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**City of Las Cruces**<sup>®</sup>  
 PEOPLE HELPING PEOPLE

**Council Action and Executive Summary**

Item # 4 Ordinance/Resolution# 13-115

For Meeting of \_\_\_\_\_  
 (Ordinance First Reading Date)

For Meeting of **February 19, 2013**  
 (Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL       LEGISLATIVE       ADMINISTRATIVE

**TITLE: A RESOLUTION AMENDING RESOLUTION 12-217 FOR THE PURPOSE OF MODIFYING THE SCHEDULE OF CITY-OWNED PARCELS: DELETING PARCEL NUMBER 7, KNOWN AS THE OLD CITY OFFICE ANNEX; AND ADDING PARCEL NUMBER 15, KNOWN AS THE AMADOR HOTEL BUILDING.**

**PURPOSE(S) OF ACTION:**

Amend Option to Lease Agreement.

<b>COUNCIL DISTRICT: 1, 4</b>		
<b><u>Drafter/Staff Contact:</u></b> D. Eric Martin	<b><u>Department/Section:</u></b> Public Works/ Facilities Management	<b><u>Phone:</u></b> 541-2616
<b><u>City Manager Signature:</u></b>		

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

During the past twenty-plus years, the City has actively pursued the redevelopment of the Downtown Las Cruces area. Various partnerships and initiatives have taken place during that time. Some of the completed projects include rehabilitation of the Rio Grande Theater, relocation of the Museum of Nature & Science (former Museum of Natural History), re-opening Main St. through the Downtown area, acquisition of the Amador Hotel building, acceptance of the Camunez Building, establishment of a Tax Increment & Development District (TIDD), adoption of a Master Plan, and construction of the new City Hall. Other projects are in the design and funding phase, including the Downtown Civic Plaza. A number of events are also held in the Downtown area to support redevelopment efforts, encourage citizens to visit and businesses to relocate there; including the Farmer's Market, El Paso Electric Holiday Light Show, Salsafest, and Winterfest.

In 2010, the City of Las Cruces finished construction of its new City Hall, as part of a long-term plan to consolidate administrative services, and to create a "one stop" point of service for citizens. Staff was able to move into the new building by early summer 2010. Once that process was complete, the former City Office Center, located at 575 S. Alameda Blvd., became vacant. This, coupled with the former City Hall and other buildings, along with several parcels used as parking in and around the Downtown area, has resulted in a number of locations that are available for redevelopment.

In early 2012, Las Cruces Community Partners (LCCP) submitted a proposal to the City to serve as a master developer via a proposed Option to Lease Agreement. On June 18, 2012, City Council approved the concept as proposed through Resolution 12-217. Included with that document is a Schedule of City-owned Parcels included in the agreement, along with a location map.

As the process moved forward during the summer of 2012, a local health provider expressed an interest in the former City Office Center (which served previously as the City hospital). Such use would be consistent with the original design and intent of the building. Under the New Mexico Constitution, the City may engage in certain transactions that support taking care of the sick and indigent. Hence, the City is interested in making this option available to a local health provider.

The Amador Hotel building was acquired in 2007, and is currently operated by the Amador Board Foundation in conjunction with the City. A Master Plan has been developed, and the current work has been focused primarily on rehabilitation and preservation of portions of the original structure. In the current economic climate, available capital funding has been scarce. Adding this building to the agreement would open up opportunities for redevelopment at that location.

Therefore, this Resolution seeks to amend the parcel information included with the original Option to Lease Agreement that was executed July 6, 2012. This includes deleting the former City Office Center, adding the Amador Hotel building, and making a minor revision to Parcel 12. Under Paragraph 13, Preservation of Positions, the City has notified LCCP of its intent to modify the Schedule of City-owned Parcels.

**SUPPORT INFORMATION:**

1. Resolution.
2. Attachment "A", Parcel location map.
3. Attachment "B", Schedule of City-owned Parcels.
4. Attachment "C", LCCP Letter of Consent.

**SOURCE OF FUNDING:**

Is this action already budgeted?  N/A	Yes	<input type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from:
		<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
		<input type="checkbox"/>	Proposed funding is from fund balance in the Fund.
Does this action create any revenue?  N/A	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: _____ in the amount of \$_ for.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

**BUDGET NARRATIVE**

N/A
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**FUND EXPENDITURE SUMMARY:**

<b>Fund Name(s)</b>	<b>Account Number(s)</b>	<b>Expenditure Proposed</b>	<b>Available Budgeted Fund in Current FY</b>	<b>Remaining Funds</b>	<b>Purpose for Remaining Funds</b>
N/A	N/A	N/A	N/A	N/A	N/A

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will amend Resolution 12-217 for the purpose of modifying the Schedule of City-owned parcels.
2. Vote "No"; this will not amend Resolution 12-217.
3. Vote to "Postpone"; the Resolution and provide staff with further direction.
4. Vote to "Table"; the Resolution and provide staff with further direction.

**REFERENCE INFORMATION:**

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits:

1. Resolution 12-217

RESOLUTION NO. 13-115

**A RESOLUTION AMENDING RESOLUTION 12-217 FOR THE PURPOSE OF MODIFYING THE SCHEDULE OF CITY-OWNED PARCELS: DELETING PARCEL NUMBER 7, KNOWN AS THE OLD CITY OFFICE ANNEX; AND ADDING PARCEL NUMBER 15, KNOWN AS THE AMADOR HOTEL BUILDING.**

The City Council is informed that:

**WHEREAS**, during the past twenty-plus years, the City has actively pursued the redevelopment of the Downtown Las Cruces area; and

**WHEREAS**, in 2010 the City of Las Cruces finished construction of its new City Hall and vacated the former City Office Center, located at 575 S. Alameda Blvd.; and

**WHEREAS**, in early 2012, Las Cruces Community Partners (LCCP) submitted a proposal to the City to serve as a master developer via a proposed Option to Lease Agreement; and

**WHEREAS**, during the summer of 2012, a local health provider expressed an interest in the former City Office Center (which served previously as the City hospital) and such use would be consistent with the original design and intent of the building; and

**WHEREAS**, a master plan for the Amador Hotel building has been completed and adding this building to the agreement would open up opportunities for development at that location.

**NOW, THEREFORE**, be it resolved by the governing body of the City of Las Cruces:

(I)

**THAT** the Schedule of City-owned Parcels is being modified to delete Parcel Number 7, known as the Old City Office Annex; to add Parcel Number 15, known as the Amador Hotel Building; and to correct the cross-street name in Parcel 12.

(II)

THAT the attached revised Schedule of City-owned Parcels supersedes and replaces the previous version that was made part of the Option to Lease Agreement signed by LCCP on July 6, 2012.

(III)

THAT the City Manager is authorized to execute revisions to the Option to Lease Agreement with LCCP and, specifically, to the Schedule of City-owned Parcels.

(IV)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

(SEAL)

VOTE:  
Mayor Miyagishima: \_\_\_\_\_  
Councillor Silva: \_\_\_\_\_  
Councillor Smith: \_\_\_\_\_  
Councillor Pedroza: \_\_\_\_\_  
Councillor Small: \_\_\_\_\_  
Councillor Sorg: \_\_\_\_\_  
Councillor Thomas: \_\_\_\_\_

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

# PARCEL LOCATION –



## OPTION TO LEASE (REVISED - 02/19/2013) -

SCHEDULE OF CITY-OWNED PARCELS				
PARCEL #	MAP ID #	LOCATION	SIZE (ACRES)	REVISIONS
1	02-05993	SE CORNER OF WATER & GRIGGS	0.93	
2	02-05925 02-05931	NW CORNER OF GRIGGS & WATER	.76 + .32	
3	02-05950	SE CORNER OF LAS CRUCES & WATER	0.64	
4	02-06091	OLD CITY HALL SE CORNER OF LAS CRUCES & CHURCH	1.35	
5	02-06042	NW CORNER OF LAS CRUCES & CHURCH	1.58	
6	02-06067	HISTORIC POST OFFICE NW CORNER OF GRIGGS & CHURCH	0.87	
7	02-05964	OLD CITY OFFICE ANNEX SE CORNER OF LOHMAN & ALAMEDA	2.48	REMOVED 02/19/2013
8	02-06072 02-06073	SW CORNER OF GRIGGS & CHURCH	.29 + .18	
9	02-05944	SE CORNER OF COURT & WATER	0.17	
10	02-06042	SW CORNER OF HADLEY & CHURCH	1.58	
11	02-06075	NW CORNER OF HADLEY & CAMPO	0.64	
12	02-06095	SW CORNER OF WATER & CHURCH	0.39	ORIGINALLY SHOWN
12	02-06095	SW CORNER OF E BOWMAN & CHURCH	0.39	REVISED STREET NAME
13	02-06081	NW CORNER OF WATER & CHURCH	0.25	
14	02-05990	CAMUNEZ BUILDING NW CORNER OF MAIN ST. AND ORGAN AVE	0.2	
15	02-06033	AMADOR HOTEL BUILDING NW CORNER OF S. WATER & W. AMADOR	1.24	ADDED 02/19/2013
TOTAL ACRES				11.39

OPTION TO LEASE <sup>48</sup>ATTACHMENT "A"  
 REVISION #1 - 02-11-2013

**SCHEDULE OF CITY OWNED PARCELS**

PARCEL #	MAP ID #	LOCATION	SIZE (ACRES)
1	02-05993	SE CORNER OF WATER & GRIGGS	.93
2	02-05925 02-05931	NW CORNER OF GRIGGS & WATER	.76 + .32
3	02-05950	SE CORNER OF LAS CRUCES & WATER	.64
4	02-06091	OLD CITY HALL SE CORNER OF LAS CRUCES & CHURCH	1.35
5	02-06042	NW CORNER OF LAS CRUCES & CHURCH	1.58
6	<del>02-06067</del>	HISTORIC POST OFFICE NW CORNER OF GRIGGS & CHURCH	.87
7 (PARTIAL)	02-05964	CITY OFFICE ANNEX PKG. LOT SW CORNER OF LOHMAN & WATER	.55
8	02-06072 02-06073	SW CORNER OF GRIGGS & CHURCH	.29 + .18
9	02-05944	SE CORNER OF COURT & WATER	.17
10	02-06042	SW CORNER OF HADLEY & CHURCH	1.58
11	02-06075	NW CORNER OF HADLEY & CAMPO	.64
12	02-06095	SW CORNER OF WATER & CHURCH	.39
13	02-06081	NW CORNER OF WATER & CHURCH	.25
14	02-05990	CAMUNEZ BUILDING NW CORNER OF MAIN ST. & ORGAN AVE.	.20
15	02-06033	NE CORNER OF WATER & AMADOR	1.24
TOTAL ACRES			11.94

REVISE

W Lohman Ave

342

LCCP LEASE  
PROPERTY

LA CLINICA PROPERTY

S Alameda Blvd

REVISION TO PARCEL #7 - CREG LCCP  
LEASE OPTION AGREEMENT 11-2013

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AMENDMENT TO OPTION TO LEA



February 11, 2013

**DRAFT**

Mr. D. Eric Martin, CFM, FMP  
Facilities Management Administrator  
City of Las Cruces  
P. O. Box 20000  
Las Cruces, NM 88004

Re: Revisions to CLC/LCCP Option to Lease Agreement  
Resolution # 12-217 - Downtown Las Cruces Properties

Dear Mr. Martin:

Las Cruces Community Partners, LLC ("LCCP") consents to a revision of the Option to Lease Agreement ("the Option") approved by the City of Las Cruces ("CLC") in Council Resolution #12-217, by releasing a portion of the option on the westerly portion of Parcel #7, known as the Old City Office Annex property, and as shown on Attachment #1 to this letter of consent. This revision to the Option Property List shall remain in force for a one-year period from date of acceptance, with yearly renewals as agreed to by CLC and LCCP, for a total not to exceed three years. The revisions to the Option Property List are attached as "Attachment A – Revision #1."

As partial consideration for the foregoing, LCCP also consents to the addition of a new Parcel #15, a 1.24-acre parcel located at 303 South Water Street, with Map ID # 4-02-06033, and known as the Historic Amador Hotel. This addition to the Option Property List is shown in Attachment #2 to this letter.

In addition, CLC and LCCP shall review other city-owned properties with development potential that will provide equivalency to the released portion of Parcel #7, and these properties shall be considered by the City Council for addition to the Option Property List within 60 days of the date of acceptance of this revision.

We are happy to see La Clinica de Familia moving forward on the City Annex site, as we feel their services will be a great asset for our Downtown. We will continue to work with CLC in a flexible manner in order to facilitate the development of our Downtown.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Douglas Wright".

K. Douglas Wright  
Manager  
Las Cruces Community Partners, LLC