



City Council
of the
City of Las Cruces

Regular Meeting

October 21, 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

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

DRAFT

I. OPENING CEREMONIES

Mayor Miyagishima called the meeting to order and asked for a moment of silence. Councillor Smith 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.

Councillor Smith presented a Proclamation and declared October 27, 2013 as The Friends of the Community Candy Drop Day.

Mayor Miyagishima, Councillor Sorg and Councillor Smith presented an Award Plaque to Cheryl Rodriguez and Lisa Murphy for The Most Improved Airport of 2013.

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.*

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

Councillor Sorg said I just want to mention that I won't be voting on Item14 regarding Zia Engineering because I may still be an employee with them.

III. READ CLOSED MEETING STATEMENT INTO RECORD FROM CLOSED MEETING OF OCTOBER 15, 2013

Mayor Miyagishima read a Closed Meeting Statement and said the Las Cruces City Council met in Closed Session at 2:20 p.m. on October 15, 2013. The following members were in attendance: Mayor Miyagishima, Councillor Silva, Councillor Smith, Councillor Pedroza, Councillor Small, Councillor Thomas, City Manager Robert Garza, Fire Chief Travis Brown, HR Director Andre Moquin, PIO Director Udell Vigil, Deputy City Attorney Rusty Babington, City Attorney Harry (Pete) Connelly, Attorney Kurt Wihl and Finance Director Victoria Fredrick. The meeting adjourned at 3:19 p.m. and only those limited items stated in the notice were discussed which was the threatened or pending litigation regarding Council Bill No. 14-009; Ordinance No. 2694 that was approved on September 3, 2013.

IV. PUBLIC PARTICIPATION

Richard Weaver, Member of the Public said I just want to express my appreciation to Council and I would like to invite everyone to come to the Candy Drop at 1:00 p.m. on Sunday.

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

Mayor Miyagishima said Items 19 and 23 need to be removed from the Agenda and Items 3 thru 13 and Item17 need to be removed from the Consent Agenda for discussion.

Councillor Silva Moved to Approve the Agenda as Amended and Councillor Smith Seconded the motion.

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 Approve the Agenda as Amended and it was Approved. 6-0-1 Councillor Silva, Councillor Smith, Councillor Pedroza, Councillor Small, Councillor Thomas and Mayor Miyagishima voted Aye. Councillor Sorg Abstained.

VI. CITY COUNCIL MINUTES

*(1) Regular Meeting of September 16, 2013

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

*(2) Resolution No. 14-068: A Resolution Authorizing the Destruction of Records That Have Satisfied Their Legal Retention Period.

*(14) Resolution No. 13-14-304: A Resolution Authorizing the City of Las Cruces to Enter Into Indefinite Cost, Indefinite Quantity Agreements With Bohannon Huston, Inc., Molzen Corbin, Parkhill Smith and Cooper, Zia Engineering and Environmental Services to the City of Las Cruces on an As-Needed Basis for a Period of Up to Five Years Subject to Annual Renewals and Approved Budget Appropriations.

*(15) Resolution No. 13-14-315: A Resolution Awarding the Bid for the Bruins Lane Construction Project to Burn Construction Company, Inc., of Las Cruces, New Mexico, for the Base Bid, in the Amount of \$940,525.10, Plus \$71,127.21 for New Mexico Gross Receipt Tax and the City Manager is Authorized to Approve Change Orders in an Amount Not to Exceed \$54,690.70, for a Total Project Authorization of \$1,066,343.01.

*(16) Council Bill No. 14-010; Ordinance No. 2695: An Ordinance Approving a Zone Change for a 0.23 Acre Portion of a 1.98 Acre Parcel 02-14428 Located at 2969 Claude Dove Drive From R-2 (Multi-Dwelling Low Density Residential) to R-3 (Multi-Dwelling Medium Density Residential). Submitted by the Property Owner, 2969 Claude Dove-Teke LLC.

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

*(3) Resolution No. 14-069: A Resolution Approving the Issuance of a Waiver of the Church/School Distance Restriction to the New Mexico Brewers Guild for the Public

1 Celebration Permit Applications Submitted for Dia de Las Cervezas, a Craft Beer, Food and
2 Music Event to be Held at 100 North Water Street From 11:00 A.M. to 5:00 P.M. on
3 Saturday, November 2, 2013.
4

5 Councillor Thomas Moved to Approve Resolution No. 14-069 and Councillor Small Seconded the
6 motion.
7

8 -----
9

10 Robert Garza, City Manager said we received a letter from St. Paul's United Methodist Church
11 stating that they are requesting Council deny this waiver. We did not receive any other feedback from
12 any other parties regarding this item.
13

14 Mayor Miyagishima said they are asking that we decline the request due to the fact that it is within
15 300 feet of a church.
16

17 Christopher Goblet, Executive Director of the New Mexico Brewers Guild said we are an
18 organization made up of small micro-breweries that are located here in the state. We have been
19 working closely with the Main Street Manager and my intent in bringing this festival to Las Cruces
20 was to work with Carrie LaTour and the Main Street Program to bring an event to the Downtown
21 area that would provide entertainment, activity and fun. It is a beer and food festival that would have
22 sampling of beer and food from some of your local vendors and we'd have entertainment and music
23 throughout the day.
24

25 Councillor Smith said I want to disclose that I do know Mr. Goblet from previous work with the
26 New Mexico Main Street Coalition of Communities. I thought we had some sort of a waiver for
27 Main Street?
28

29 Mayor Miyagishima said I think the waiver you are talking about is allowing alcoholic beverages
30 throughout the whole Main Street but I think it is pretty common for us to send out things of this
31 nature to various organizations. I have met Pastor Rivera and he is new to the area so I'll give him
32 a jingle regarding how things usually happen here, how the Downtown works, and how well
33 controlled everything is in that area.
34

35 Robert Garza said Downtown Main Street goes essentially from Picacho to Lohman and this permit
36 is for the entire corridor so we had to take the 300 feet from any point in that corridor which is why
37 notice for the waiver was given to the church.
38

39 Harry (Pete) Connelly, City Attorney said State Law provides that unless the City Council grants a
40 waiver there may be no alcohol served within a certain distance from a church or school or a military
41 base. So to be able to sell alcohol on City property within 300 feet of a church there has to be a
42 waiver passed by the City Council and if the waiver isn't passed then there can't be any sales of
43 alcohol.

1
2 Councillor Smith said for some reason I was under the impression that we had some further
3 exception for Main Street but I may be confused on that issue. In our resolution we list 100 Water
4 Street so is that simply because that is the point at which it is within the distance from the school and
5 the church?
6
7 Harry (Pete) Connelly said the premise which they have marked off as the area where they are going
8 to sell the brewery, that premises is within 300 feet of a church and if they moved it then it would
9 be within 300 feet of a school.
10
11 Councillor Pedroza asked are there going to be sales of alcohol down the entire Main Street area?
12
13 Harry (Pete) Connelly said in this particular case the alcohol is being served on a parking lot which
14 is not on Main Street.
15
16 Councillor Pedroza asked can they change it to only an area that is beyond 300 feet of the church?
17
18 Harry (Pete) Connelly said we have to go by what they put on their application.
19
20 Councillor Thomas said we regularly give waivers for events like this and I think this kind of event
21 is great for the Downtown so I'd like to see us go forward and give them the waiver.
22
23 Councillor Small said I agree that there are many positives with this and I assume there will be very
24 strict verification instituted at this event to ensure no one under the legal age of 21 is able to obtain
25 alcohol.
26
27 Christopher Goblet said we will have security guards at the event, fencing around the area and one
28 access entry point. People will be wrist banned after their Ids are checked by the security guards and
29 are verified to be over 21 years of age.
30
31 Councillor Small said I intend to support this and I presume there will be follow-up communication
32 with the church regarding this item.
33
34 Christopher Goblet said this is the second time we've come to Las Cruces and we want to be good
35 partners with the City.
36
37 Councillor Smith said I do want to thank Mr. Goblet for bringing this event to our Main Street area
38 and this isn't going to be a wild college beer party or something like that; we do have a number of
39 people who actually enjoy gourmet and home-brewed beers.
40
41 Councillor Sorg said I agree that this is going to be a good event for this area. Did you even consider
42 having this event on Main Street?

1
2 Christopher Goblet said this is going to be held on Saturday and on Saturdays' your Farmers Market
3 is held on almost the entire Main Street so we would be overlapping that event if we had it there.

4
5 Councillor Sorg said I do think we need to abide by this waiver law and if we don't like the waiver
6 law then we should see about changing it. It is unfortunate that a different site wasn't selected.

7
8 Councillor Silva said I don't think I can support this because I don't feel it is appropriate for this
9 area. I think alcohol is the focus of this event instead of it being a type of family event so that is why
10 I feel I can't support this event.

11
12 -----
13
14 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-069 and it was
15 Approved. 5-2 Councillor Smith, Councillor Pedroza, Councillor Small, Councillor Thomas and
16 Mayor Miyagishima vote Aye. Councillor Silva and Councillor Sorg voted Nay

DRAFT

17
18 -----
19
20 *(4) Resolution No. 14-070: A Resolution Authorizing Abbey Brewing Co. To Continue With
21 the Permitting Process to Allow for the Sale and Consumption of Beer Within a Restricted
22 and Secured Area During Dia de Las Cervezas, a Craft Beer, Food and Music Event
23 Sponsored by the New Mexico Brewers Guild, to be Held at 100 North Water Street on
24 Saturday, November 2, 2013 From 11:00 A.M. to 5:00 P.M.

25
26 Councillor Small Moved to Approve Resolution No. 14-070 and Councillor Smith Seconded the
27 motion.

28
29 -----
30
31 Councillor Thomas Moved to Suspend the Rules and discuss Items 4 thru 12 concurrently and
32 Councillor Smith Seconded the motion.

33
34 -----
35
36 Mayor Miyagishima called for the roll on the Motion Suspend the Rules and discuss Items 4 thru 12
37 concurrently and it was Unanimously Approved. 7-0

38
39 -----
40
41 Councillor Small said there was a comment made regarding having local food vendors and other
42 entertainment at the venue so can you expand on that comment?

Regular Meeting
October 21, 2013

Page 7

1
2 Christopher Goblet, Executive Director of the New Mexico Brewers Guild said the structure we have
3 envisioned for the festival will be vendors having people sampling their beers and I have spoken with
4 some local food vendors but I didn't want to get too ahead of myself and start lining up vendors until
5 I have spoken with you all. I am also working with High Desert Brewing Company in booking a
6 local live music act for the event.

7
8 Councillor Small said it appears that a local and regional crowd is sought for these types of events
9 so having local businesses will help bring their fans in as well.

10
11 Councillor Smith said I think you are trying to structure an event where people are enjoying the
12 outdoors and music in a social type of situation and I do think that kind of energy and the use of our
13 local vendors for this event is a very positive direction for this to be taking.

14

15

16

17 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-070 and it was
18 Approved. 6-1 Councillor Smith, Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor
19 Thomas and Mayor Miyagishima voted Aye. Councillor Silva voted Nay.

20

21

22

23 *(5) Resolution No. 14-071: A Resolution Authorizing Bosque Brewing Co. To Continue With
24 the Permitting Process to Allow for the Sale and Consumption of Beer Within a Restricted
25 and Secured Area During Dia de Las Cervezas, a Craft Beer, Food and Music Event
26 Sponsored by the New Mexico Brewers Guild, to be Held at 100 North Water Street on
27 Saturday, November 2, 2013 From 11:00 A.M. to 5:00 P.M.

28

29 Councillor Thomas Moved to Approve Resolution No. 14-071 and Councillor Sorg Seconded the
30 motion.

31

32

33

34 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-071 and it was
35 Approved. 6-1 Councillor Smith, Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor
36 Thomas and Mayor Miyagishima voted Aye. Councillor Silva voted Nay.

37

38

39

40 *(6) Resolution No. 14-072: A Resolution Authorizing High Desert Brewing Company to
41 Continue With the Permitting Process to Allow for the Sale and Consumption of Beer Within
42 a Restricted and Secured Area During Dia de Las Cervezas, a Craft Beer, Food and Music

1 Event Sponsored by the New Mexico Brewers Guild, to be Held at 100 North Water Street
2 on Saturday, November 2, 2013 From 11:00 A.M. to 5:00 P.M.

3
4 Councillor Smith Moved to Approve Resolution No. 14-072 and Councillor Sorg Seconded the
5 motion.

6
7 -----
8

9 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-072 and it was
10 Unanimously Approved. 7-0

11
12 -----
13

14 *(7) Resolution No. 14-073: A Resolution Authorizing La Cumbre Brewing Co. To Continue
15 With the Permitting Process to Allow for the Sale and Consumption of Beer Within a
16 Restricted and Secured Area During Dia de Las Cervezas, a Craft Beer, Food and Music
17 Event Sponsored by the New Mexico Brewers Guild, to be Held at 100 North Water Street
18 on Saturday, November 2, 2013 From 11:00 A.M. to 5:00 P.M.

19
20 Councillor Thomas Moved to Approve Resolution No. 14-073 and Councillor Small Seconded the
21 motion.

22
23 -----
24

25 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-073 and it was
26 Approved. 6-1 Councillor Smith, Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor
27 Thomas and Mayor Miyagishima voted Aye. Councillor Silva voted Nay.

28
29 -----
30

31 *(8) Resolution No. 14-074: A Resolution Authorizing Little Toad Creek Brewery to Continue
32 With the Permitting Process to Allow for the Sale and Consumption of Beer Within a
33 Restricted and Secured Area During Dia de Las Cervezas, a Craft Beer, Food and Music
34 Event Sponsored by the New Mexico Brewers Guild, to be Held at 100 North Water Street
35 on Saturday, November 2, 2013 From 11:00 A.M. to 5:00 P.M.

36
37 Councillor Small Moved to Approve Resolution No. 14-074 and Councillor Smith Seconded the
38 motion.

39
40 -----
41

1 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-074 and it was
2 Approved. 6-1 Councillor Smith, Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor
3 Thomas and Mayor Miyagishima voted Aye. Councillor Silva voted Nay.

4
5
6

7 *(9) Resolution No. 14-075: A Resolution Authorizing Marble Brewery to Continue With the
8 Permitting Process to Allow for the Sale and Consumption of Beer Within a Restricted and
9 Secured Area During Dia de Las Cervezas, a Craft Beer, Food and Music Event Sponsored
10 by the New Mexico Brewers Guild, to be Held at 100 North Water Street on Saturday,
11 November 2, 2013 From 11:00 A.M. to 5:00 P.M.

12

13 Councillor Small Moved to Approve Resolution No. 14-075 and Councillor Thomas Seconded the
14 motion.

15
16
17

DRAFT

18 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-075 and it was
19 Approved. 6-1 Councillor Smith, Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor
20 Thomas and Mayor Miyagishima voted Aye. Councillor Silva voted Nay.

21
22
23

24 *(10) Resolution No. 14-076: A Resolution Authorizing Santa Fe Brewing Company to Continue
25 With the Permitting Process to Allow for the Sale and Consumption of Beer Within a
26 Restricted and Secured Area During Dia de Las Cervezas, a Craft Beer, Food and Music
27 Event Sponsored by the New Mexico Brewers Guild, to be Held at 100 North Water Street
28 on Saturday, November 2, 2013 From 11:00 A.M. to 5:00 P.M.

29

30 Councillor Small Moved to Approve Resolution No. 14-076 and Councillor Smith Seconded the
31 motion.

32
33
34

36 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-076 and it was
37 Approved. 6-1 Councillor Smith, Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor
38 Thomas and Mayor Miyagishima voted Aye. Councillor Silva voted Nay.

39
40
41

1 *(11) Resolution No. 14-077: A Resolution Authorizing Second Street Brewery to Continue With
 2 the Permitting Process to Allow for the Sale and Consumption of Beet Within a Restricted
 3 and Secured Area During Dia de Las Cervezas, a Craft Beer, Food and Music Event
 4 Sponsored by the New Mexico Brewers Guild, to be Held at 100 North Water Street on
 5 Saturday, November 2, 2013 From 11:00 A.M. to 5:00 P.M.

6
 7 Councillor Sorg Moved to Approve Resolution No. 14-077 and Councillor Small Seconded the
 8 motion.

9
 10 -----
 11
 12 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-077 and it was
 13 Approved. 6-1 Councillor Smith, Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor
 14 Thomas and Mayor Miyagishima voted Aye. Councillor Silva voted Nay.

15
 16 -----
 17
 18 *(12) Resolution No. 14-078: A Resolution Authorizing Sierra Blanca Brewing Company to
 19 Continue With the Permitting Process to Allow for the Sale and Consumption of Beer Within
 20 a Restricted and Secured Area During Dia de Las Cervezas, a Craft Beer, Food and Music
 21 Event Sponsored by the New Mexico Brewers Guild, to be Held at 100 North Water Street
 22 on Saturday, November 2, 2013 From 11:00 A.M. to 5:00 P.M.

23
 24 Councillor Thomas Moved to Approve Resolution No. 14-078 and Councillor Pedroza Seconded
 25 the motion.

26
 27 -----
 28
 29 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-078 and it was
 30 Approved. 6-1 Councillor Smith, Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor
 31 Thomas and Mayor Miyagishima voted Aye. Councillor Silva voted Nay.

32
 33 -----
 34
 35 *(13) Resolution No. 14-079: A Resolution Approving the Vacation of a Portion of East Las
 36 Cruces Avenue and the Association Vacation Plat, Vacating Approximately 14,316 Square
 37 Feet of City Right-of-Way Located at the Farthest East Dead-End Section of East Las Cruces
 38 Avenue and Deeding It to the Adjacent Property Owner South of the Proposed Vacation
 39 Area. Submitted by the City of Las Cruces.

40
 41 Councillor Pedroza Moved to Approve Resolution No. 14-079 and Councillor Small Seconded the
 42 motion.

43

1

2

3 Councillor Pedroza said recently one of my constituents asked about an area that is very close to this
4 area. She lives in a house that is right across the street from the park and whenever there are
5 activities at the park, that section of the street is crowded with vehicles; so she wanted to know if
6 there was a possibility of increasing the parking in that area.

7

8 Adam Ochoa, Planner gave an overhead presentation and said the adjacent property owners are
9 essentially having the same issues as your constituent which that is the reason why we are vacating
10 this piece of property. It is a win-win situation for the City and the property owner. The City will be
11 deeding off this area of east Las Cruces Avenue, which is not maintained or improved so it is a
12 liability issue for the City, over to the adjacent property owner who has the issue of people parking
13 on their private property during events.

14

15 Councillor Small said I had the same type of issue in my district with an abandoned basketball and
16 moving forward with this could help set a template on how we can address these types of issues in
17 the future as well.

18

19 Robert Macklin , Property Owner said the only way they can get to that road is through my private
20 property and the City will not maintain it at all. They won't give me garbage service or recycle
21 service because they can't get there; they'd have to drive through my private property and then the
22 road has a cliff and you will go over the cliff if you go on the road.

23

24 Councillor Pedroza asked so this will resolve that problem for you?

25

26 Robert Macklin said yes.

27

28 Mayor Miyagishima said the City can't maintain or improve that property because it does not belong
29 to the City and the reason they can't come and pick-up your trash is because they aren't able to get
30 a truck back there.

31

32 Councillor Thomas asked we're destroying some type of future connectivity here; correct?

33

34 Adam Ochoa said it is uncertain if there will ever be a build-out of Del Monte but there is a huge
35 change in grade in that area so it seems highly unlikely that there would be that connectivity. Also,
36 the property to the east is private property so we don't have the right-of-way through there.

37

38 Councillor Silva said the property is still owned by the City but we're vacated it; can you explain
39 how that works?

40

41 Adam Ochoa said essentially what we are doing is deeding over the property to the adjacent property
42 owner so it becomes his property. The City will still have interest in that property from a utility
43 easement point and egress standpoint as well.

1
2 Councillor Silva asked how are we doing that without violating the Anti-Donation?
3

4 Robert Garza said the rules for vacating roadways are prescribe by State Law and it allows for us to
5 deviate and take act without violating the Anti-Donation provision when a public right-of-way is
6 deemed to be more of a nuisance to the owner (City/County/State). It is saying that we no longer
7 have a reason to keep this because to own it, to maintain it, and be liable for it is more of a burden
8 to the public.
9

10 Mayor Miyagishima said we couldn't even try to sell it because it wouldn't benefit anyone so no one
11 would buy it.
12

13 -----
14
15 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-079 and it was
16 Unanimously Approved. 7-0

DRAFT

17
18
19
20 *(17) Council Bill No. 14-011; Ordinance No. 2696: An Ordinance Approving a Zone Change
21 From UR (Urban Ranch From the 1981 Zoning Code) to REM (Single-Family Residential
22 Estate Mobile) on 1.60 ± Acres of Land Located at 4684 Weaver Trail. Submitted by
23 Lawrence T. Alderete on Behalf of Santos B. Alderete, Property Owner (Z2864).
24

25 Councillor Small Moved to Approve Council Bill No. 14-011; Ordinance No. 2696 and Councillor
26 Thomas Seconded the motion.
27

28 -----
29
30 Robert Kyle, Building and Development Services Administrator gave an overhead presentation and
31 said staff received correspondence from a nearby neighbor this morning so I am distributing a copy
32 of that correspondence to Council. This property is located at 4684 Weaver Trail and currently there
33 is a mobile home being stored on the property, one garage and one shed on the property. The
34 property is in non-conforming status; the Urban Ranch Zone was eliminated in the 2001 Zoning
35 Code so in order for the applicant to use the property they must get it re-zoned. The applicant intents
36 to utilize the property for residential purposes and set-up a mobile home on the property. The
37 Planning and Zoning Commission recommended approval of the proposed zone change request at
38 their August 27, 2013 meeting and there was no public protest.
39

40 Councillor Sorg said I have issues in the entire area regarding drainage, roads, and emergency
41 vehicle. As I understand it, there are no fire hydrants in this area; correct?
42

1 Robert Kyle said that is correct.

2

3 Councillor Sorg said I know this neighborhood pretty well and one of the neighbors that is down hill
4 from this property stated that when there is a good rain their property gets completely flooded. So
5 the A-1 flood zoning is not going to be part of this zoning; correct?

6

7 Robert Kyle said no it isn't; the current flood control zoning will remain in place.

8

9 Councillor Sorg said the road is also a problem so can we require that we have that right-of-way
10 dedicated to the City?

11

12 Robert Kyle said typically the zone change process does not include looking at roadway dedication.
13 There is language within the Development Standards that indicates that all developing pieces of
14 property provides their pro-rata share of right-of-way. I'm not sure I'd want to say this is a
15 developing piece of property because it has been develop but I don't think the applicant would be
16 opposed to providing an easement that would provide their pro-rata share of the minor local
17 roadway.

18

19 Councillor Sorg said I would like to see that done at least for a minor local because someday there
20 might be a park and a school out somewhere in that area.

21

22

23

24 Councillor Sorg Moved to Amend Council Bill No. 14-011; Ordinance No. 2696 to require a 17-foot
25 wide right-of-way easement and Councillor Small Seconded the motion.

26

27

28

29 Councillor Smith asked did Mr. Alderette give the okay for this condition?

30

31 Lawrence Alderette, Applicant's son said yes, we are okay with that condition.

32

33

34

35 Mayor Miyagishima called for the roll on the Motion to Amend Council Bill No. 14-011; Ordinance
36 No. 2696 to require a 17-foot wide right-of-way easement and it was Unanimously Approved. 7-0

37

38

39

40 Mayor Miyagishima called for the roll on the Motion to Approve Council Bill No. 14-011;
41 Ordinance No. 2696 as Amended and it was 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

(18) Resolution No. 14-080: A Resolution Designating a Voting Delegate and an Alternate to Attend the Annual Business Meeting of the National League of Cities on Saturday, November 16, 2013, in Seattle, Washington.

Councillor Smith Moved to Approve Resolution No. 14-080 and Councillor Sorg Seconded the motion.

Esther Martinez-Carrillo, City Clerk said this is to designate a voting delegate and an alternate and it has to be someone who is planning on attending the National League of Cities Conference in Seattle, Washington.

Councillor Smith said I am planning on being there.

Councillor Silva said I would also like to attend it. Also, I am the Voting Delegate for the New Mexico Municipal League.

Councillor Pedroza Moved to Amend Resolution No. 14-080 to select Councillor Smith as the Voting Delegate and Councillor Silva as the Alternate and Councillor Thomas Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to Amend Resolution No. 14-080 to select Councillor Smith as the Voting Delegate and Councillor Silva as the Alternate and it was Unanimously Approved. 7-0

Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-080 as Amended and it was Unanimously Approved. 7-0

(19) Resolution No. 14-081: A Resolution of Sponsorship for the Submittal of a New Mexico Department of Transportation Alternatives Program Application Involving a Funding

1 Request for a Half-Time Safe Routes to School Coordinator. Submitted by the City of Las
2 Cruces.

3
4 Removed from the Agenda.
5

6 -----
7
8 (20) Resolution No. 14-082: A Resolution Repealing and Replacing the Existing Identified
9 Neighborhood Association Information and Notification Policy With a New Policy Title
10 Identified Neighborhood Association/Group Information and Notification Policy. Submitted
11 by the City of Las Cruces.

12
13 Councillor Small Moved to Approve Resolution No. 14-082 and Councillor Thomas Seconded the
14 motion.
15

16 -----
17
18 Vincent Banegas, Community Development Deputy Director gave an overhead presentation and said
19 this is to repeal and replace an existing policy which was part of a four step improvement notification
20 process that we undertook some time ago. We undertook two code amendments that sought to
21 strengthen our public notification process and both of them were approved by Council in August
22 2013. We also implemented some fee schedule changes which were also approved by Council in
23 August; and the Community Development Department put in place an internal SOP/Policy document
24 for the public notification process in order to help new and existing staff understand those
25 procedures. The existing policy includes the recognition criteria of identified associations as having
26 officers/board members contact information, identification of geographic boundaries and have a copy
27 of their bylaws. The responsibilities of identified associations include open membership to everyone
28 within the geographic boundaries, must have at least one meeting per year, inform membership of
29 issues for discussion, establish democratic process for representative decisions, comply with bylaws,
30 update the City on officer contact information changes and inform the City of general membership
31 meetings at least two weeks in advance. The policy amendments that we are seeking today include
32 the broadening of group categories to include neighborhood associations/group which may be Civic
33 Organization, Neighborhood Watch, Homeowner Association, Business Association, etc. We are
34 also changing the language to maintain consistency with the implementation reference of the existing
35 policy ordinance. Basically, we are retaining about 95% of the existing policy. The policy
36 amendment does not require neighborhood groups to register with the City, unless they want to be
37 informed of any development proposals that are coming to the City for consideration; or exclude
38 individuals or non-recognized groups from participation or involvement in City business or
39 processes; it does not require registration with the County; and it does not prohibit sub-groups within
40 a recognized entity.
41

1 Councillor Thomas said the problem I'm having with this is that any of these groups can be an entity
2 but in order for the entity to participate they have to register with the City, have officers, have
3 meetings once a year, and all of those things; so, I think that is going to cause a problem. There are
4 three different kinds of groups; there are people who get together under the whole watch group idea
5 which they don't have officers or bylaws so if you start requiring that of them then essentially you
6 are requiring them to become a Neighborhood Association. The Home Owner Associations are
7 mainly ran by the developers and they also don't have any officers, meetings or bylaws. Then you
8 have Neighborhood Associations which usually have the same boundaries as the Home Owners
9 Associations. I'm not comfortable with telling Watch Groups, HOAs and other groups that they have
10 to go out and do the same things as Neighborhood Associations. The Watch Groups are registered
11 with the Police Department so that would be a way to notify them. Can we do this so that it directs
12 us to the different avenues, like the County list, the City list and the Police Department's list, for
13 contacting them?

14

15 Vincent Banegas said we could; the intent is not to make the smaller groups more formal. This
16 simply references bylaws but we could certainly soften that reference.

17

18 Councillor Thomas said I just don't think that we can require a group who wishes to be notified to
19 have bylaws and officers and register with the City. I would like for us to have a structure that simply
20 states that we will notify all entities; if they are Neighborhood Associations they follow these rules,
21 if they are a HOA they have to register with the County, and if they are a Watch Group they have to
22 registered with the Police Department.

23

24 Vincent Banegas said we could acquire the Neighborhood Watch information from the Police
25 Department but for the smaller groups we do need to know their information and we do need to be
26 notified when changes occur so that is the reason why they would need to be registered with the City.

27

28 Councillor Thomas said I just think we need to remove the requirement of having officers, bylaws,
29 and those sorts of things because that is only for one type of organization.

30

31 Councillor Sorg said we need to have this communication be all inclusive and the more entities we
32 add, the better.

33

34 Councillor Silva asked how different is the State Law from what we are trying to accomplish here?

35

36 Vincent Banegas said as I understand it, the Senate Bill that was approved applies only to Home
37 Owners Associations that collect dues or fees. I think the intent was to inform or ensure any present
38 and future home owners of any bylaws.

39

40 Councillor Thomas said I worked on this legislation and the problem was that there weren't any state
41 rules that state at what point the ruling Home Owners Association which was ran by the developers,
42 had to start letting the residents be on the board and at what point they had to start turning over
43 records to the residents who had taken it over.

1

2 Councillor Silva said basically, we are asking that once they file with the State then they file with
3 us.

4

5 Vincent Banegas said the intent was to merely have any entity regardless of what they call
6 themselves, register with the City and give us their contact information so we notify them of any
7 pending development or other City related issues that might be of interest to them.

8

9 Councillor Silva said so all they have to do is inform us that they have formed an association;
10 correct?

11

12 Vincent Banegas said that is correct. All we need is the contact information and identification of the
13 geographic boundary.

14

15 Councillor Thomas said the way this is written we are requiring them to have by-laws and officers
16 and those sorts of things.

17

18 Councillor Small said I think what is trying to be said here is that there needs to be communication
19 set up with the different sections. For example, the Watch Groups are registered with the Police
20 Department so we need to make sure that is connected with the Community Development
21 Department so not only neighborhood security but all other issues within that geographic area are
22 communicated back and forth. We are close but we might want to bring back something in our first
23 meeting of November that specifies the three paths that have been discussed today and maybe
24 creating a forth category that can be used as sort of a catch all section.

25

26 Vincent Banegas said this is not written to exclude any group but maybe it is prudent to have a
27 miscellaneous group.

28

29 Councillor Pedroza said the purpose of this is to enable us to reach as many people as we can and
30 to do it as efficiently as possible. I do think we went a little far in requiring bylaws and so forth but
31 we can put as a requirement that if one aspect of your organization is to inform and represent a
32 geographic area on matter that the City would have something to do with, then they can request that
33 information by registering with the City and keeping their information updated with us.

34

35 Councillor Sorg said I would suggest that we include an alternate person in their contact information.

36

37 Councillor Silva said I am comfortable with moving forward with this today and just amending it
38 to strike the requirement to have bylaws. I think we need to add a paragraph to Page 466 to state that
39 the entity shall not discriminate on the basis of race, color, religion, sex, and all of the above;
40 because if a group is going to form then it needs to be non-discriminatory.

41

1 Councillor Thomas said it's not just about striking the section regarding bylaws; it needs to include
2 a way for us to get the contact information for all these groups. I do like Councillor Small's
3 suggestion of having an "other" category so I think I'd be more comfortable with just bringing this
4 back at the November 4th meeting.

5
6 Councillor Silva said I have difficulty with us telling groups what their functions are and what they
7 have to do. I think just having them register with the City and giving us their contact information is
8 enough.

9
10 Councillor Thomas said we're not telling them what to do; we're just informing them of the process
11 which is already in place.

12
13 Councillor Silva said I just think registering with City is enough and I just want to make this as
14 simple as possible.

15
16
17
18 Councillor Small Moved to Table Resolution No. 14-082 to November 4, 2013 and Councillor Smith
19 Seconded the motion.

DRAFT

20
21 -----
22
23 Mayor Miyagishima called for the roll on the Motion to Table Resolution No. 14-082 to November
24 4, 2013 and it was Unanimously Approved. 7-0

25
26 -----
27

28 (21) Resolution No. 14-083: A Resolution Approving a Waiver From the Required Right-of-Way
29 Dedication and Road Improvements to Kennedy Road Associated With a Proposed Replat
30 Known as Elephant Butte Land & Trust Company, Subdivision A, Replat No. 37 on a 2.26
31 ± Acre Lot Located at 1076 E. Kennedy Road. Submitted by Richard P. & Aurora Valverde,
32 Property Owners. (S-12-012W)

33
34 Councillor Small Moved to Approve Resolution No. 14-083 and Councillor Sorg Seconded the
35 motion.

36
37 -----
38

39 Mayor Miyagishima said I am going to defer this to Mayor Pro-tem because I think I may still insure
40 this applicant.

41

1 Robert Kyle, Building and Development Services Administrator gave an overhead presentation and
2 said this is a waiver request for the Design Standards associated with the subdivision road
3 improvements for a parcel of property that is located on Kennedy Road. The property currently has
4 one residential home on it and the applicant would like to subdivide the property into two parcels
5 in order to develop the other portion. The Planning and Zoning Commission did recommend
6 approval of the proposed waiver request at their September 4th meeting and they didn't believe the
7 improvements and costs for them were warranted for the subdivision of one residential lot into two
8 residential lots. The waiver before you is for not providing any road improvements associated with
9 the subdivision, as well as acquire additional rights-of-way in accordance with the City's Design
10 Standards. So they are required to dedicate their pro-rata share of right-of-way to comply with a
11 major arterial roadway and in this case, they are providing an additional five and a half feet of land
12 which does take care of their right-of-way requirement. They are also required to build half of an
13 arterial roadway that is adjacent to or within the boundaries of their subdivision which they are
14 seeking a waiver to not be required to do those improvements.

15
16 John Montoya, Applicant's Representative said through this subdivision my client would dedicate
17 a quarter of an acre. The estimated cost for the improvements is about \$411,000 which would
18 include the pavement in front of the roadway with utilities and drainage from in front of this property
19 all the way to Elks Road. The question we would have is that if he does decide to do these
20 improvements then there is a grant received for those improvements; does he get his money back?

21
22 Mayor Pro-tem Thomas asked why do they want to subdivide their property?
23
24 John Montoya said there is currently a mobile home on the property and they had sold it to a brother
25 and sister and their intent was to put two homes on the property but when they came to the City they
26 were informed that it wasn't zoned to have two homes on it. My client financed their purchase of the
27 property but one of them defaulted on it so instead of taking the entire property back, he allowed the
28 other one to continue to purchase the property but she can't afford to purchase the entire property.

29
30 Councillor Sorg asked how is the drainage going to be addressed?
31
32 Robert Kyle said there is a minor waterway going through the property and it cuts across; there is
33 a 25 foot drainage easement that comes down the western side of the property; so, the drainage
34 characteristic of the property aren't really changing and it has been addressed through the provision
35 of the drainage easement.

36
37 Councillor Sorg said there are problems there and we haven't had the big rain yet but if we do get
38 a big rain then that whole area is going to be in bad shape.

39
40 Councillor Pedroza asked are there others in that area that are pitching into the pot for that road?

41

1 Robert Kyle said this area has lots that are at a minimum of ½ acre sizes so there is the possibility
2 that some of these other lots would subdivide in the future. So even though two lots today doesn't
3 seem like an issue there could be two more later on and then two more later on and so on.

4
5 Councillor Pedroza said I think this is a difficult problem.

6
7 Councillor Small asked if these road improvements are completed now by this property owner is
8 there a process for reimbursing him?

9
10 Robert Kyle said we could do an Assessment District for that area and if or whenever the other
11 properties decide to subdivide then theoretically he could get back his pro-rata share. Historically,
12 those types of Districts have been difficult to administer and it could be decades before any
13 development happens there.

14
15 Councillor Small asked what if there is State funding available for widening this into a major
16 arterial; how would he get his pro-rata share reimbursement?

17
18 Robert Garza, City Manager said we could do a Development Agreement that would essentially state
19 that we are going to prescribe how and when dedications of rights-of-way are provided for and how
20 and when payment for improvements or improvements are going to be done. The agreement would
21 have to be something that the property owner and the City would have to agree on.

22
23 Councillor Small said that sounds like a good step forward here. Is Kennedy Road an important
24 arterial as we move into the future?

25
26 Robert Kyle said Kennedy Road is a designated principal arterial on the MPO Thoroughfare Plan
27 so it is an important road.

28
29 Councillor Small said then I think we should at least try to have a Development Agreement done in
30 this case.

31
32 Robert Kyle said staff is currently working on the revision of the City's Design Standards so the
33 subdivision standards today might be more or less now than they will be in the future. I think staff
34 would just need to sit down with the applicant and discuss this issue.

35
36 Mayor Pro-tem Thomas said I think we do need to find a way for these types of cases where we can
37 agree with the land owner that they don't have to make these improvements now but it will have to
38 be done in the future.

39
40 Robert Garza said we can have staff start working on a template agreement and make it case specific.
41 I think we need to work on creating a Road Fund which would be funds set aside for building new
42 roads and it needs to be funded by contributions from things like this case.

1

2 John Montoya said in a subdivision like Sonoma Ranch there were about 200 lots that shared the
3 cost but in this case it is just one lot and the estimate I got was about \$411,000 so this one \$30,000
4 lot now becomes \$440,000. It just needs to be fair.

5

6 Mayor Pro-tem Thomas said that's why we need to look at this and see how we can avoid putting
7 the full cost on just one property owner.

8

9 Robert Garza said staff will be looking into this so I would suggest that this be tabled indefinitely.

10

11

12

13 Councillor Sorg Moved to Table Resolution No. 14-083 indefinitely and Councillor Silva Seconded
14 the motion.

15

16

17

18 Mayor Pro-tem Thomas called for the roll on the Motion to Table Resolution No. 14-083 indefinitely
19 and it was Approved. 6-0 Mayor Miyagishima was absent.

20

21

22

23 (22) Council Bill No. 14-012; Ordinance No. 2697: An Ordinance Repealing the Las Cruces
24 Local Economic Development Plan 2004 Adopted by Ordinance No. 2122 and Adopting the
25 Las Cruces Local Economic Development Plan 2013 to Reflect Revised Project Security
26 Requirements Adopted by the New Mexico Legislature in House Bill 352 of the 2013
27 Regular Legislative Session.

28

29 Councillor Smith Moved to Approve Council Bill No. 14-012; Ordinance No. 2697 and Councillor
30 Thomas Seconded the motion.

31

32

33

34 Elizabeth Vega, Interim Economic Development Administrator gave an overhead presentation and
35 said the purpose of the Economic Development Plan is to encourage job creation in the private sector
36 by providing technical business assistance and outline the City's incentives; this plan exempts us
37 from the Anti-Donation Clause; and it implements the authority of the New Mexico Local Economic
38 Development Act. In 2007, the State Legislature added language for "cultural facilities" which
39 allows assistance for buildings such as the Rio Grande Theater. This update is outlined in Section
40 13 of the City's Plan. In 2013, the State Legislature added language for "clawback provisions" which
41 allows the City to protect public resources by requiring a security pledge from qualifying entities and
42 if terms of the project participation agreement are not met then the City can take measures to recover
43 the investments. This update is outlined in Section 7 of the City's Plan.

1 Councillor Sorg said this is very good and I especially like that we can clawback those funds and
2 other things that we supply to businesses if they don't perform as we agreed. I do have some
3 concerns with this update because it mentions our future Spaceport but our Spaceport is already up
4 and ready to go. It also doesn't mention our resources and we have the best chili in the United States.

5
6 Councillor Smith said on page 639 there is a new table about the average salary and shortly thereafter
7 we make references to the 2000 census and look forward to the 2010 census; and a finish target date
8 on page 653 of August 1, 2004 which these things have already passed so I think we need to update
9 those types of things I think it would give validity to the document. I certainly look at what the Local
10 Economic Development Act does for us and provides us opportunities and I do think that boosting
11 the local economy; I'm assuming we're still looking at 150 to 200 new jobs annually as a goal for
12 this; I also look at us taking another look at this and possibly saying that we might actually, with this
13 new look at it, be more willing or able to use this to our advantage because I know we have a whole
14 lot of reticence in this community when we're talking about incentives. We always say "we can't do
15 that because of the Anti-Donation Act" so LEDA (Local Economic Development Act) gives us some
16 leeway which I think is important to keep in mind. I certainly don't want to unduly hand-out to
17 people but on the other hand with some careful observation or analysis of what might be helping us
18 trip over into some better situational things.

19
20 Councillor Thomas said regarding the Arts and Cultural District, we are just now putting that into
21 our Local Economic Development Plan.

22
23 Elizabeth Vega said that is correct but it has been a part of LEDA since 2007.

24
25 Councillor Thomas said as I was reading through this I also noticed some things that needed to be
26 updated and I would encourage you to bring it back with a few more of those updates.

27
28 Eric Montgomery, MVEDA said I just wanted to say that we would be happy to assist you with the
29 continuing formulation of the City of Las Cruces's Local Economic Development Act and we
30 encourage you to mirror exactly what the State has on record for the Local Economic Development
31 Act to make sure we are making the best use of what it offers.

32
33 -----

34
35 Mayor Miyagishima called for the roll on the Motion to Approve Council Bill No. 14-012;
36 Ordinance No. 2697 and it was Approved. 6-0 Councillor Small was absent.

37
38 -----

39
40 **IX. APPEAL PROCESS**

41

1 Council members shall not privately discuss with any interested person or persons the merits of a
 2 case which is, or may be pending before the City Council. If there have been any such discussion
 3 or discussions, they should be disclosed by the appropriate Councillor(s) or individuals at this time.
 4
 5 Appeals to be presented before the Las Cruces City Council shall follow the procedure outlined in
 6 LCMC 1997, Section 38-13.

7
 8 **X. APPEAL – (No Public Input/Comment Will be Allowed for Item #23)**

9
 10 (23) Resolution No. 14-084: A Resolution to Appeal the Failed Motion by the Planning and
 11 Zoning Commission for Approval of a Request for a Variance of Nine (9) Feet to the
 12 Minimum Required Twenty-Seven (27) Foot Wide Driving/Back-Up Aisle on a 0.454 ± Acre
 13 Lot Located at 202 N. Compress Road. Submitted by Brewer Oil Company, Property Owner
 14 (A1719).

15
 16 Removed from the Agenda.

DRAFT

17
 18
 19
 20 **XI. BOARD APPOINTMENTS**

21
 22 Mayor Miyagishima appointed Louis George Griffin III (District 2) to the City Art Board.

23
 24 Councillor Smith Moved to Approve Mayor Miyagishima's board appointment of Louis George
 25 Griffin III (District 2) to the City Art Board and Councillor Thomas Seconded the motion.

26
 27 -----

28
 29 Mayor Miyagishima called for the roll on the Motion to Approve Mayor Miyagishima's board
 30 appointment of Louis George Griffin III (District 2) to the City Art Board and it was Approved. 6-0
 31 Councillor Small was absent.

32
 33 -----

34
 35 Mayor Miyagishima appointed Lonnie Hamilton to the Rate Payer Advisory Committee.

36
 37 Councillor Sorg Moved to Approve Mayor Miyagishima's board appointment of Lonnie Hamilton
 38 to the Rate Payer Advisory Committee and Councillor Thomas Seconded the motion.

39
 40 -----

41

1 Mayor Miyagishima called for the roll on the Motion to Approve Mayor Miyagishima's board
2 appointment of Lonnie Hamilton to the Rate Payer Advisory Committee and it was Approved. 6-0
3 Councillor Small was absent.

4
5
6

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

9

10 There were no proposed ordinances.

11
12
13

14 **XIII. CITY COUNCIL MEMBER BOARD REPORTS**

15

16 There were no City Council Member Board Reports given.

17
18
19

DRAFT

20 **XIV. GENERAL DISCUSSION**

21

22 a.) Mayor

23

24 Mayor Miyagishima said I would like to compliment Robert Garza, Jorge Garcia, and our Economic
25 Development Team; ever since we hit the 100,000 mark I have seen more and more businesses
26 moving in and everything seems to be on a roll.

27

28 I sent a text to Secretary Padilla asking her whether or not she was going to allow the second
29 ordinance that we passed to allow us to start taxing on January 1, 2014 and she sent me a text this
30 morning stating "the Statute does not allow us."

31

32

33

34 b.) City Council

35

36 Councillor Thomas said I received a call from somebody regarding the tennis courts, they said the
37 courts badly need to be resurfaced so can we find out if that is on the list?

38

39 Brian Denmark, Assistant City Manager said there was funding set aside for the tennis court
40 resurfacing so staff will be working on that issue.

41

1 Councillor Thomas said I have several people from different neighborhoods that are close to the
2 desert and they are reporting an increase in gunfire out there so we are going to have a public
3 meeting on Tuesday the 29th from 6:00 to 8:00 p.m. here in Chambers.

4

5

6

7 Councillor Sorg said sometimes I get complaints from neighborhoods regarding speeding down their
8 local streets and it came to mind that we have billboards across the city that we are allowed to put
9 up free of charge so I was thinking that maybe we could use the billboards for a more effective use.

10

11

12

13 Councillor Small said I would like to congratulate the airport on their award and I would assume that
14 notification and a letter of thanks will be sent to our federal delegation and/or all other relevant
15 entities that were part of the funding for it.

16

17 Robert Garza, City Manager said we will definitely follow up on who the appropriate recipients are
18 and send out our thanks broadly.

19

20 Councillor Small said it is very exciting to have the construction of Bruins Lane moving forward.
21 I saw that some of our Rehab projects have been posted on our website to keep the public informed
22 about important projects like the Bruins Lane project.

23

24 I wanted to bring up that the Pace Program is something that we brought up several years ago; it is
25 in-home care for our elderly residents and it is currently only available in Albuquerque but it sounds
26 like there are entities within our community that are interested in having the Pace Program brought
27 down here.

28

29

30

31 Councillor Pedroza said regarding the tennis courts, there is ongoing cooperation between the USTA
32 and the City and we are exploring some type of cooperative funding.

33

34 The Food Policy Summit is this Thursday from 1:00 to 5:00 p.m. and Friday from 9:00 a.m. to 3:00
35 p.m. at Hotel Encanto.

36

37

38

39 Councillor Smith said regarding the Pace Program, my wife has been working with one of the
40 entities in Albuquerque and I know of two District 2 residents who had to leave Las Cruces because
41 they were no longer able to stay at home so this program is very important and I absolutely support
42 us helping to move it forward.

1 Regarding the Airport honors, at the International Symposium of Personal and Commercial
2 Spaceflight it was mentioned several times how important our local airport is to how we connect
3 with what is happening at the Spaceport and with other things. Someone mentioned to me the
4 possibility of having helicopter flights from our Airport to the new Spaceport.

5

6 I was in Austin this past weekend and two of my former students are doing extremely well.

7

8 I noticed that we still have the three wooden crosses at the entrance to Las Cruces on I-25 and I was
9 wondering if we were able to do any research on them?

10

11 Robert Garza, City Manager said we have looked into it and the Highway Department said that they
12 were there before they started their project and they were cautioned by the State Historic Preservation
13 Office not to mess with them because they were not sure who put them there.

14

15 Councillor Smith said I want to mention that I will be absent from next Monday's Work Session.

16

17 Mayor Miyagishima said I want to mention that I also will be absent from that Work Session.

18

19

20

21 Councillor Silva said regarding the tennis court, the USTA has matching funding sources so maybe
22 we can have Mr. Johnston give us a report on the status of it.

23

24 Regarding the Main Street Charrettes, I want to thank everyone who attended and I think it was a
25 really positive event. We have about \$12 to \$15 million in TIDD funding and I think these Charrettes
26 will help guide us on how to best invest that money.

27

28 Regarding our meeting with the County for the Animal Ordinance, one of the things that came out
29 was that there are going to be some differences between our ordinance and the County's ordinance
30 on how we address the feral cat situation. I would suggest that in the future we screen what we are
31 going to discuss at those meetings because I think at one point the meeting got very redundant.

32

33 Halloween is coming up and I want to advise everyone to be careful and safe out there.

34

35

36

37 c.) City Manager

38

39 Robert Garza, City Manager said we have four items to discuss at next Monday's Work Session
40 which are regarding El Paso Electric, Regional Economics and Film, Senior Programs, and
41 parking lot connectivity. There won't be a Work Session held on November 11th but there will be
42 a Special Work Session on November 21st for Council Orientation.

1 -----
2
3 Councillor Sorg Moved to Adjourn and Councillor Small Seconded the motion.
4
5 Mayor said all of those in favor signify by saying "Aye."
6
7 Council said "Aye."
8
9 **Meeting Adjourned at 4:40 p.m.**

DRAFT