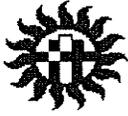


Item #1  
Regular Meeting  
August 5, 2013



City Council  
of the  
City of Las Cruces

Regular Meeting

August 5, 2013  
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 **via telephone**

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

**I. OPENING CEREMONIES**

- 25 Mayor Miyagishima called the meeting to order and asked for a moment of silence. Councillor
- 26 Pedroza led the Pledge of Allegiance.
- 28 Orlando Jimenez sang the National Anthem.
- 30 Presentation of Certificates of Appreciation/Proclamations.
- 32 Mayor Miyagishima and a representative from the Animal Services Center of the Mesilla Valley
- 33 presented the Pet of the Week.
- 35 Mayor Miyagishima presented the Mayor's Distinguished Service Award to the Schulmester Family.
- 37 Mayor Miyagishima presented the Mayor's Citation for Community Service to Klaus Kemmer.
- 39 Councillor Pedroza presented a Proclamation to Police Officer Aaron Glymph and declared August
- 40 6, 2013 as National Night Out.

1 Grecia Nuñez, Ian Harris and Adrian Avila gave an overhead presentation regarding the Urban Forest  
2 of Las Cruces.

3

4

5

6 **IV. READ JULY 15, 2013, CLOSED MEETING STATEMENT INTO RECORD**

7

8 Mayor Miyagishima read a Closed Meeting Statement and said the Las Cruces City Council met in  
9 closed Session at 2:28 p.m. on July 15, 2013. The following members were in attendance: Mayor  
10 Miyagishima, Councillor Silva, Councillor Smith, Councillor Pedroza, Councillor Small, Councillor  
11 Sorg, Councillor Thomas, Assistant City Manager Brian Denmark, Assistant City Manager Mark  
12 Winson, City Attorney Harry (Pete) Connelly, Utilities Director Jorge Garcia, HR Director Andre  
13 Moquin, and Private Attorney David Lutz. The meeting adjourned at 2:55 p.m. and only the limited  
14 items listed in the posted notice were discussed which was to discuss pending litigation in the matter  
15 of Mardonio Castillo v. The City of Las Cruces, et. Al. Third Judicial District Court No. D-307-CV-  
16 2009-01750.

17

18

19

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

24

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

26

27 Robert Garza, City Manager said I just want to disclose that I serve on the Board of Directors for the  
28 Memorial Medical Center and there is an item on the agenda regarding zoning property at the  
29 Country Club for a potential hospital. I don't vote so there is no input that I plan to give regarding  
30 this item.

31

32

33

34 **III. PUBLIC PARTICIPATION**

35

36 Wayne Huber, Member of the Public submitted petitions and said I am the Vice President of the  
37 Alameda Depot Civic Association and I am very committed to the revival and renewal of the city.  
38 I do have one serious concern and that is with the intersection of Amador and Melendres. The traffic  
39 is going to be increasing in this area with the completion of the Intermodal Transit Center so we need  
40 to have a traffic light at the intersection of Amador and Melendres.

41

1 Jane Grider, Member of the Public said I did help to get the petition signatures and everyone who  
2 signed it said it was a great idea because the Amador and Melendres intersection has become very  
3 dangerous.

4

5 Hal Huber, Member of the Public said I am the owner of Sun Tech Services and my business is  
6 located near the intersection of Amador and Melendres. My service technicians are traveling in that  
7 area every day and that is such a dangerous intersection that I've asked my employees to never cross  
8 that intersection. It would be very helpful to my business and my employees to have a traffic light  
9 at that intersection.

10

11 Tony Harris, Member of the Public said I have a business in this area and I have been in business and  
12 owned that property since 1982. The intersection of Amador and Melendres has only gotten worse  
13 and we need to address the safety issues so I think there needs to be a traffic light in this area.

14

15 Mayor Miyagishima said there needs to be a study done before a light is put in and I believe Brian  
16 was working on the study for this area.

17

18 Brian Denmark, Assistant City Manager said staff did do a study on this and at the time some  
19 warrants were met but other warrants weren't which you need to have a certain number of warrants  
20 in order to install a light. Due to the fact that time has lapsed, we are at the point where we can  
21 restudy this situation to determine the current warrants. So we are going to take the input that we  
22 have received and start another study.

23

24 Councillor Silva said this has been brought to my attention ever since I was elected in 2007 and the  
25 59 signatures are not only from residents but from business owners as well who are affected by the  
26 traffic in this area. I would like to suggest that we also look at seeing if there needs to be a stop light  
27 at Mesilla and Amador.

28

29 Councillor Pedroza said I use to use that intersection a lot because of the tennis courts but I quit  
30 using it because of all the traffic so I agree that there needs to be another study done.

31

32 Councillor Small asked can you consider taking out a light in that area as well?

33

34 Brian Denmark said when we do a traffic study for something of this nature we don't just look at the  
35 street in question, we look at the whole picture; then we will report back to Council

36

37

38

39 V. ACCEPTANCE OF AGENDA: THOSE ITEMS ON THE AGENDA INDICATED BY  
40 AN ASTERISK (\*) ARE ON THE CONSENT AGENDA AND WILL BE VOTED ON  
41 BY ONE MOTION.

42

1 Mayor Miyagishima said Item 3 needs to be removed from the Consent Agenda for discussion.

2

3 -----

4

5 Councillor Pedroza Moved to Approve the Agenda as Amended and Councillor Sorg Seconded the  
6 motion.

7

8 -----

9

10 Mayor Miyagishima called for the roll on the Motion to Approve the Agenda as Amended and it was  
11 Approved. 5-0 Councillor Small and Councillor Thomas were absent.

12

13 -----

14

15 **VI. CITY COUNCIL MINUTES**

16

17 \*(1) Regular Meeting of July 1, 2013

18 \*(2) Regular Meeting of July 15, 2013

19

20 -----

21

22 **VII. RESOLUTION(S) AND/OR ORDINANCE(S) FOR CONSENT AGENDA**

23

24 \*(4) Resolution No. 14-020: A Resolution Authorizing Senior Programs to Accept Additional  
25 Grant Funding From the Corporation for National and Community Service (CNSC) for a  
26 Total Award Amount of \$51,872.00 With a \$23,331.00 Match Requirement for Operating  
27 Expenses Related to the Implementation of the Retired and Senior Volunteer Program  
28 (RSVP). The Resolution Adjusts the City's Adopted FY 2014 Budget.

29

30 \*(5) Resolution No. 14-021: A Resolution Authorizing the City of Las Cruces to Accept a Grant  
31 Award in the Amount of \$757,129.00 With a Required Local Contribution of \$752,062.00  
32 From the North Central New Mexico Economic Development District Non-Metro Area  
33 Agency on Aging for FY 2014 to Provide Congregate and Home-Delivered Meals, Health  
34 Promotion, In-Home Respite, Caregiver Support, to Authorize the City Manager to Sign the  
35 Agreement, and to Adjust the City's Adopted FY 2014 Budget.

36

37 \*(6) Resolution No. 14-022: A Resolution Authorizing the City of Las Cruces, on Behalf of Its  
38 Police Department, to Accept a Grant Award in the Amount of \$42,900.00 From the State  
39 of New Mexico, New Mexico Department of Tourism, FY 2014 New Mexico Clean and  
40 Beautiful Grant Program, Ratify the City Manager's Signature on the Grant Agreement, and  
41 to Adjust the FY 2014 Budget.

42

1 \*(7) Resolution No. 14-023: A Resolution Accepting a Grant from the New Mexico Department  
2 of Transportation, Fiscal Year 2013/2014, for the Safe Routes to School Infrastructure  
3 Improvements Project in the Amount of \$500,000 and to Amend the Fiscal Year 2013/2014  
4 Budget.

5  
6 \*(8) Resolution No. 12-13-441: A Resolution Awarding an Indefinite Cost, Indefinite Quantity  
7 Contract for Airport Architectural, Planning and Engineering Services to Delta Airport  
8 Consultants, Inc. For a Period of Up to Five Years Subject to the Annual Renewals and  
9 Approved Budget Appropriations.

10  
11 \*(9) Resolution No. 13-14-323: A Resolution Approving an Amended Service Agreement With  
12 Gallagher Benefit Services, Inc. of Greenwood Village, Colorado for a Projected Cost Not  
13 to Exceed \$43,000.00 Plus Applicable Taxes to Conduct a Comprehensive Competitive Bid  
14 and Analysis of the Benefit Programs and Authorizing a Budget Adjustment for Fiscal Year  
15 2013/2014.

DRAFT

16  
17 -----  
18  
19 **VIII. RESOLUTION(S) AND/OR ORDINANCE(S) FOR DISCUSSION**

20  
21 \*(3) Resolution No. 14-019: A Resolution Calling for the Election of Councillors for Districts  
22 3, 5, and 6; and a Municipal Judge II on Tuesday, November 5, 2013.

23  
24 Councillor Sorg Moved to Approve Resolution No. 14-019 and Councillor Smith Seconded the  
25 motion.

26  
27 -----  
28  
29 Councillor Sorg said with passing this does it prevent anything else from being on the ballot.

30  
31 Esther Martinez-Carrillo, City Clerk said yes, that is correct.

32  
33 Councillor Sorg asked can there be any changes to it?

34  
35 Esther Martinez-Carrillo said by State Statute, we would only be able to make an amendment until  
36 August 12<sup>th</sup>.

37  
38 Councillor Smith said I want to comment on how great it is that this resolution was also included  
39 in Spanish. I know we don't always do that but I do think that is a trend that we might do more of.

40  
41 Esther Martinez-Carrillo said it is a State requirement that the election resolution is published in both  
42 English and Spanish.

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Regular Meeting  
August 5, 2013

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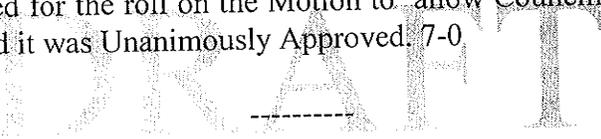
Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-019 and it was Approved. 6-0 Councillor Thomas was absent.

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Councillor Sorg Moved to allow Councillor Thomas to attend the meeting via telephone and Councillor Small Seconded the motion.

-----

Mayor Miyagishima called for the roll on the Motion to allow Councillor Thomas to attend the meeting via telephone and it was Unanimously Approved. 7-0



(10) Resolution No. 14-024: A Resolution Authorizing the City of Las Cruces to Designate a Voting Delegate and an Alternate to Attend the Annual Business Meeting of the 56<sup>th</sup> Annual Conference of the New Mexico Municipal League on Thursday, August 29, 2013.

Councillor Small Moved to Approve Resolution No. 14-024 and Councillor Sorg Seconded the motion.

-----

Esther Martinez-Carrillo, City Clerk said this is an annual resolution that is brought before Council to designate a voting delegate and an alternate to attend the Annual Conference of the New Mexico Municipal League.

Councillor Silva said I would like to continue to be the voting delegate for this year and then allow someone else to be the voting delegate next year.

Councillor Smith said I was the alternate last time.

-----

Councillor Small Moved to Amend Resolution No. 14-024 to select Councillor Silva as the Voting Delegate and Councillor Smith as the Alternate and Councillor Sorg Seconded the motion.

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Regular Meeting  
August 5, 2013

1 Mayor Miyagishima called for the roll on the Motion to Amend Resolution No. 14-024 to select  
2 Councillor Silva as the Voting Delegate and Councillor Smith as the Alternate and it was  
3 Unanimously Approved. 7-0

4  
5 -----  
6

7 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-024 as  
8 Amended and it was Unanimously Approved. 7-0

9  
10 -----  
11

12 (11) **BEFORE CONSIDERATION OF THE FOLLOWING RESOLUTION NO. 14-025;**  
13 **A PUBLIC HEARING MUST BE HELD.**

14  
15 Mayor Miyagishima opened the Public Hearing for Resolution No. 14-025 and asked if there was  
16 anyone who wished to speak against this item?

17  
18 No one spoke for or against this item.

19  
20 Mayor Miyagishima closed the Public Hearing for Resolution No. 14-025.

21  
22 Resolution No. 14-025: A Resolution Approving the Issuance of a Restaurant Liquor  
23 License to Chalak Restaurants Las Cruces, LLC D/B/A Genghis Grill - Build Your Own Stir  
24 Fry, to be Located at 840 South Telshor Boulevard, Las Cruces, New Mexico.

25  
26 Councillor Smith Moved to Approve Resolution No. 14-025 and Councillor Small Seconded the  
27 motion.

28  
29 -----  
30

31 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-025 and it was  
32 Unanimously Approved. 7-0

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34 -----  
35

36 (12) Council Bill No. 14-001; Ordinance No. 2686: An Ordinance Repealing and Replacing the  
37 2006 Las Cruces Subdivision Code, As Amended for Incorporation of New and Revised  
38 Provisions Related to Public Notification. Submitted by the City of Las Cruces (Case SA-13-  
39 01).

40  
41 Councillor Silva Moved to Approve Council Bill No. 14-001; Ordinance No. 2686 and Councillor  
42 Small Seconded the motion.

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Councillor Silva Moved to Suspend the Rules to discuss Items 12, 13 and 14 and Councillor Sorg  
Seconded the motion.

-----  
Mayor Miyagishima called for the roll on the Motion to Suspend the Rules to discuss Items 12, 13  
and 14 concurrently and it was Unanimously Approved. 7-0

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Vince Banegas, Deputy Director of Community Development gave an overhead presentation and  
said there have been several meetings regarding these changes and there was a consensus reached  
on the public notification improvement actions. Staff was directed to amend the Subdivision and  
Zoning Codes, existing policy regarding neighborhood association notification (which is  
forthcoming), the fee schedule and the Internal Department SOP. The proposed Zoning Code  
amendment is to Section 38-10: Early Notification Determination; and it will include a Pre-  
Application Meeting to be held every Wednesday at one o'clock with staff from different  
departments to give guidance and feedback on individuals who come forward with development  
ideas and proposals. This would give staff the opportunity to discuss the impacts of these  
developments; impacts on things like traffic and land use conflicts. This is going to be an attempt  
to get out information and early notification to neighborhood groups about development in their area.  
In terms of notice changes, there are certain calendar day thresholds that we had to meet regarding  
notification on pending development so we are standardizing that to a fifteen calendar day threshold  
for agendas, sign postings, mail out notices, newspaper notices, and the mail-out notices are to  
follow the State Statute Standard. For Section 38-49: PUD; we are identifying the potential for  
meetings regarding the concept and final site plans and the submittal requirements will be adjusted  
to include the early notice letter and minutes if applicable. For Section 38-54; SUP; we are clarifying  
the provisions for the early notification and what it required for submittal. We have also included  
some miscellaneous clean up for Section 38-10 regarding the authority of the Commission.

There is also the issue of cost and how to maintain a balanced budget with all these additional  
notification steps taking place. The current fees are typically flat fees and they assist with the cost  
of the current processing and notification steps. The cost of the proposed process and notification  
steps would be an additional \$200 to \$400 depending on the case type and the issues. I would also  
ask Council to consider a friendly amendment to Exhibit A which is Section 38-10.E.4 as shown on  
this slide and I have marked through some wording and added some wording to clarify the rules as  
intended.

Mayor Miyagishima said I know Council wanted to expand the notification process but in order to

1 keep costs down, I wouldn't be opposed to sending out post cards because that would be cheaper  
2 than sending out letters. We could also get the phone numbers through our notification system; Mark  
3 did we just load up those numbers from Century Link?

4

5 Mark Winson, Assistant City Manager said we have had the vendor pull phone numbers for our  
6 system and those numbers are only being used for emergency notification purposes. People can also  
7 voluntarily sign up to be notified of things like meetings.

8

9 Vince Banegas said regarding the post cards, staff does send out as much information as we can  
10 regarding a proposal, including a map and other specifics that would not work on a post card. When  
11 possible, we do also use the Las Cruces Notification System, CLC-TV and our web page to get the  
12 word out.

13

14 Councillor Pedroza said sometimes the area that is going to be affected includes commercial areas  
15 as well as residential so is the same criteria going to be used to notify the businesses in the area?

16

17 Vince Banegas said yes.

18

19 Councillor Pedroza asked if we do approve this then when would it become effective?

20

21 Harry (Pete) Connelly, City Attorney said by State Statute, the ordinance becomes effective five days  
22 after it is published.

23

24 Councillor Silva said I do support having a flat fee but it looks like the cost recovery is going to go  
25 from \$600 to \$946. What is this increase going to cover?

26

27 Vince Banegas said I looked at all the provisions for the notification that is being considered as part  
28 of the ordinances and the fee packet; the cost for a 4 x 4 sign with our intended printing on them  
29 came out to about \$15 per sign. The P & Z letters.....

30

31 Councillor Silva said oh I see, you have the \$600 flat fee then your adding the \$346 to it. So the \$600  
32 fee is basically for staff time; correct?

33

34 Vince Banegas said \$600 flat fee was put in place back in the year 2000 and it was for not only staff  
35 time but signs, paper, things like that but those costs have increased since then. At today's costs, the  
36 \$600 doesn't even cover the staff cost.

37

38 Councillor Silva said regarding the friendly amendment, where would that be inserted?

39

40 Vince Banegas said it would be a substitute paragraph for Exhibit A. In the packet it is listed as page  
41 728; Zoning Code page number II-9; paragraph 4. This amendment only impacts the Zoning Code  
42 Ordinance which is Item 13 on the agenda.

1  
2 Mayor Miyagishima said we can make that amendment when we get to that item.

3  
4 -----  
5

6 Mayor Miyagishima called for the roll on the Motion to Approve Council Bill No. 14-001;  
7 Ordinance No. 2686 and it was Unanimously Approved. 7-0

8  
9 -----  
10

11 (13) Council Bill No. 14-002; Ordinance No. 2687: An Ordinance Repealing and Replacing  
12 Article II, Section 38-49, and Section 38-54, of the 2001 Las Cruces Zoning Code, As  
13 Amended for Incorporation of New and Revised Provisions Related to Public Notification.  
14 Submitted by the City of Las Cruces (Case ZCA-13-01).

15  
16 Councillor Silva Moved to Approve Council Bill No. 14-002; Ordinance No. 2687 and Councillor  
17 Pedroza Seconded the motion.

18  
19 -----  
20

21 Councillor Sorg said presently it is 100 feet so how did you justify using 500 feet?

22  
23 Vince Banegas said presently it is 200 feet. During the work session discussions it became obvious  
24 that 200 feet was inadequate and we knew we wanted to substantially increase the distance so we  
25 decided on a 500 foot threshold.

26  
27 Councillor Sorg said the way the amendment reads is that you could go beyond the 500 foot  
28 threshold; correct?

29  
30 Vince Banegas said correct; but there is at least a minimum of 500 feet.

31  
32 Councillor Smith said I would say that given how often people are concerned about what is going  
33 on, on their street, the 500 feet does make a lot of sense because you are either driving by a situation  
34 or otherwise very aware of what is going on in a more densely populated neighborhood so I do think  
35 that is a useful number.

36  
37 -----  
38

39 Councillor Smith Moved to Amend Council Bill No. 14-002; Ordinance No. 2687 to accept Mr.  
40 Banegas's substitution for Page 11; Paragraph 38-10.E.4A and Councillor Sorg Seconded the  
41 motion.

42

1 -----

2

3 Mayor Miyagishima called for the roll on the Motion to Amend Council Bill No. 14-002; Ordinance  
4 No. 2687 to accept Mr. Banegas's substitution for Page 11; Paragraph 38-10.E.4A and it was  
5 Unanimously Approved. 7-0

6

7 -----

8

9 Mayor Miyagishima called for the roll on the Motion to Approve Council Bill No. 14-002;  
10 Ordinance No. 2687 as Amended and it was Unanimously Approved. 7-0

11

12 -----

13

14 (14) Resolution No. 14-026: A Resolution Amending the Unified Fee Schedule for Planning-  
15 Related Applications and Services (Resolution 00-360) Allowing Collection of Recovery  
16 Fees to Offset Enhanced Public Notification Costs. Submitted By the City of Las Cruces.

17

18 Councillor Silva Moved to Approve Resolution No. 14-026 and Councillor Smith Seconded the  
19 motion.

20

21 -----

22

23 Councillor Silva said my only suggestion to this is that I would like to encourage staff to take the  
24 next step and really nail down what the costs are for staff's time.

25

26 -----

27

28 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-026 and it was  
29 Unanimously Approved. 7-0

30

31 -----

32

33 **IX. BOARD APPOINTMENTS**

34

35 Councillor Pedroza appointed Ruben Alvarado (District 3) to the Planning & Zoning Commission.

36

37 -----

38

39 Mayor Miyagishima reappointed Cosme Padilla and appointed Andrea Sandoval (At-Large) to the  
40 Veterans Advisory Board.

41 -----

42

1 Councillor Sorg Moved to Approve Mayor Miyagishima’s board reappointment of Cosme Padilla  
2 and appointment of Andrea Sandoval (At-Large) to the Veterans Advisory Board and Councillor  
3 Smith Seconded the motion.

4  
5  
6

-----

7 Mayor Miyagishima called for the roll on the Motion to Approve Mayor Miyagishima’s board  
8 reappointment of Cosme Padilla and appointed of Andrea Sandoval (At-Large) to the Veterans  
9 Advisory Board and it was Unanimously Approved. 7-0

10  
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12

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13 **X. NOTICE OF PROPOSED ORDINANCE(S) ----- 1.) *There will be no public discussion.*  
14 *2.) A councillor may ask staff for clarification on the proposed ordinance(s).***

15

16 (15) Council Bill No. 14-003; Ordinance No. 2688: An Ordinance Amending Article II.  
17 Standards for Public Rights-Of-Way, Section 32-36 of Chapter 32 of the Las Cruces  
18 Municipal Code, as Amended.

19

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

21

22 (16) Council Bill No. 14-004; Ordinance No. 2689: An Ordinance Conditionally Approving a  
23 Zone Change for a 30.75 Acre Portion of Parcel 02-03647 From R-1A (Single-Family  
24 Medium Density Residential) to C-3C (Limited High Intensity Commercial, Conditional) for  
25 23.44 Acres and to R-4C (Limited Multi-Family High Density Residential, Conditional) for  
26 7.31 Acres, Located at 2700 N. Main Street (Case No. Z2860). Submitted by the Park Ridge  
27 Properties LLLP on Behalf of the Property Owner, the Las Cruces Country Club Inc.

28

29 Robert Kyle, Building and Development Services Administrator gave an overhead presentation.

30

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

32

33 (17) Council Bill No. 14-005; Ordinance No. 2690: An Ordinance Conditionally Approving a  
34 Zone Change for a 1.84 Acre Parcel 02-31716 From R-1A (Single-Family Medium Density  
35 Residential) and C-2 (Medium Intensity Commercial) to O-2C (Professional Office-Limited  
36 Retail Service, Conditional), Located at 106 E. Manso Avenue (Case No. Z2861). Submitted  
37 by the Property Owner, the Mesilla Park Baptist Church.

38

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

40

41

42

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1 **XI. CITY COUNCIL MEMBER BOARD REPORTS**

2  
3 There were no City Council Member Board Reports.

4  
5 -----  
6

7 **XII. GENERAL DISCUSSION**

8  
9 b.) City Council

10  
11 Councillor Silva said the Parks Department has recently started implementing the old policy of Park  
12 Impact Fees based on the gross receipts of a project or event and I am more of a supporter of a flat  
13 fee so I don't think we should base our fees on gross receipts. I would really like for us to take  
14 another look and re-access that policy.

15  
16 I want to mention that Tuesday is the National Night Out and I would really encourage people to  
17 come out and enjoy this great event.

18  
19 There was an interesting article in the paper regarding the Convention Center and I would hope staff  
20 is being cautious in moving forward. I know that many local businesses have not been too happy  
21 with the way the Convention Center has been operated so I think we may need to have a work  
22 session to discuss this before action is taken.

23  
24 I want to mention that George Thomas passed away over the weekend and my deepest sentiments  
25 go out to his family.

26  
27 The first GRT meeting is this evening and it's for Districts 1 and 4. I really have concerns about the  
28 process and how these taxes are being generated and I feel that it needs to be voted on by the public.  
29 I think we still have time to put it on the ballot for this upcoming election in November or we could  
30 have a special election in December or January.

31  
32 I want to wish former Commissioner Perez good luck on her new endeavors.

33  
34 -----  
35

36 Councillor Smith said I also want to wish Commissioner Perez well. It has been an honor and a  
37 pleasure to work with her as an elected official. I think it is unfortunate that her circumstances made  
38 it necessary for her to make this move at this time. I do hope our Governor considers very carefully  
39 on whom the replacement should be.

40

1 I want to commend Chief Williams for speaking out on domestic violence this past week. We had  
2 a tragic event here in Las Cruces that was related to that topic and I think it is an ongoing concern  
3 for all of us. I am pleased that our Police Department is stepping up and saying "lets face this thing."

4  
5 In yesterday's paper it stated that a resident of District 2 did well at the National Senior Olympics.  
6 I have known Laura Roach for about five years and she is a fantastic example. She is 93 years old  
7 and this is the first time she went to the National Senior Olympics. She won two silver medals and  
8 one bronze medal. I would encourage her to keep it up and encourage others to find an endeavor, an  
9 activity that keeps you going.

10

11 There was a resolution on our consent agenda regarding recycling and I would like to encourage us  
12 to look at ways that we can get recycling containers in our public spaces.

13

14

15

16 Councillor Pedroza said I would also like to wish Commissioner Perez well.

17

18 I think the steps the Police Department is taking in getting closer to the community and sharing  
19 information and sharing concerns are very commendable practices.

20

21 I want to congratulate the South Central Solid Waste Authority for its recent award.

22

23

24

25 Councillor Small passed out some information regarding the PRC and said we've had a great deal  
26 of very positive communication with El Paso Electric regarding a number of issues. The PRC is  
27 considering two things that would directly impact important industries, important efforts and  
28 growing job sectors in our community related to renewable energy. One of the changes has the  
29 potential to take away distributed generation; the requirement for distributed generation on  
30 renewable energy; and distributed generation of the smaller systems that could be installed by both  
31 businesses and by customers that would bring them benefits as well as bring benefits to the system  
32 in different ways. It is my understanding that the case will be heard in September and it is my hope  
33 that we can have a resolution from the City that details our support for the positive course of action  
34 that will continue to support our citizens and businesses as they choose to use renewable energy.

35

36 I will not be in town for next week's Work Session due to a previously scheduled absence away but  
37 I will be closely involved through the debate and discussions as we move forward.

38

39 I am also looking forward to the National Night Out event.

40

1 Mayor Miyagishima said I was actually going to write the PRC a letter on personal letterhead but  
2 since you brought it forward I will let Council have this as a discussion item and perhaps we can  
3 have a resolution from the City.

4

5

6

7 Councillor Sorg said I also would like to send my best wishes to Commissioner Perez on her new  
8 post.

9

10 This past week I attended a meeting regarding the film industry in our area that was called by  
11 Representative Jeff Steinborn and there are some very concerned citizens that are involved in the  
12 film industry that would like to see this industry more prominent in our economy. I would also like  
13 to see us become more film friendly to this industry.

14

15 I was interested in what Councillor Silva said regarding the Gross Receipts Tax discussion and we  
16 do need to address the Hold Harmless issue but I do agree with Councillor Silva that we need to let  
17 the public decide what to do about it.

18

19

20

21 Councillor Thomas said I would like to wish Karen Perez well and I'm certainly going to miss her  
22 expertise.

23

24 I want to remind people from District 6 that the District 5 and District 6 meeting is a week from  
25 tomorrow on the 13<sup>th</sup> at six o'clock at the Dona Ana Community College East Campus in room 232.

26

27

28

29 a.) Mayor

30

31 Mayor Miyagishima said I also wish Commissioner Perez well and I know she will do well in her  
32 new job.

33

34 Do we have an update regarding scheduling a discussion for a Film Commission?

35

36 Robert Garza, City Manager said we don't currently have a Film Liaison and that would be the  
37 person who would put that together for us so we are in the process of recruiting a new Film Liaison.  
38 The concept of having a Film Commission is a good concept but first we need to fill the Film Liaison  
39 position then we could address that as the next step.

40

1 Mayor Miyagishima said we are going to have a joint meeting with the City and the County and I  
2 know we are going to be talking about animal control so I would also like to discuss the issue of  
3 spaying and neutering feral cats.

4  
5 I'd like to invite the CEOs of our hospitals to come to our Council Meeting on August 19<sup>th</sup> to weigh  
6 in on the proposed hospital.

7  
8 Tonight is our meeting for Districts 1 and 4 at six o'clock here at City Hall and then Thursday is the  
9 meeting for Districts 2 and 3 at Good Sam's and then next Tuesday is the meeting for Districts 5 and  
10 6 at the Dona Ana Community College in room 232.

11

12

13

14 c.) City Manager

15

16 Robert Garza, City Manager said next Monday's Work Session will be focused on anything that  
17 comes up from the GRT meetings and any information from staff regarding the Hold Harmless issue.

18

19 There is a TIDD Board Meeting on August 12<sup>th</sup> here at City Hall in the Chambers and the purpose  
20 of that meeting is to give you an update on all the various issues.

21

22 Our Joint Meeting with the Dona Ana County Commission will be here in the Chambers next  
23 Thursday at 9:00 a.m. and there are four items on the agenda.

24

25 There is a situation within the City that we have been dealing with for quite a while regarding  
26 employees within our Fleet Department and today we got to the point where we had to take action  
27 and we are moving forward with the separation of three employees from employment and dealing  
28 with one former employee. We are pursuing further legal action against these four individuals and  
29 arrest warrants have been issued for all of them.

30

31

32

33 Councillor Sorg Moved to Adjourn and Councillor Smith Seconded the motion.

34

35 Mayor said all of those in favor signify by saying "Aye."

36

37 Council said "Aye."

38

39 **Meeting Adjourned at 3:27 p.m.**