City of Las Cruces®

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Council Action and Executive Summary

Item # 7 **Ordinance/Resolution#** 2714

For Meeting of May 19, 2014 (Ordinance First Reading Date)

For Meeting of June 2, 2014 (Adoption Date)

Please check box that applies to this item:

☐ QUASI JUDICIAL ☒ LEGISLATIVE ☐ ADMINISTRATIVE

TITLE: AN ORDINANCE REPEALING LCMC 1997, SECTIONS 2-707 THROUGH 2-709 PERTAINING TO THE SENIOR PROGRAMS ADVISORY BOARD AND ENACTING NEW LCMC SECTIONS 2-707 THROUGH 2-710.

PURPOSE(S) OF ACTION:

Update Senior Programs Advisory Board ordinance.

COUNCIL DISTRICT: ALL		
Drafter/Staff Contact: Sonia Saldana	**Department/Section:** Community & Cultural Services	**Phone:** 541-2464
City Manager Signature:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

At the April 10, 2014, Senior Programs Advisory Board (SPAB) meeting, the membership voted unanimously to recommend amending the existing SPAB ordinance.

This proposed ordinance will repeal and update the Las Cruces Municipal Code (LCMC) 1997, Sections 2-707 through 2-709 as follows:

1) Include representation on the SPAB from the Sage Café, the City's newest multigenerational center, which provides senior activities. The SPAB currently consists of seven appointed members and elected site center representatives from Munson, Eastside Community, Benavidez and Frank O'Brien Papen Community Centers. Presently, there is no site center representation from Sage Café. Expanding the structure of the SPAB to include representation from the Sage Café will allow for direct representation of the site users relative to programs, services and activities.

2) Align with the approved facility name, specifically for Mesilla Park Recreation Center to the Frank O'Brien Papen Community Center.

(Continue on additional sheets as required)

3) Enact a new Section 2-710 entitled, "Exemptions", which exempts site center representatives from residing within City limits. This section is necessary to accommodate senior citizens interested in representing a center who may reside in Doña Ana County, but not within the City limits. As per City ordinance, the site center representatives must reside within City limits. Currently, the Frank O'Brien Papen Community Center's represented position remains vacant due to the lack of interest from center participants who reside within City limits.

SUPPORT INFORMATION:

1. Ordinance.
2. Exhibit "A", Proposed new Sections 2-707 through 2-710.
3. Attachment "A", Existing Sections 2-707 through 2-709 shown in legislative format.
4. Attachment "B", SPAB Meeting Minutes of April 10, 2014

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**

(Continue on additional sheets as required)

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will enact a new LCMC 1997, Sections 2-707 through 2-710 related to the Senior Programs Advisory Board.
2. Vote "No"; this action will not amend the existing ordinance and will keep the existing provisions in place.
3. Vote to "Amend"; this action will change the ordinance as deemed necessary by City Council.
4. Vote to "Table"; this action will allow Council to table/postpone the ordinance and direct staff accordingly.

REFERENCE INFORMATION:

N/A

(Continue on additional sheets as required)

COUNCIL BILL NO. 14-029
ORDINANCE NO. 2714

AN ORDINANCE REPEALING LCMC 1997, SECTIONS 2-707 THROUGH 2-709 PERTAINING TO THE SENIOR PROGRAMS ADVISORY BOARD AND ENACTING NEW LCMC SECTIONS 2-707 THROUGH 2-710.

The City Council is informed that:

WHEREAS, the City of Las Cruces has established a Senior Programs Advisory Board (SPAB) for the purpose of advising City Council and staff on matters related to Senior Programs; and

WHEREAS, at the April 10, 2014, SPAB regular meeting, the membership voted unanimously to recommend amending the existing Board ordinance; and

WHEREAS, the SPAB requires a change in structure to include representation from the Sage Café, a new Senior Programs site which opened in 2013; and

WHEREAS, the proposed changes to the LCMC reflect the recent facility name change of the Mesilla Park Recreation Center to the Frank O'Brien Papen Community Center; and

WHEREAS, the proposed ordinance enacts a new Section 2-710, entitled, "Exemptions", that exempts Senior Programs site representatives from residing within city limits; and

WHEREAS, the new section is necessary to accommodate senior citizens interested in representing a center who may reside in Dona Ana County, but not within in city limits.

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

(I)

THAT the City Council repeals LCMC 1997, Sections 2-707 through 2-709 pertaining to the Senior Programs Advisory Board, in its entirety.

(II)

THAT new LCMC 1997, Sections 2-707 through 2-710 are hereby enacted as shown in Exhibit "A" attached hereto and made part of this Ordinance.

(III)

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

DONE AND APPROVED this _____ day of _____ , 2014.

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

Sec. 2-706. Established.

There is established a senior programs advisory board.

Sec. 2-707. Composition.

The senior programs advisory board shall consist of seven members appointed by the mayor, with the advice and consent of the city council, and site members selected by senior program participants as a representative of each senior program site and appointed by the mayor with the advise and consent of the city council. There shall be one member from each of the six city districts, one member at large, and site representative members.

Sec. 2-708. Terms of members.

The members from each of the six city districts and the member at large shall serve four year terms. The representative members shall serve two year terms. The term for the representatives of the Munson Center, Sage Cafe and Frank O'Brien Papen Community Center shall expire in even numbered years. The term for the representatives of the Eastside Community Center and Benavidez Center shall expire in odd numbered years. The members of the senior programs advisory board shall serve no more than eight years. Elected officers shall serve for one year and shall serve for no more than two consecutive terms.

Sec. 2-709. Duties.

(a) The senior programs advisory board shall review the business and operation of city senior centers. It will assist the staff in the review or development of policies, procedures, and regulations. When new policies or regulations are advisable which will require council action, the board will recommend such action to the council for their consideration or adoption.

(b) The city senior centers include the following:

(1) Frank O'Brien Papen Community Center;

(2) Munson Center;

(3) Eastside Community Center;

(4) Benavidez Center;

(5) Sage Café; and

(6) Any future city senior centers.

(c) The board shall annually review the code of conduct for participants at city senior centers, revising if needed. The board shall serve as an appeals board for the enforcement of the code of conduct. The decision of this board on code of conduct violations or grievances of seniors regarding senior programs shall be final.

(d) Board meetings shall be held year round and shall rotate among the senior centers being held at each center at least twice each year.

Sec. 2-710. Exemptions

The members appointed to the senior programs advisory board as senior program site representatives, as defined in Section 2-707, are exempt from the provision of residing within the city limits as required under subsection 2-188 (a) of this chapter. Site center representatives must reside in Dona Ana County.

Secs. 2-711—2-735. Reserved.

Sec. 2-706. Established.

There is established a senior programs advisory board.

Sec. 2-707. Composition.

The senior programs advisory board shall consist of seven members appointed by the mayor, with the advice and consent of the city council, and ~~four~~ **site** members selected by senior program participants as a representative of ~~a~~ **each** senior program site ~~(Munson Center, Eastside Community Center, Mesilla Park Recreation Center, and Benavidez Recreation Center)~~ and appointed by the mayor with the advise and consent of the city council. There shall be one member from each of the six city districts, one member at large, and ~~four~~ **site** representative members.

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(b) The city senior centers include the following:

(1) ~~Mesilla Park Recreation Center~~ **Frank O'Brien Papen Community Center**;

(2) Munson Center;

(3) Eastside Community Center;

(4) Benavidez ~~Recreation~~ Center;

(5) **Sage Café; and**

(~~5~~**6**) Any future city senior centers.

(c) The board shall annually review the code of conduct for participants at city senior centers, revising if needed. The board shall serve as an appeals board for the enforcement of the code of conduct. The decision of this board on code of conduct violations or grievances of seniors regarding senior programs shall be final.

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Secs. 2-710~~0~~1—2-735. Reserved.

City of Las Cruces
PEOPLE HELPING PEOPLE

SENIOR PROGRAMS' ADVISORY BOARD
MEETING MINUTES
April 10, 2014- Sage Café

PRESENT: Chair Pleddie Baker (District 4 Representative); Secretary Felix Vega (Eastside Center Representative); Fred Cantonwine (Benavidez Center Representative); Marcie Loven (District 2 Representative); Sharlene Wittern (District 3 Representative); Sarah Kinglow (District 6 Representative); James Gibson (Munson Center Representative)

ABSENT: Vice Chair Dianne Jordan (Member-at-Large); Sandy Sigel, (District 5 Representative)

GUESTS: David Dollahon, Community & Cultural Services Director; Sonia Saldana, Senior Programs Administrator; Sonya Delgado, Recreation Administrator; Toni Flores, Recording Secretary

CALL TO ORDER: Chair Baker called the Senior Programs' Advisory Board meeting to order at 9:20 a.m. on April 10, 2014, at the Sage Café, Las Cruces, NM.

CONFLICT OF INTEREST: Board members had no conflict of interest with any item of business on the agenda.

PUBLIC COMMENTS: No public comments.

APPROVAL OF THE MINUTES: The Board reviewed the March 13, 2014, Board meeting minutes. A correction was made to page 2, line 71—41 satisfaction surveys were received. After further review, Secretary Vega moved to approve the March 13, 2014 Board meeting minutes as amended. J. Gibson seconded the motion. Vote: 7-0. Motion carried unanimously.

F. Cantonwine moved to approve the March 28, 2014, Board meeting minutes as presented. S. Wittern seconded the motion. Vote: 7-0. Motion carried unanimously.

Chair Baker polled Board members to see if they were still interested in extending an invitation to the City Councillors to attend Board meetings. There was consensus from the Board that Chair Baker continue to invite City Councillors to the Board meetings.

Lori Palacios, Acting Long Term Care Services Manager, was unable to attend the Board meeting. L. Palacios will be invited to attend the May 2014 Board meeting.

SENIOR PROGRAMS ADMINISTRATOR REPORT: Sonya Delgado, Recreation Administrator, distributed the March 2014 Parks and 50 Plus Recreation Program attendance report which included a graph that shows class attendance data for the past three years, as per the Board's request. Chair Baker questioned the fluctuation in attendance from month to month. S. Delgado stated the increase/decrease in attendance is

typical. The fluctuation is due to various reasons. However, classes have not been canceled. To some respect, classes have been added. It was noted that attendance for the aquatics classes are at capacity.

The Senior Programs' April 2014 monthly report was distributed. Chair Baker requested attendance figures for the Senior Programs activities/classes including a graph illustrating attendance data for the past three years. S. Saldana stated S. Schutte, Senior Centers Manager, is compiling the report. A schedule of activities for April 2014 was distributed. Chair Baker reiterated he specifically requested a list of upcoming special events for May and June 2014. S. Saldana stated the dances are the only special activities planned for May and June 2014. Other special events have not been scheduled as a result of the anticipated Munson Center closure due to the renovation. M. Loven announced a volunteer recognition is planned for April 11, 2014 at Sage Café.

S. Kinglow commented there are times that participants will sing or play music in the dining room or the lobby of Munson Center. Some people enjoy listening to music during the noon meal. However, there are some people who do not enjoy the music saying that the music is too loud and disruptive. A survey was conducted to determine the participants' preference. The results of the survey have not been provided. D. Dollahon stated staff will work together with the participants to resolve the issue and try to find a balance.

Board members reviewed the comments received at the March 12, 2014 Senior Programs Public Hearing meetings held at Munson Center and City Hall. Chair Baker inquired if an action plan has been developed to address public input received during the Public Hearings. David Dollahon, Community & Cultural Services Director, stated items 5, 6, and 7 were all interconnected and related to delivering dinner versus breakfast to the homebound clients. Staff will be contacting the homebound clients and high-risk seniors receiving home delivered meals to provide input relative to their meal preference--dinner versus breakfast. He explained that breakfast is very expensive for Senior Programs to provide. The breakfast items consisting of prepackaged cereal, milk, juice and peanut butter are high in sugar. He added a lot of this food goes unused for various reasons. Staff will be evaluating the cost effectiveness of delivering an evening dinner instead of a breakfast. Essentially, the same lunch menu item will be served for dinner. At this time, Senior Programs is not in a position to offer a choice of either breakfast or dinner because of the time constraints to deliver a meal. M. Loven inquired if there is a possibility of including a food item that could be used for breakfast such as bread, fruit, etc. D. Dollahon stated this is something that will be taken into consideration during the menu evaluation process. Proposed changes to the home delivered meals program will become effective in July 2014, but only after receiving client feedback.

D. Dollahon announced that due to a procurement issue with the Munson Center construction project, the project is being delayed. Instead of starting the renovation project in May and continuing in August and September, the project is being postponed until July and December 2014. A two, four-week closure is still anticipated—four weeks in July and four weeks in December.

The Board reviewed the Action Items. Chair Baker reviewed the process for the action items. He explained the staff identifies an action item as being complete. If the Board is in agreement, then the action item will be identified as closed and will be removed from the working list. The items that have not been completed will be identified as "in work" and will remain on the master list as well as the working list until the action item has been completed and closed by the Board.

The open Action Items were reviewed. The following actions items were identified as complete by staff. Board members had no objections to closing these action items: Action item numbers: 7, 15, 24, 30, 36, 39, 44, 50, 54, 61, 62, 63, 64, 65 will be removed from the working list.

New action items identified: Actual installation of the Sage Café building signage.

The following action items were identified as complete by the staff; however, the Board requested these items remain "in work": Action item 14—this item should remain in work until it has been developed and incorporated into a master plan. Item 32—there are structural issues that need to be addressed. The odor at the Benavidez Center continues to be a problem. D. Dollahon will schedule a meeting with Facilities Department to discuss possible solutions. This has been an ongoing issue for the past two years. Item 37 is in work. Chair Baker will write the letter. Item 39 will be presented to the City Council at the April 14, 2014 Work Session.

The following action items were identified as "In Work" and will remain on the list: Items 46 and 47 were identified as related items, Item 48--Chair Baker, F. Cantonwine and Secretary Vega will meet with Representative Cote in the coming week to plan and schedule a Veterans' Day event.

The numerical sequence for items 60-65 was duplicated. These items will be renumbered.

The actual installation of the Sage Café facility signage was identified as a new action item and will be added to the master list and the working list.

The Board was updated on the Eastside Center mural. S. Saldana stated the mural recommendation was submitted to the Art Board for approval. Staff is awaiting the Art Board's decision.

D. Dollahon distributed Senior Programs' budget figures for FY 2012, 2013, and 2014. The Senior Programs budget has decreased from a high $2.5 million to a low $2.49 million and in 2013 to $2.5 million. In FY 14 out of $2.7 million, $1.7 million have been expended thus far.

BOARD MEMBER REPORTS: J. Gibson reported both Lora Garner, Munson Center hostess, and Velia Autrey, Key Board Café volunteer, do not have sufficient change funds to conduct business. J. Gibson recommended a sign be posted stating that no change will be provided to any person presenting a bill larger than $5.00. D. Dollahon stated that staff will look into increasing the change fund. He added the City's policy states that staff is

authorized to impose a rule that states no bills over $20.00 will be accepted. J. Gibson asked if the amount could be reduced to $10.00. D. Dollahon will inquire if the amount can be reduced to a smaller denomination and provide a report at the next meeting.

J. Gibson reported that Senior Programs has a suggestion box placed in the Key Board Café for the purpose of receiving customer input/feedback. However, the participants feel that it is a waste of their time because they do not receive a response to their suggestions. S. Saldana stated she will look into the process. She will ensure that staff responds in a timely manner. S. Kinglow suggested the suggestion box be relocated to a different area where it is more visible.

S. Wittern inquired if people can prepay for the meals. D. Dollahon stated the meals program is based on a donation. It is a voluntary donation and should be anonymous. It was reported that donation meal receipts are being provided to the participants who pay by the week/month. D. Dollahon expressed concern stating that is prohibited by federal and state regulations to provide receipts for meal program donations because it should be an anonymous, voluntary contribution for any person 60 years of age and older. S. Saldana will follow up on this issue. For any person under 60 years of age, staff is obligated to charge a fee for the meal and provide a receipt.

S. Kinglow expressed concern regarding the traffic traveling at a high rate of speed on Mesquite Street in front of Munson Center. She stated motorist do not respect the speed humps or speed limit. J. Gibson stated police presence is needed in front of Munson Center.

UNFINISHED BUSINESS: The five-year Senior Programs goals were discussed. Chair Baker stated the goals that were identified at the last Board meeting included increasing activities at all centers. M. Loven also recommended partnering with other agencies in the community such as New Mexico State University to bring educational and health-related programs to the centers. After further discussion, F. Cantonwine moved to establish community involvement as goal for Senior Programs. S. Kinglow seconded the motion. Vote: 7-0. Motion carried unanimously.

The Board reviewed the Senior Programs Grievance Procedure Policy. Chair Baker opened the floor for discussion. No discussion. Secretary Vega moved to approve the Senior Programs Grievance Procedure Policy as modified. F. Cantonwine seconded the motion. Vote: 7-0. Motion carried unanimously.

The Board reviewed the proposed Senior Programs Ban from Senior Centers. F. Cantonwine moved to approve the Senior Programs Ban from Senior Centers as presented. Secretary Vega seconded the motion. Discussion followed: Chair Baker recommended the word "visitors" be replaced with the word "customers" throughout the document. On page 3 under the Appeals Process, item 3d the word "within" should be changed to "with." F. Cantonwine moved to amend the previous motion and accept the Senior Programs Ban from Senior Centers as modified. Secretary Vega seconded the motion. Vote: 7-0. Motion carried unanimously.

S. Saldana provided an update on the Senior Programs Advisory Board Frank O'Brien Papen Center representative. Only two candidates submitted nominations. An election was conducted on April 1, 2014 to elect a Center representative. Mr. Bill King was the declared the winner of the election. However, after review of the candidates' applications, it was discovered that both candidates reside outside City limits and cannot be appointed to serve on the Board. As per City Ordinance, unless stated otherwise, all Board members must reside within City limits. Board members commented that any Dona Ana County resident should be allowed to represent their respective center as long as they participate at the center. There are no residency requirements to participate at any center. The Board reiterated site Center representatives should not be restricted to residing within City limits. After further discussion, Secretary Vega moved that the City ordinance be amended to include a provision that excludes Senior Programs Advisory Board site center representatives from residing within City limits but they must live within Dona Ana County. S. Kinglow seconded the motion. Vote: 7-0. Motion carried unanimously.

S. Saldana stated after the revised ordinance is presented and approved by City Council, an election will be held at the Frank O'Brien Papen Center to elect a Center representative.

NEW BUSINESS: The agenda for the next Senior Programs Advisory Board Special Work Session Meeting scheduled for Friday, April 25, 2014, from 9-11:00 a.m. at Munson Center was discussed. There was Board consensus to include the following policies and procedures on the April 25, 2014 Board meeting agenda: Grant-funded and non-grant funded eligibility criteria, Fees for Service Policy, Client input and quality survey policy, and the fund raising policy.

UPCOMING MEETINGS: The next Senior Programs Advisory Board Meeting is scheduled for Thursday, May 8, 2014, from 9-11:00 a.m. at Benavidez Center.

ADJOURNMENT: Meeting adjourned at 11:20 a.m.

Submitted,

Felix Vega, Secretary

Toni G. Flores, Recording Secretary