

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

Regular Meeting

September 16, 2013

1:00 P.M.

Council Chambers, City Hall

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MEMBERS PRESENT:

STAFF:

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

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

I. OPENING CEREMONIES

Mayor Miyagishima called the meeting to order and asked for a moment of silence. Mayor Miyagishima led the Pledge of Allegiance.

Mayor Miyagishima and a representative from the Animal Services Center of the Mesilla Valley presented the Pet of the Week.

Presentation of Certificates of Appreciation/Proclamations.

Mayor Miyagishima presented Certificates of Recognition to the Mayor's Top Teens.

Mayor Miyagishima presented a Proclamation to Tom Cabana and Bill Chiders and declared October 2013 as Dyslexia Awareness Month.

Mayor Miyagishima presented a Proclamation to Will Ticknor along with other Museum staff and declared October 2013 as Las Cruces Appreciates Museums Month.

Mayor Miyagishima presented a Proclamation and declared September 21, 2013 as Worldwide Day of Play.

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

Mayor Miyagishima asked if anyone had any conflicts with anything on the agenda?
There were no conflicts of interest.

IV. READ CLOSED MEETING STATEMENT FROM SEPTEMBER 9, 2013, INTO THE RECORD

Mayor Miyagishima read a Closed Meeting Statement and said the Las Cruces City Council met in Closed Session at 3:00 p.m. on September 9, 2013. The following members were in attendance: Mayor Miyagishima, Councillor Silva, Councillor Smith, Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor Thomas, City Manager Robert Garza, Assistant City Manager Brian Denmark, Assistant City Manager Mark Winson, Parks and Recreation Director Mark Johnston, City Attorney Harry (Pete) Connelly, and Deputy City Attorney William (Rusty) Babington Jr. The meeting adjourned at 3:19 p.m. and only those limited items listed in posted notice were discussed which was the pending litigation in the matter of Anthony Trotter v. the City of Las Cruces, et. Al., USDCNM No. CIV 13-0461 WPL/LAM.

III. PUBLIC PARTICIPATION

Marcy Scott, Member of the Public gave Council a handout and said I am a lifelong cat lover and I am also a passionate bird watcher so I realize the impact free ranging cats have on birds. Clearly we need some wise policy regarding free-roaming feral cats but the TNR program is not the answer.
Councillor Silva said I would suggest that you bring your concerns and suggestions regarding this issue before the Mesilla Valley Animal Service Center Board.
Oscar Vasquez-Butler, Member of the Public said I am here on behalf of Hispanic Farmers of America and I am asking that this Council do a resolution in support of combating the discrimination of Hispanic and women farmers and encourage the USDA to improve and carry out the Hispanic and women's claim process.

1 Mayor Miyagishima asked do you have any specific information on what should be included in this
2 resolution?

3

4 Oscar Vasquez-Butler said yes, I did give some documentation to Councillor Pedroza.

5

6 Mayor Miyagishima said I would be willing to meet with you to discuss the specifics for the
7 resolution.

8

9 Oscar Vasquez-Butler said okay, I'm willing to meet with you and probably Councillor Pedroza
10 since I submitted the paperwork to her.

11

12 Councillor Pedroza said I did distribute that information to Council and I think if you were to get us
13 the information regarding the appeal and the facts of the case then we could list the specifics.

14

15 Mayor Miyagishima said just contact me and we can set up a meeting to discuss this issue.

16

17 Alice Anderson, Member of the Public said the Humane Society of Southern New Mexico has
18 presented proposals in support of legalizing the TNR program. They are saying that we should do
19 it because everyone else is doing it but just because everyone else is doing it doesn't mean it is a
20 smart thing to do or that it will work. They are also submitting a long list of testimonials stating that
21 TNR has worked in their city but Albuquerque tried the TNR program and it did not work.

22

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

28

29 Mayor Miyagishima said Item 8 needs to be completely removed from the agenda and Item 6 needs
30 to be removed from the Consent Agenda for discussion.

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34 Councillor Small Moved to Approve the Agenda as Amended and Councillor Sorg Seconded the
35 motion.

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39 Mayor Miyagishima called for the roll on the Motion to Approve the Agenda as Amended and it
40 was Approved. 6-0 Councillor Thomas was absent.

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3 **VI. CITY COUNCIL MINUTES**

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5 *(1) Regular Meeting of August 19, 2013

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

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11 *(2) Resolution No. 14-050: A Resolution Approving the Memorandum of Understanding
12 Between the City of Las Cruces Parks and Recreation Department and New Mexico State
13 University Athletics.

14

15 *(3) Resolution No. 14-051: A Resolution Authorizing the Whole Enchilada Fiesta, Inc. To
16 Continue with the Permitting Process to Allow for the Sale and Consumption of Alcoholic
17 Beverages Within the Fiesta Gardens, a Restricted and Secured Area, at the 33rd Annual
18 Whole Enchilada Fiesta to be Held September 27, 28, and 29, 2013 at the Hadley Street
19 Complex, 1501 East Hadley Avenue, Las Cruces, New Mexico.

20

21 *(4) Resolution No. 14-052: A Resolution Authorizing the Southwest Environmental Center to
22 Continue with the Permitting Process to Allow for the Sale and Consumption of Beer Within
23 a Restricted and Secured Area During its Annual Fundraiser In and Around 275 North Main
24 Street on Saturday, October 5, 2013 From 5:00 p.m. to 10:00 p.m.

25

26 *(5) Resolution No. 14-053: A Resolution Authorizing the Southwest Environmental Center to
27 Continue with the Permitting Process to Allow for the Sale and Consumption of Wine
28 Within a Restricted and Secured Area During its Annual Fundraiser In and Around 275
29 North Main Street on Saturday, October 5, 2013 From 5:00 p.m. to 10:30 p.m.

30

31 *(7) Resolution No. 14-055: A Resolution Authorizing the Las Cruces Records Center to Accept
32 a Grant Award From the New Mexico Historical Records Advisory Board in the Amount of
33 \$4,620.00 With a \$2,775.00 Match Requirement, to Ratify the City Manager's Signature on
34 the Grant Agreement, and to Adjust the City's Adopted FY 2014 Budget.

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38 **VIII. RESOLUTION(S) AND/OR ORDINANCE(S) FOR DISCUSSION**

39

40 *(6) Resolution No. 14-054: A Resolution Appointing Precinct Boards for Each Designated
41 Voting Convenience Center (Polling Place) for the Regular Municipal Election to be Held
42 in the City of Las Cruces, New Mexico, on Tuesday, November 5, 2013.

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2 Councillor Silva Moved to Approve Resolution No. 14-054 and Councillor Small Seconded the
3 motion.

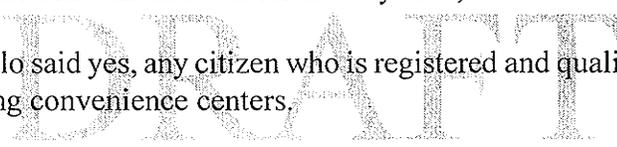
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7 Councillor Silva said I'd like to see a presentation regarding the voting convenience centers which
8 I believe is what we are voting on.

9
10 Esther Martinez-Carrillo, City Clerk said I don't have a presentation but this resolution is only to
11 appoint the precinct boards for the upcoming election and the amount of their pay. We will be
12 inserting some inserts in the upcoming October utility bills that will have information regarding the
13 location of the voting convenience centers.

14
15 Councillor Silva said the convenience centers are citywide; correct?

16
17 Esther Martinez-Carrillo said yes, any citizen who is registered and qualified to vote can vote at any
18 one of the twelve voting convenience centers.



19
20 Councillor Pedroza asked where else will this information be available?

21
22 Esther Martinez-Carrillo said it has been posted in the Las Cruces Sun News and the Bulletin for two
23 weeks in a row and once this resolution is approved then it will be posted again. It is also posted on
24 our website and Dona Ana County is also going to post the information in a newsletter that is going
25 to be posted on their website.

26
27 Councillor Pedroza asked will it also be available in Spanish?

28
29 Esther Martinez-Carrillo said yes.

30
31 Councillor Sorg asked what are the dates for early voting?

32
33 Esther Martinez-Carrillo said absentee voting will begin on October 9th by paper ballot and absentee
34 voting by machine which is also called early voting, will begin on October 16th. There will be voting
35 here in our office on Saturdays from 10:00 a.m. to 6:00 p.m., up until the last Saturday prior to the
36 election.

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40 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-054 and it was
41 Approved 6-0 Councillor Thomas was absent.

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Page 6

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2 (8) Resolution No. 14-056: A Resolution Supporting Community Affordable Housing
3 Development Efforts.

4
5 This Item was Removed from the Agenda.

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9 (9) Resolution No. 14-057: A Resolution Adopting a Four Year Funding Strategy for
10 Expenditure of Funds From the Telshor Facility Fund or Other Appropriate Funding Sources
11 for Health-Related Public Services.

12
13 Councillor Smith Moved to Approve Resolution No. 14-057 and Councillor Sorg Seconded the
14 motion.

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16 -----
17
18 Natalie Green, Neighborhood Program Specialist gave an overhead presentation and said this
19 resolution is a four year funding strategy where we would transfer funds from the Telshor Facility
20 Fund to the Healthcare Fund to support health related public services. If approved, this would
21 continue funding for Fiscal Years 2015, 2016, 2017 and 2018.

22
23 Councillor Small asked what is the funding cycle time-line?

24
25 Natalie Green said it is a nine month application process which would start with this action. We
26 would evaluate our policy and application guide and then bring that back to Council for approval.
27 We would then have a letter of intent process where agencies would notify us that they intend to
28 apply and then we would review their initial eligibility.

29
30 Councillor Small said if we move forward with this resolution today, this does not preclude our
31 ability to augment this fund; correct?

32
33 Robert Garza, City Manager said that is correct.

34
35 Councillor Sorg said in the second paragraph under the "Therefore" it talks about \$300,000 annually
36 but it doesn't specifically state where that money is coming from and since there are two parts of the
37 Telshor Fund shouldn't this distinguish which side of the fund it is from?

38
39 Natalie Green said that determination would be made by Council during the budget process.

40
41 Councillor Sorg said we do need to consider where is the best place to spend this money because
42 there are other options and needs so we should have all those on the table when making that decision.

43

1 Councillor Pedroza said the funds do have to be used for specific populations and specific needs of
2 those populations; with the populations being the indigent and the needs being health related.

3

4 Councillor Smith said as far as the distribution on this, typically it's ten or eleven recipients of more
5 or less equal amounts; correct?

6

7 Natalie Green said traditionally that is how it has been, but the Health and Human Services Advisory
8 Committee; depending upon the amount of funds, the type of programs that apply; they make that
9 decision which is done during a public meeting.

10

11 Councillor Smith said I do think that quite a lot could be done with some of these programs and the
12 community would benefit from that and I do think that keeping it focused on that particular need is
13 a good idea but I also think that perhaps the concept that you know there might be some
14 extraordinary project or effort that would benefit from \$100,000 or \$200,000; perhaps not making
15 that a condition but saying that we'd like for that to be considered as a possibility when something
16 extraordinary is going to have a far reaching impact.

17

18 Mayor Miyagishima said technically that does exist today so that doesn't have to be included in this
19 wording.

20

21 Councillor Silva said I would like to make an amendment to this; on page 89, add to number 3,
22 "whereas, a competitive selection process conducted by the Health and Human Services Advisory
23 Committee with assistance from City staff to determine which non-profit agency health related
24 program will be funded on an annual basis and makes a recommendation to City Council."

25

26 Mayor Miyagishima said we should first see if that is already addressed.

27

28 Councillor Silva said I just think it is important to have reference to that committee because they are
29 an important part of the process.

30

31 Mayor Miyagishima said Councillor Silva wants to incorporate this paragraph into the resolution so
32 is that too drastic of a change or would it be okay to insert that wording?

33

34 Harry (Pete) Connelly, City Attorney said the "whereas" is fine.

35

36

37

38 Councillor Silva Moved to Amend Resolution No. 14-057 to add a 4th Whereas and take the
39 wording on page 89 of the executive summary, beginning with "saying a competitive selection
40 process conducted by the Health and Human Services Advisory Committee" and all the rest of the
41 verbiage and move it to the new 4th Whereas and Councillor Small Seconded the motion.

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3 Mayor Miyagishima called for the roll on the Motion to Amend Resolution No. 14-057 to add a 4th
 4 Whereas and take the wording on page 89 of the executive summary, beginning with "saying a
 5 competitive selection process conducted by the Health and Human Services Advisory Committee"
 6 and all the rest of the verbiage and move it to the new 4th Whereas and it was Approved 6-0
 7 Councillor Thomas was absent.

8

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10

11 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-057 as
 12 Amended and it was Approved 6-0 Councillor Thomas was absent.

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16 (10) Resolution No. 14-058: A Resolution Approving a Settlement of Disputed Claims Pursuant
 17 to the Pre-Opening and Management Agreement and Terminating Same By Entering Into a
 18 Management Agreement Between the City of Las Cruces and Global Spectrum, LP for the
 19 Operations of the Las Cruces Convention Center.

20

21 Councillor Small Moved to Approve Resolution No. 14-058 and Councillor Sorg Seconded the
 22 motion.

23

24

25

26 David Dollahon, Interim Community and Cultural Services Director gave an overhead presentation
 27 and said this is an updated agreement between the City and Global Spectrum for the operations of
 28 the Las Cruces Convention Center. In 2012, there were concerns raised about Global's marketing
 29 to the out-of-town businesses and the City's intent behind the Convention Center was that it be used
 30 as an economic driver, bring in out-of-town visitors, support the local business community, and grow
 31 our local economy. So, there were concerns identified and raised that Global Spectrum was not
 32 focusing its sales and marketing efforts toward out-of-town business. Therefore, City management
 33 had evaluated the status of the Convention Center and notified Global of our intent to terminate our
 34 agreement in accordance with the 3rd anniversary provision. Global expressed a desire to settle any
 35 disputes and were willing to negotiate a new agreement with the City. The actions proposed by this
 36 resolution are to settle disputed claims, terminate the existing agreement as of September 30th and
 37 enacts the new agreement effective October 1st. The new term will be effective for nine months and
 38 we have no cancellation provision during this period. The major changes in the proposed new
 39 agreement are that there will be a cancellation provision with 120-day's notice, the management fee
 40 is a fixed rate of \$8,333.33 per month, there is no incentive fee through the initial term, the City
 41 receives the Commercial Rights Commission back, the City and NMSU are allowed to use the
 42 facility for appropriate uses and there is no paper credit in calculating their fees, acceptable expenses

1 are clarified, there is a minimum facility operating fee, there is an added reversion clause in the event
2 of termination for event and operating accounts, and records and exhibits have been clarified. The
3 primary long-term operational objective is that the Convention Center must be an economic driver
4 for the City's hospitality industry and we must increase the number of conventions in Las Cruces.

5
6 Councillor Smith said in Section 2-1, regarding the Consumer Price Index, do we have some idea
7 of how much that typically is and what is the maximum per year?

8
9 David Dollahon said in 2007, nationally the high was 4.1%; in 2009, there was a 0.1% increase; in
10 2012, there was 1.1% change; so given the national recession, the local economy is about in the 1%
11 to low 2% change rate.

12
13 Councillor Smith said regarding the Commercial Rights Commission, does that apply to selling or
14 trading marquee time to entities such as soft drink companies?

15
16 David Dollahon said the Commercial Rights relates to selling naming rights within the building for
17 sponsorship or marquee rights; so those rights come back to the City and remain our sole exclusive
18 right. The Right of Use allows Global to use the building for operations and management.

19
20 Councillor Smith said regarding the use of interns, it states that they can have five interns from
21 NMSU but does that language limit them to only five?

22
23 David Dollahon said that is the minimum amount so they can hire more than five interns.

24
25 Councillor Smith said in Exhibit A, Section R, the Hispano Chamber of Commerce de Las Cruces
26 has become the Las Cruces Hispanic Chamber of Commerce so I would ask that we change that to
27 their current name. Also, the Las Cruces Green Chamber of Commerce is not mentioned; is that by
28 intent or could we have added them?

29
30 David Dollahon said it does state that we will work with any boards and/or committees but we would
31 accept changing the name for the Hispanic Chamber and adding the Green Chamber to it. But we
32 would need direction because Global has already signed off on this agreement as presented.

33
34 Councillor Smith asked do we have basically buy-ins from our City staff, CVB staff, the Advisory
35 Board and from Global on this?

36
37 David Dollahon said it has gone through several members of staff and all of staff is on board and
38 Global has signed it. The CVB Advisory Board has been made generally aware of the issues but they
39 did not see this specific agreement because of the timing of things.

40

1 Councillor Smith said the only thing I would suggest is to look at including the Green Chamber and
2 changing the current name of the Hispano Chamber.

3

4 Councillor Sorg said with all of the economic activity that we have here, we need to strive to bring
5 out of town dollars to this city so I think taking the steps for renegotiating this contract and bringing
6 forward this resolution is doing just that and I am very pleased with it.

7

8 Councillor Pedroza said it sounds like you have done a good job and this has a good feel to it.

9

10 Councillor Silva asked was there any public input regarding the renegotiation of this contract?

11

12 David Dollahon said no, it went through Legal since it was to settle a dispute with claims related to
13 an agreement and there was the potential of a future lawsuit.

14

15 Councillor Silva said I do think we should have a detailed annual report from Global brought
16 forward to us. I really support options three and four of the options you listed for us and I still think
17 there are some things that are unclear so maybe we should just table this resolution. I don't feel
18 comfortable moving forward with this since we haven't even defined the incentive fee yet. So there
19 are still issues that need to be settled and I think it should be tabled until January or February or
20 maybe sooner if we can resolve these issues.

21

22 Mayor Miyagishima said any changes that we need to do, we need to do before the end of this month.
23 Basically we are just swapping an old contract with a new contract that becomes effective on October
24 1, 2013. I think this new agreement does address the incentive fee and I don't want us to cross the
25 line in negotiating this contract because that is what staff has already been doing. The Convention
26 Center is doing fine but their focus was a little different than what we thought they should be
27 focusing on. I think this is a fair plan and we are going to be saving \$100,000 with this new
28 agreement.

29

30 Councillor Smith said regarding competitive pricing, were you not suggesting that the price at the
31 Convention Center would be high enough where it would be less competitive with the local market
32 and that exception could be made with the director of the Visitors Bureau; was that not something
33 I saw in the material before us?

34

35 David Dollahon said our intent behind the pricing agreement is so we are fair with the local market;
36 so if people want to come to the Convention Center to hold their local event then great; we want
37 them to pay a fair price; the same price that they would pay at a private sector.

38

39 Councillor Silva said this is why I am suggesting that this should be tabled. There are a lot of local
40 venues so are we taking all of them to come up with the average cost? There is just a lot of
41 information and items that need to be thought through.

42

1 Mayor Miyagishima said I like this contract and I think it is a good one. I don't think we have the
2 option to table or modify this because we would have to cancel the contract and then we would have
3 nothing with Global.

4

5 Harry (Pete) Connelly, City Attorney said we have some timing issues so we have to move on an
6 item by October 1st to either continue or not continue the other contract. If the new contract is not
7 taken care of then we have to go back to the old contract and to table it to lets say November, is
8 defeating us to have the options that we have under the original agreement. Everyone seems to be
9 concerned with fees but in the new agreement we have the duty to negotiate in good faith an attempt
10 to set an incentive fee and come up with a formula. Regardless of what it says, it doesn't mean that
11 we have to agree to an incentive fee so even if the incentive fee is granted it would not exceed the
12 management fee for the year. I think the contract is very clear on the incentive fee and the
13 management fee and puts a ceiling on the incentive fee. Our options are either to terminate the old
14 agreement or live with it and in the best interest of the City we should terminate the old agreement.

15

16 Mayor Miyagishima said on page 21, Exhibit B, regarding insurance; one of the things that I noticed
17 is I see nothing regarding liquor liability and that is a big concern to me.

18

19 Harry (Pete) Connelly said that is taken care of in the liquor license lease.

20

21 Mayor Miyagishima said I also noticed that there was no building coverage so we aren't requiring
22 them to cover it, we're covering it ourselves; correct?

23

24 Harry (Pete) Connelly said we're under self-insured because they are basically tenants so we insure
25 the building.

26

27 Mayor Miyagishima asked do they do any catering outside the building?

28

29 David Dollahon said no.

30

31 Mayor Miyagishima said I noticed the work comp has a statutory limit of 100/100/500 which is
32 typical but I would suggest that we increase it to 500/500/500.

33

34 Robert Garza said Council could amend this agreement to include that but Global would have to
35 consent to it and we need to execute this agreement by October 1st so you would be taking a risk if
36 you made that a requirement.

37

38 Mayor Miyagishima said maybe we could just have a discussion on it and we can always come back
39 and add it.

40

41 David Dollahon said I made notes regarding your insurance suggestions for a future discussion.

42

1 Councillor Small said it appears that there is sufficient or close to sufficient rational to moving
2 forward with this contract and it will be good to be able to have discussions with them on a more
3 regular basis.

4

5 Ron Camuñez, Member of the Public said I was glad to hear from the City Manager that they have
6 been doing a good job with the management of the Convention Center because I think the public's
7 perception has been that there was something really bad with Global Spectrum. I do feel as a
8 taxpayer that we were never given the numbers to see how well they were doing and how they
9 impacted this community during their time here which bothers me. We need to be business friendly
10 and not state things like "we are charging out of town people a little more" because we want them
11 to come to our town and not go to places like Albuquerque. I would just caution that we use the
12 proper verbiage to pass this thing so we can move forward.

13

14 Councillor Smith said regarding Exhibit A, Section R, where we have the wrong name listed for the
15 Hispano Chamber and the Las Cruces Green Chamber is not included; I assume the intent was to use
16 those as examples but since we have three Chambers I think we should list them all correctly. I
17 wouldn't say that is an amendment that we need to make but it is something that I would encourage
18 us to do if we can.

19

20

21

22 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-058 and it was
23 Approved 5-1 Councillor Smith, Councillor Pedroza, Councillor Small, Councillor Sorg and Mayor
24 Miyagishima voted Aye. Councillor Silva voted Nay. Councillor Thomas was absent.

25

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27

28 (11) Resolution No. 13-14-331: A Resolution Awarding a Contract to Smith and Aguirre
29 Construction Company of Las Cruces, NM for Construction of the Alameda Arroyo
30 Recreation Trail in the Amount of \$326,500.00 Plus New Mexico Gross Receipts Tax of
31 \$24,691.56 and Authorizing the City Manager to Approve Change Orders Up to \$70,238.31
32 for a Total Authorization of \$421,429.87.

33

34 Councillor Small Moved to Approve Resolution No. 13-14-331 and Councillor Smith Seconded the
35 motion.

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39 Eric Martin, Facilities Management Administrator gave an overhead presentation and said this
40 project will improve connectivity by supporting Safe Routes to School for Camino Real Middle
41 School, there will be a multi-use path on Sonoma Ranch Boulevard and a sidewalk along
42 Roadrunner Parkway. Also, this is one of the trails that is tied into the Mesilla Valley MPO Trail

1 System Priorities Plan and once we have this component in place then we would be able to extend
 2 it to the west from Roadrunner to the dam so we can connect to the Las Cruces Dam recreational area
 3 and ultimately connect to the Outfall Channel Trail. The funding for the project comes from the
 4 Recreational Trails Program Grant and also from the Park Impact Fees and Streets, Drainage and
 5 Flood Control Funds. We have already conducted the biological and archaeological studies and the
 6 consultant has developed the conceptual, schematic and final design plans. The bid opened on
 7 September 6, 2013 and we received seven bids and one was deemed unresponsive by our Purchasing
 8 Department. The construction time will be about 45 days so if this is approved today then we begin
 9 construction around October 1st and weather permitting, it should be substantially completed around
 10 November 15th.

11
 12 Councillor Smith said I am assuming that there will be landscaping features or other types of features
 13 along this path.

14
 15 Eric Martin said certainly we can explore points of interests; like a spot that might be a good place
 16 for a bench so you can look at the Organ Mountains.

17
 18 Councillor Sorg said I want to thank you for finally getting this trail going; we have been waiting
 19 along time for it.

20
 21 Councillor Pedroza asked how long is the trail?

22
 23 Cathy Mathews, Landscape Architect said it is about 3/4 of a mile.

24
 25 Councillor Pedroza asked is there going to be room for shade structures?

26
 27 Cathy Mathews said there is space for shade structures, particularly at the one trail head adjacent to
 28 the parking lot; it's just a matter of having enough funding available.

29
 30 -----

31
 32 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 13-14-331 and it
 33 was Approved 6-0 Councillor Thomas was absent.

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 37 **IX. BOARD APPOINTMENTS**

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 39 There were no board appointments.

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

3
4 There were no proposed ordinances.

5
6 -----
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8 XI. CITY COUNCIL MEMBER BOARD REPORTS

9
10 There were no City Council Member Board Reports.

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12 -----
13
14 XII. GENERAL DISCUSSION

15
16 b.) City Council

17
18 Councillor Silva said this Saturday is the Movie in the Park and they will be showing the movie 42
19 which begins at 7:30 p.m. at Young Park.

20
21 -----
22
23 Councillor Smith said last week I attended an event at White Sands where they were thanking their
24 neighbors and they made a gift to us of a poster that shows some of the things that are going on at
25 White Sands.

26
27 -----
28
29 Councillor Pedroza said tomorrow morning at 7:40 a.m. on radio station 98.7 I will be talking about
30 immigration in Spanish.

31
32 Last week there was an article on September 11th and how the richest 1% earn the biggest share of
33 income since the 1920's which was just before the Great Depression. I would like to invite an
34 economist to talk to us about the economy and the effects of these huge differences between the
35 people who earn the biggest share which is the 1% and the other 99%.

36
37 -----
38
39 Councillor Small said I had the honor of attending a memorial for Tom Tates and I want to thank his
40 wonderful wife Donna and everyone else who came together for that celebration.

41
42 -----

1
2 Councillor Sorg said last Friday I attended the MVEDA Annual Appreciation Breakfast and it was
3 pointed out that the City of Las Cruces and Doña Ana County were instrumental in getting this
4 economic alliance going and that former Mayor Ruben Smith was one of the key people who started
5 it. Also, they gave out a Founders Award which I accepted on behalf of the City of Las Cruces.

6
7 -----

8
9 a.) Mayor

10
11 Mayor Miyagishima passed.

12
13 -----

14
15 c.) City Manager

16
17
18 Robert Garza, City Manager said we are looking at October 15th at 9:00 a.m. for our Joint Meeting
19 with the County and we will also be having our regular Work Session on the same day at 1:00 p.m.

20
21 Regarding the storms that we have recently been experiencing, our City's infrastructure has faired
22 very well so our pond, drains and dams have all worked very well. Unfortunately our neighbors to
23 the north and south of us weren't so lucky and I would like to thank our staff for reaching out past
24 our city boundaries and helping them out. Also, our Fire Departments are collecting food donations
25 for the Red Cross to help those who are displaced from their homes.

26
27 I will be leaving to Boston this weekend to attend the International City Managers Conference so I
28 will be out of the office next week.

29
30 Councillor Smith said I also want to thank staff for working overtime and double duties this weekend
31 to get water out of our streets.

32
33 -----

34
35 Councillor Smith Moved to Adjourn and Councillor Pedroza Seconded the motion.

36
37 Mayor said all of those in favor signify by saying "Aye."

38
39 Council said "Aye."

40
41 **Meeting Adjourned at 4:06 p.m.**