I think the public should know why these changes are being made to the fees.

35

36 Lisa Pugh, Museum of Art Manager gave an overhead presentation and said the Museum System
37 generates revenue through class registration fees, usage fees and room rental fees. It is the policy of
38 the Museum System to recover at a minimum of 50% of the associated program costs for any fee-
39 based programs. The anticipated FY 2012-2013 revenue for the Museum System is \$39,510 and the
40 fees will offset the expenses. The fees are determined by the cost of the supplies, equipment,
41 instructional services, utilities, security and transportation. The studio/meeting rooms may be
42 reserved for use at no charge by educational, civic, cultural and governmental groups.

43

1 Councillor Silva said you stated that you recover 50% so I assume your expenses are about \$80,000.

2

3 Lisa Pugh said the 50% actually covers our cost for supplies, the hiring of instructors, fuel and
4 utilities for classes but it doesn't include recouping of staff's salaries and benefits.

5

6 Councillor Silva said you stated that the increases would be zero to 50%; I could support an increase
7 of 20% to 30% but I hope you consider that in these hard economic times it would be hard for a
8 family to pay a 50% increase for a class fee.

9

10 -----

11

12 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-212 and it was
13 Unanimously Approved. 7-0

14

15 -----

16

17 (15) Resolution No. 12-215: A Resolution to Adjust the Adopted Fiscal Year 2011/2012 Budget
18 to Provide for Allocation of Operating and Capital Costs Due to End-of-Year Review of
19 Revenues and Expenditures.

20

21 Councillor Smith Moved to Adopt Resolution No. 12-215 and Councillor Small Seconded the
22 motion.

23

24 -----

25

26 Dick Gebhart, Budget & Research Administrator gave an overhead presentation and said the end of
27 the year adjustments focuses on compliance so the requests are not budget enhancements. The scope
28 of the adjustments is that there are thirty-nine funds being adjusted, one fund is being closed, one
29 fund is being opened and there are 152 individual budgetary items of which eighteen are revenues,
30 110 are expenditures and twenty-four are transfers. The reasons for the General Fund revenue
31 changes are due to the refunding of bonds and the April GRT refund and the reason for the
32 expenditure changes are due to the increase of copying charges and to account for the step and merit
33 pay increase allocations. So, the end of the year summary is that there are no new programs/policy
34 initiatives, the adjustments are focused on compliance and alignment and there was a slight increase
35 in the General Fund ending balance.

36

37 Russ Warner, Member of the Public said this is a very good budget and I would like to congratulate
38 you on such a great job.

39

40 -----

41

42 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-215 and it was
43 Unanimously Approved. 7-0

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

(16) Resolution No. 12-216: A Resolution Approving a Memorandum of Agreement for Participation in a US Department of Defense - Office of Economic Adjustment Joint Land Use Study.

Councillor Small Moved to Adopt Resolution No. 12-216 and Councillor Sorg Seconded the motion.

David Weir, Community Development Director gave an overhead presentation and said the purpose of this Memorandum of Agreement is to have collaborative land use planning between the Military Installations and the surrounding communities. It will promote local growth, development and assure that the local growth is compatible with the Military Installation's training and operational mission. It will raise State and local government awareness and support long-term sustainability and operability of Military Installations. In order for this to be done it has to be requested by a Military Installation and all the three of the bases in this area (Fort Bliss, White Sands Missile Range and Holloman Air Force Base) have requested the Joint Land Use Study. The Land Use Study is funded by the US Department of Defense with a 90% Federal and 10% local match. The estimated grant amount is \$500,000 and there will be six counties and three cities participating in this study. The City of Las Cruces' participation would consist of 20% of the local grant match which up to \$12,000 which can be in staff participation and in-kind service, Policy Committee membership and Technical Committee membership.

Councillor Pedroza asked is what is being proposed like a decision making body?

David Weir said this is more of a venue to provide a forum so these types of issues can be discussed to make sure everyone is on the same page.

Councillor Pedroza said some time back there were some issues with the Military's shooting that started a forest fire so I am a little concerned about those types of situations. There have also been concerns with some Military aircraft flying over certain neighborhoods. So, is this going to be a forum where we can discuss these types of issues?

David Weir said the actual study is being asked for by the Military and they are using it as show of being a good neighbor but those are the types of things that have been discussed at the meetings that have been held to date.

Councillor Small said it seems to me that this is a very positive step forward.

Regular Meeting
June 18, 2012

Page 9

1
2 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-216 and it was
3 Unanimously Approved. 7-0

4
5
6

7 (17) Resolution No. 12-217: A Resolution to Approve an Option to Lease Agreement Between
8 the City of Las Cruces and Las Cruces Community Partners for Certain City-Owned
9 Properties Within the Downtown Tax Increment Development District and Other Supporting
10 Documents.

11
12 Councillor Silva Moved to Adopt Resolution No. 12-217 and Councillor Sorg Seconded the motion.

13
14
15

16 David Dollahon, Chief Planning Administrator gave an overhead presentation and said the concepts
17 of this Option to Lease is that Las Cruces Community Partners (LCCP) has an option to lease on
18 fourteen City-owned properties within the Downtown area, LCCP will use the City properties and
19 join with other properties to propose new developments at which time the actual lease will be
20 negotiated, and the lease amount is to be determined at the time of the proposal development. The
21 benefit to the City is that the properties will be evaluated for better and taxable use and LCCP will
22 benefit from the development expenses but assumes all the risks. Under executing the resolution and
23 substituting the lease agreement, it does not change the ownership or allowed uses of the property.
24 The substitute resolution and Exhibit A that were proposed will clarify the attachments to the Exhibit
25 A which Attachment A is the Option to Lease and it includes the property listing, Attachment B is
26 the sample lease, Attachment C is the responsibilities of the parties and Attachment D is the services
27 to be provided by LCCP to the City of Las Cruces. Exhibit A's proposed substitution changes are
28 the option term of an initial three year period, has an extended option for three, four or five year
29 periods, and it includes additional damage limits. The final lease for each property or development
30 will be negotiated between City staff and LCCP and the lease amount is not to exceed fair market
31 rent at the time of the lease execution. There may be lease reductions or credits if there are
32 permanent and temporary jobs created, the property, personal property and NM GRT increases, there
33 are affordable housing developments or there are services of value that benefit the community or city
34 that are quantifiable. The lease reduction limitations are not to be less than ten years but not more
35 than forty-five years. The terms of the final lease remains that responsibility of LCCP and LCCP's
36 leasehold can be mortgaged provided that the City's real property shall not be foreclosed on. LCCP
37 may propose that the City's property be sold as part of any development but there may be fee simple
38 or other acceptable form of ownership, the terms are to be negotiated at the time of the development
39 and they must comply with NM State Statutes and City ordinances that are in effect at that time.

40

41 Councillor Smith asked can the City terminate the lease during the initial lease term?

42

43 David Dollahon said that is addressed in Item 5, the second paragraph under default on page three.

1

2 Councillor Smith said there are still some issues with parking in our Downtown that will need to be
3 addressed as well.

4

5 Councillor Pedroza said I was concerned at first because it seemed to me that we were giving this
6 away but I felt more comfortable with it after speaking with Mr. Garza. Are we allowing LCCP to
7 develop these properties any way that they desire or is there something in place that states the City
8 has some say in what is developed on the property?

9

10 David Dollahon said in order to move forward with a lease, LCCP has to bring forward a proposal
11 to staff and then we will negotiate the lease and it will have to be approved by Council.

12

13 Robert Garza, City Manager said this document is establishing the public/private partnership
14 between the City and LCCP but it doesn't give away the Council's control and authority in
15 developing the Downtown properties. The Council ultimately has the right to say yes or no.

16

17 Councillor Pedroza said in the new resolution under Section 3 Number 2B it states that at the time
18 of the lease execution the amount should not exceed the fair market rent; what does that mean?

19

20 David Dollahon said essentially, they have an option to lease the property and that would pay us
21 \$5,000 for the first three year period but once they go to lease any specific property, they can come
22 forward with a lease proposal and we will determine the fair market rent at that time.

23

24 Councillor Silva said we should look at this as we are hiring a professional economic developer for
25 our Downtown area which is something that we don't have the ability to do in-house right now. We
26 are just giving them the green light to look at these particular properties and match up Partner A with
27 Partner B and negotiate that deal with a potential developer or renter for the Downtown area. You
28 mentioned property that is vertical and horizontal which I think that means "air space" so how will
29 we handle those types of situations in the future?

30

31 David Dollahon said this assumes that they are leasing the space that is owned by the City as "ground
32 space," it doesn't talk about the "air space" above it. The zoning regulations regulate the height so
33 they can come in and build a building at a certain height as long as it meets the Zoning Code and
34 Building Code requirements.

35

36 Councillor Thomas said the previous discussion we had included a lot of discussion regarding the
37 development of a Smart Code for Downtown. I think our current Zoning Code is inadequate for what
38 we want to do here so I hope we aren't going to be relying on our current Code.

39

40 David Dollahon said that is one of the items that we have had preliminary discussions with LCCP
41 and they do want to develop a Smart Code and go through that process which means that we would
42 be back before you with a proposed Smart Code to be amended into our Zoning Code. You need to
43 look at this as two separate issues, the land deal and your zoning authority.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

Robert Garza said attachment C is part of what you are acting on today and in Section B it states that “the Community Partners with the cooperation and concurrence of City representatives will develop designing guidelines and a form-base Smart Code that will be considered by the City Council for future development in the Downtown.”

Councillor Thomas asked how soon can we expect this to happen?

Bob Pophall, LCCP said as soon as we have an agreement then we believe this process needs to start. We will be putting together some milestones that we will be submitting to you within the next thirty days and we don’t want to see any buildings started until we have this planning process and Smart Code in place.

Vincent Jeffers, Member of the Public said I am looking forward to seeing the Downtown developed but I think the milestones should be in place prior to the consideration of the agreement.

Councillor Silva Moved to Amend Resolution No. 12-217 to substitute the modified resolution and Exhibit A as presented and Councillor Sorg Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to Amend Resolution No. 12-217 to substitute the modified resolution and Exhibit A as presented and it was Unanimously Approved. 7-0

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-217 as Amended and it was Unanimously Approved. 7-0

(18) Resolution No. 12-218: A Resolution to Adopt the El Paseo Corridor Community Blueprint.

Councillor Thomas Moved to Adopt Resolution No. 12-218 and Councillor Sorg Seconded the motion.

Paul Michaud, Senior Planner gave an overhead presentation and said the Community Planning Blueprint initiative is designed to achieve the goals, objectives and policies of the Comprehensive Plan, ensure consistency with the Las Cruces MPO Transport 2040 Plan, provide a conceptual tool

1 to address fiscal impacts, neighborhood and stakeholder concerns, public improvement needs, or
2 community vibrancy and stability issues and to consider the needs, challenges and opportunities for
3 an area, neighborhood, corridor or place in an expedited manner. The El Paseo Corridor is a
4 neighborhood built on shared ideas and a common desire for economic growth and healthy living.
5 It is an attractive, peaceful place where people feel welcome, safe and comfortable and it is a hot spot
6 for local shopping, eateries and businesses. El Paseo Road is a thriving transit-oriented area where
7 businesses, residents, visitors and the City work together to create a place of sustainability and one
8 that is pedestrian and bicycle friendly and addresses the needs of all the citizens.

9

10 Srijana Basnyat, Planner continued the overhead presentation and said the El Paseo Corridor
11 Community Blueprint is made up of documents regarding the background, issues, challenges and
12 opportunities, goals, actions, and references. The issues and challenges include road conditions, the
13 environment, aesthetics, economic and land use constraints. There are opportunities for multi-modal
14 transportation, place-making, housing and healthy living. The goals are to redevelop El Paseo Road
15 as a safer and more user-friendly corridor, prioritize equitable design, allow diverse land uses and
16 housing types to locate in the proximity of each other to achieve a walkable, inclusive and
17 economically viable area, allow flexibility in land and building uses so development can respond to
18 economic and ownership changes, improve aesthetic appeal of the corridor, foster a sense of place
19 or community identity, encourage climate-responsive and environmentally sustainable development
20 practices and to support an active living and healthy community design. We need to develop and
21 adopt a form-based code, design El Paseo Road as a complete street, implement appropriate RSA
22 recommendations, incorporate ITE's Designing Walkable Urban Thoroughfares, encourage higher
23 density housing, encourage the integration of affordable housing units, develop standards for
24 destination-oriented/transit-oriented development, adopt urban design and architectural standards,
25 adopt green development standards and research incentive programs.

26

27 Councillor Smith said I do think this is a step in the right direction.

28

29 Councillor Thomas said I would like to see some intense cooperation with the Strategic Plan for the
30 Roadrunner Transit.

31

32 Councillor Small said some things are already being done, like adding some medians to certain areas
33 and with the opening of Pros Ranch there have been more people using this corridor. The
34 intersection of El Paseo and Idaho had been identified as one of the most unfriendly intersections and
35 there was about \$300,000 set aside for that intersection which isn't enough to fully do that
36 intersection so we do need to continue to try to get more funding for that project.

37

38 Councillor Sorg said we do also need to remember the storm water and storm water harvesting.

39

40 Councillor Silva said I really like the direction that this is heading and my only suggestion would be
41 that you try to include how many participates are involved with it.

42

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 12-218 and it was Unanimously Approved. 7-0

(19) Resolution No. 11-12-464: A Resolution Authorizing a Contract Between the City of Las Cruces and G. Sandoval Construction, Inc., for Construction of the Intermodal Transit Facility for the Contract Sum of \$2,420,001.00, Plus an Allowance of \$183,012.58 for Gross Receipts Tax, and an Authorized Change Order Contingency of \$100,000.00; for a Total Authorization of \$2,703,013.58.

Councillor Thomas Moved to Adopt Resolution No. 11-12-464 and Councillor Small Seconded the motion.

Eric Martin, Facilities Management Administrator gave an overhead presentation and said the site for the Intermodal Transit Facility is located at 300 West Lohman Avenue and is approximately 1.6 acres. The building area is approximately 7,045 square feet and the total construction authorization is \$2,703,013.58. The purpose of this facility is to have a central transfer point for the City's transit system and for intercity buses, NMDOT Park and Ride, cabs and commuters. We received six bids which were reviewed on April 12, 2012 and the apparent low bidder was G. Sandoval Construction. The general construction will consist of site work which includes clearing, driveways, utilities, parking, landscaping, signage, rider canopies and platforms and the building construction which includes things like structural systems, roofing, insulation, interior finishes, plumbing, HVAC, electrical, elevator and skylights. We will be seeking LEED Certification for this facility and it will have state of the art energy efficient mechanical equipment, low water usage plants, there will be an emphasis on recycled material content and there will be natural day-lighting and energy efficient light fixtures. If this resolution is approved then we would anticipate construction to begin next month and it'd be substantially completed by March of next year.

Mayor Miyagishima asked were you able to meet with Greyhound to see if they are still planning on moving into this facility?

Mike Bartholomew, Transit Administrator said they have expressed an interest in this facility.

Councillor Small asked is there a way to invite adjacent property owners in to keep them informed of the steps of the project as it moves forward?

Eric Martin said yes, we'll have staff work with them and keep them informed.

1

2 Councillor Small said we also need to make sure the facility is renewable energy friendly and that
3 the size of the conduit and the electrical rooms are oversized; is that part of this project?

4

5 John Jarrard, Project Architect said we have met several times with the City's IT Department and
6 we have added several empty conduits for future growth.

7

8 Councillor Small asked would those be for IT growth and not for renewable energy?

9

10 John Jarrard said right now there isn't any renewable energy or conduit structure planned but that
11 is something that we can certainly look at during the early stages of the construction.

12

13 Councillor Small said I would ask that we do that very quickly and that we outline what the
14 additional conduit is to be used for as well as the size of the utility rooms.

15

16 John Jarrard said we did design the shade structures on the passenger platform to be solar collectors.

17

18 Councillor Small said that is very good to hear.

19

20 Councillor Sorg said I think we also need to rough-in the electrical for the expansion of the Solar PV
21 or any other types of solar energy. Was there any planning for this solar structure at any stage of the
22 design?

23

24 John Jarrard said in the preliminary stages we did look at the possibility of getting some renewable
25 energy credits for PV panels but I think the cost at the time wasn't feasible.

26

27 Eric Martin said since the shade structures do support future solar energy applications, we will go
28 back and double check the plans because we might be a little more solar-ready than we are conveying
29 here.

30

31 Councillor Smith said I think the LEED Certification is something that this community can take a
32 lot of pride in but what would it actually cost for this building?

33

34 John Jarrard said in this case the cost would probably be more in administrative fees rather than
35 actual construction cost, it will probably be in the range of \$20,000 to \$30,000.

36

37 Councillor Silva said there have been concerns that this isn't going to be big enough to allow buses
38 in and out of this location.

39

40 John Jarrard said the buses will enter off of Alameda and access the platform along the south side
41 of the site and then exit the site onto Lohman. We design the entrance drive to have a large enough
42 radius so the bus could make the turn in one lane without having to swing into the other lane.

1
2 Councillor Smith said I just wanted to say that this looks like a very attractive building and I'd like
3 to thank all of you for all your work on this project.

4
5 -----
6

7 Mayor Miyagishima called for the roll on the Motion to Adopt Resolution No. 11-12-464 and it was
8 Unanimously Approved. 7-0

9
10 -----
11

12 **VIII. BOARD APPOINTMENTS**

13
14 Mayor Miyagishima appointed Carrie La Tour to the Downtown Revitalization Plan Ad-Hoc
15 Committee.

16
17 -----
18

19 Councillor Small Moved to Approve the Mayor's board appointment of Carrie La Tour to the
20 Downtown Revitalization Plan Ad-Hoc Committee and Councillor Smith Seconded the motion.

21
22 -----
23

24 Mayor Miyagishima called for the roll on the Motion to Approve the Mayor's board appointment
25 of Carrie La Tour to the Downtown Revitalization Plan Ad-Hoc Committee and it was Unanimously
26 Approved. 7-0

27
28 -----
29

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

31
32 (20) Council Bill 13-001; Ordinance No. 2656: An Ordinance Repealing Las Cruces Municipal
33 Code, Section 2-766 Through 2-768, Entitled "Subdivision XI Retired Senior Volunteer
34 Program Advisory Board."

35
36 Mayor Miyagishima and Council agreed to bring this item back.

37
38 -----
39

40 **X. GENERAL DISCUSSION**

41
42 1. Mayor
43

1 Mayor Miyagishima said I received a letter suggesting that we have a hamburger and hot dog event
2 and tie it into the Music in the Park event and invite the helpers from the Dental Clinic to show them
3 our appreciation for all their work for that event. I will try to get some donations from food vendors
4 and we could try to have it when the Music in the Park is at Young Park.

5

6 I just got back from the Mayors Conference and I spoke with the Assistant Secretary of Veterans
7 Affairs and the Assistant Secretary of the Department of Labor regarding Vets employing training
8 and I was informed that about six months ago the White House rolled out a program called "The
9 Gold Card" which helps Vets to get jobs. I would like for us to have a Veterans Job Summit and
10 invite someone to explain the available programs and also invite our business community because
11 one of the programs is offering to give a business a \$9,600 tax break for each Veteran that they hire.

12

13

14

15 2. City Council

16

17 Councillor Thomas said we just learned that Mark Lange is going to be in Cloudcroft so he will be
18 able to be here in Council Chambers a week from next Tuesday at 3:30 p.m.

19

20

21

22 Councillor Sorg said I just want to remember folks that tomorrow at 10:30 a.m. at the Sun Edison
23 Solar Farm there is going to be a Grand Opening and Ribbon Cutting event.

24

25 On Wednesday, the Mesilla Valley Economic Development Alliance is having a retreat for future
26 development planning.

27

28 Next Saturday is the Municipal League Committee meeting in Albuquerque that Councillor Smith
29 and I will be attending.

30

31 Mayor Miyagishima asked how was your "Councillor on the Corner" event?

32

33 Councillor Sorg said it was a little slow but I did meet a couple of couples there that had a lot of
34 questions and occupied about an hour of my time but that was about it.

35

36

37

38 Councillor Small said it would be good to have a Work Session with White Sand Missile Range
39 since the MOU was approved.

40

41 Regarding the issues with condemnation, we trust that everything will be done at the highest levels
42 so there will be a clear accountability.

1 Last year we honored some of the young folks that did very well at the competition up at Raton and
2 given the City's involvement with the Trap and Skeet Range, I think it is appropriate that we do it
3 again this year.

4

5

6

7 Councillor Pedroza said we received an email last week from Nicole Martinez from the Community
8 of Hope regarding funding for Veteran Housing and I would urge us to look into this and see if there
9 is anything we can do.

10

11 Mayor Miyagishima said I spoke with the Secretary about that situation and he said he could direct
12 that money directly to the City if we can't get it resolved. He also informed me that there are monies
13 available for places like old hotels to be converted to apartments for Veterans as well.

14

15 Councillor Pedroza said tomorrow the Office of Senator Bingaman will be in room 2007 in City Hall
16 at 3:00 p.m. to have a discussion regarding the foreclosure problem.

17

18 Saturday was the kick-off for the Immigration Policy and Human Rights Conference and it was a
19 very moving event. Yesterday they had a reception and tonight Marie Hinojosa will be speaking from
20 7:00 p.m. to 9:00 p.m. at the Corbett Center. There is also other events that will be going on for the
21 rest of the week.

22

23

24

25 Councillor Smith said there is an event in El Paso on Wednesday regarding the collaborated efforts
26 of El Paso, Las Cruces and Juarez.

27

28 We mentioned what is going to be happening on El Paseo but we didn't mention that it is the
29 connecting piece between Downtown and the University area. We are also trying to bring some
30 revitalization to the Mesilla Park area.

31

32 On Saturday there was the Pride Day event, the June-Teenth event and the Centennial Quarrel event
33 which all were very successful events.

34

35

36

37 Councillor Silva said there was a couple of Sun News articles regarding City Manager Garza and
38 Chief Williams and they were great articles.

39

40 I want to publically thank former County Commissioner Kent Evans for everything he did and for
41 his commitment to this community.

42

1 I would like to get an update on the progress of the second floor of the Aquatic Center and I would
2 also like to get a brief update on the Campaign Ordinance.

3

4 Brian Denmark, Assistant City Manager said we have ordered the weight equipment for the Aquatic
5 Center and we have received the Certificate of Occupancy for the second floor so we should have
6 it open by the beginning of July.

7

8 Councillor Silva said I recently traveled to another country and I used their public transportation and
9 I just want to congratulate our Transit System for having such a good bus system.

10

11 Last week we had a discussion regarding the Organ Mountains and as a follow up to it I spoke to
12 many people out in the community and there are still a lot of questions out there regarding that issue
13 so I would like to see if we could have a polling company do a poll so we can get the community's
14 feedback on this topic.

15

16 Regarding the former La Iguana Café, the Downtown Las Cruces Partnership was very active in
17 trying to fill that space and Gary Ebert from the Popular Café has signed a contract to take it over
18 and I wish them a lot of luck in making this a successful venture.

19

20 Mayor Miyagishima said the only thing about us spending money to do a poll is that we might be
21 setting a precedence. We have to keep in mind that this is an outside organization that is asking for
22 a solution so maybe we can get some people from the Forest Service or the Border Patrol or someone
23 that is willing to speak to us for free and I'd be looking to maybe including it on the last meeting in
24 July.

25

26

27

28 3. City Manager

29

30 Robert Garza, City Manager said I want to remind everyone that there this a Closed Meeting
31 following this meeting

32

33 I also want to mention that DFA has approved our budget for next year.

34

35

36

37 Meeting Adjourned at 4:45 p.m.