City of Las Cruces®
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Council Action and Executive Summary

Item # 29 **Ordinance/Resolution#** 2710

For Meeting of April 7, 2014 (Ordinance First Reading Date)

For Meeting of April 21, 2014 (Adoption Date)

Please check box that applies to this item:

☐ QUASI JUDICIAL ☒ LEGISLATIVE ☐ ADMINISTRATIVE

TITLE: **AN ORDINANCE REPEALING LCMC, 1997, SECTION 2-977, MEMBERSHIP, PERTAINING TO THE VETERANS ADVISORY BOARD, AND ENACTING A NEW SECTION 2-977.**

PURPOSE(S) OF ACTION:

To amend Section 2-977, Membership.

COUNCIL DISTRICT: ALL		
Drafter/Staff Contact: Travis A. Brown	**Department/Section:** Fire	**Phone:** 528-3473
City Manager Signature:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The current ordinance which established the Veterans Advisory Board (VAB) was adopted in March of 2009. The ordinance specifies ten (10) veteran organizations that are to be represented on the VAB by appointment of a voting member. The position that represents the Reserve Officers Association of the United States (ROA), NM-005, has been vacant for more than three (3) years, despite efforts by the VAB and the City Clerk's Office to fill the vacancy.

At the February 25, 2014 meeting of the VAB, the membership voted unanimously to recommend changing the existing ordinance by removing the requirement for a representative from the ROA. The proposed language would allow the VAB to select "an established veteran organization" to replace the ROA. This would allow increased flexibility in maintaining full membership while also creating opportunity for additional veteran's groups to have representation on the VAB.

The Mayor, with the advice and consent of the Las Cruces City Council, will maintain authority to appoint all members of the VAB.

SUPPORT INFORMATION:

1. Ordinance.

(Continue on additional sheets as required)

2. Exhibit "A". Proposed new Section 2-977
3. Attachment "A". Current Section 2-977 with recommended changes

SOURCE OF FUNDING:

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

BUDGET NARRATIVE

N/A

FUND EXPENDITURE SUMMARY:

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

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will enact a new LCMC, 1997, Section 2-977 which will change the membership requirements for the Veterans Advisory Board by allowing the members to select an established veteran organization to be represented on the board.
2. Vote "No"; this will not change the existing ordinance or organizations represented on the Veterans Advisory Board
3. Vote to "Amend"; this could change the existing ordinance in a manner acceptable to City Council.
4. Vote to "Table"; this could allow for additional information to be brought forward.

(Continue on additional sheets as required)

REFERENCE INFORMATION:

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

N/A

(Continue on additional sheets as required)

COUNCIL BILL NO. 14-025
ORDINANCE NO. 2710

AN ORDINANCE REPEALING LCMC, 1997, SECTION 2-977, MEMBERSHIP, PERTAINING TO THE VETERANS ADVISORY BOARD, AND ENACTING A NEW SECTION 2-977.

The City Council is informed that:

WHEREAS, the City of Las Cruces has established a Veterans Advisory Board for the purpose of advising City Council on matters affecting veterans and to propose solutions to alleviate or remedy the needs of local veterans; and

WHEREAS, the existing ordinance dictates the voting membership shall be made up of one member each from ten specific veterans' organizations and two members-at-large; and

WHEREAS, the Reserve Officers Association of the United States, NM-005 has not provided a member to the Veterans Advisory Board for more than three years; and

WHEREAS, it is in the best interest of the Veterans Advisory Board to have full membership in order to achieve their purpose; and

WHEREAS, allowing the Veterans Advisory Board to select an established veteran organization to be represented on the board in lieu of the requirement for a member from the Reserve Officers Association of the United States, NM-005 would provide greater flexibility to serve local veterans.

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

(I)

THAT the City Council repeals LCMC, 1997, Section 2-977, Membership.

(II)

THAT a new LCMC, 1997, Section 2-977, Membership, is hereby enacted as shown in Exhibit "A" attached hereto and made part thereof.

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

DONE AND APPROVED this _____ day of _____, 20___.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

VOTE:
Mayor Miyagishima: _____
Councillor Silva: _____
Councillor Smith: _____
Councillor Pedroza: _____
Councillor Small: _____
Councillor Sorg: _____
Councillor Levatino: _____

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:

_____
City Attorney

Exhibit "A"

Sec. 2-977. Membership.

The veterans advisory board shall be made up of 12 members. All members must be veterans residing in the county.

There shall be one voting member each who represents veterans' organizations. These organizations shall be the American Legion Post 10, Veterans of Foreign Wars Post 3242, Veterans of Foreign Wars Post 6917, Veterans of Foreign Wars Post 10124, Disabled American Veterans Chapter 10, Military Officers Association of America, Mesilla Valley Chapter, Marine Corps League, El Perro Diablo Chapter, Vietnam Veterans of America, Chapter 431 and Special Forces Association, Chapter 80 and an established veteran organization as approved by the board members.

There will be two voting members designated as members-at-large.

White Sands Missile Range and a representative of the state department of veterans' service will be invited to provide an ex-officio nonvoting member on the board. Representatives of each local office of federal senators and congress members, and state legislators will be invited to attend meetings.

Attachment "A"

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White Sands Missile Range and a representative of the state department of veterans' service will be invited to provide an ex-officio nonvoting member on the board. Representatives of each local office of federal senators and congress members, and state legislators will be invited to attend meetings.

Language that is ~~struck through~~ is to be removed
Language in **bold underline** is to be added