

Regular Meeting
July 7, 2014



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

Regular Meeting

July 7, 2014

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 Ceil Levatino, District 6

- Brian Denmark, Assistant 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 Sorg 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.

Victoria Fredrick, Finance Director introduced Mark Krawczyk as the new City Treasurer.

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?

1
2 There were no conflicts given.

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6 **III. PUBLIC PARTICIPATION**

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8 Rosa De La Torre Burremeister, DACC gave a presentation regarding the jobs to career readiness
9 boot camp.

10

11 Russ Smith, Member of the Public said I would like to present the idea of having a Chili Drop for
12 New Year's Eve. Project Main Street came up with this idea of having a chili about eight-feet tall
13 and having the New Mexico version of New Year's Eve. We plan for this to become an annual event
14 and for it to merge with future Civic Plaza applications. We would like to have beer and a
15 celebration of champagne at midnight. We would also like to have a City crane and operator for the
16 vertical drop of the chile as well as other things like the unlocking of the restrooms and shuttle
17 services. We have several core ideas for this event but there is still a lot of planning that needs to be
18 done.

19

20 Mayor Miyagishima said I am in support of this and years ago there was a fellow by the name of
21 Doug Reins, he has since moved on and is no longer with us, that wanted to see something similar
22 to this so I would like to request that his name be put on the chili somewhere as a tribute to him.

23

24 Russ Smith said there were several people who had this idea before so we would be happy to include
25 and honor them.

26

27 Councillor Smith said this idea has a lot of merit and people seem to really enjoy the events in the
28 Downtown so I think this event would be great for Las Cruces.

29

30 Councillor Levatino said I also think this is a great idea and I fully support it.

31

32 Councillor Pedroza said I think this is wonderful and I think the more that we bring our community
33 together, the better off we all are.

34

35 Councillor Silva said this project has been in the works for many years and I would like to make a
36 request to the City Manager to have our Liaison Rob Caldwell attend their meetings so he could help
37 give this committee some direction.

38

39 Mayor Miyagishima said I agree but we'd probably need to get a resolution for it.

40

1 Davin Lopez, Member of the Public said I am with MVEDA and we are in support of Item 10 which
2 is the Wage Plus Program.

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6 **IV. READ CLOSED MEETING STATEMENT INTO RECORD**

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8 Mayor Miyagishima read a Closed Meeting Statement and said the Las Cruces City Council met in
9 Closed Session at 3:20 p.m. on June 16, 2014. The following members were in attendance: Mayor
10 Miyagishima, Councillor Silva, Councillor Smith, Councillor Pedroza, Councillor Small, Councillor
11 Sorg, City Manager Robert Garza, Assistant City Manager Brian Denmark, Assistant City Manager
12 Mark Winson, Fire Chief Travis Brown, City Attorney Harry (Pete) Connelly, and Deputy City
13 Attorney Rusty Babington. The meeting adjourned at 3:38 p.m. and only the limited items that were
14 listed in the posted notice were discussed which was pending litigation in the matter of Yazmin
15 Gutierrez vs. City of Las Cruces and James Vonschultz, CV-2012-2937.

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DRAFT

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

23 Mayor Miyagishima said Item 8 needs to be removed from the Consent Agenda for discussion.

25 Councillor Sorg Moved to Approve the Agenda as Amended and Councillor Silva Seconded the
26 motion.

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30 Mayor Miyagishima called for the roll on the Motion to Approve the Agenda as Amended and it was
31 Unanimously Approved. 7-0

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35 **VI. CITY COUNCIL MINUTES**

37 *(1) Regular City Council Meeting of June 2, 2014

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

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4 *(2) Resolution No. 15-001: A Resolution Appointing Robert L. Garza, P.E., City Manager, as
5 the Project Manager for Construction of the Downtown Civic Plaza.1

6
7 *(3) Resolution No. 15-002: A Resolution Authorizing the City of Las Cruces, on Behalf of the
8 Southwest Border High Intensity Drug Trafficking Areas Program - New Mexico (HIDTA),
9 to Accept Grant Award Modification Two in the Amount of \$13,500.00 for Grant Award
10 Number G13SN0006A From the Executive Office of the President, Office of National Drug
11 Control Policy, to Ratify the City Manager's Signature on the Grant Award Document, and
12 to Adjust the FY 2015 Budget.

13
14 *(4) Resolution No. 15-003: A Resolution Authorizing the City of Las Cruces, on Behalf of the
15 Southwest Border High Intensity Drug Trafficking Areas Program - New Mexico (HIDTA),
16 to Accept Grant Award Modification One in the Amount of \$70,000.00 for Grant Award
17 Number G14SN0006A From the Executive Office of the President, Office of National Drug
18 Control Policy, to Ratify the City Manager's Signature on the Grant Award Document, and
19 to Adjust the FY 2015 Budget.

20
21 *(5) Resolution No. 15-004: A Resolution Authorizing the City of Las Cruces to Accept 2012
22 Statewide General Obligation Bond Appropriation for Libraries on Behalf of the Thomas
23 Branigan Memorial Library from the New Mexico State Library in the Amount of
24 \$277,985.84, to Ratify the City Manager's Signature on the Agreement, and to Amend the
25 City's Adopted FY2015 Budget.

26
27 *(6) Resolution No. 13-14-396: A Resolution Awarding the Bid for the Phillips Drive
28 Reconstruction Project to Highland Enterprises, Inc., in the Amount of \$861,750.00, Plus
29 \$68,401.41 for New Mexico Gross Receipt Tax; the City Manager is Authorized to Approve
30 Change Orders in an Amount Not to Exceed \$62,817.90, for a Total Project Authorization
31 of \$992,969.31.

32
33 *(7) Resolution No. 14-15-005: A Resolution Awarding the Bid for the 2014-2015 Hot Mix for
34 Overlay to Jobe Materials, L.P., of El Paso, Texas and Cemex Construction Materials, L.P.,
35 of Las Cruces, New Mexico.

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

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1 *(8) Resolution No. 14-15-010: A Resolution Awarding the Bid for the 2014-2015 Overlay
2 Maintenance Project to Cutler Repaving, Inc., of Lawrence, Kansas in the Amount of
3 \$1,241,919.25 Plus \$98,577.34 for New Mexico Gross Receipt Tax; the City Manager is
4 Authorized to Approve Change Orders in an Amount Not to Exceed \$62,095.96, for a Total
5 Project Authorization in the Amount of \$1,402,592.55.

6
7 Councillor Small Moved to Approve Resolution No. 14-15-010 Councillor Sorg Seconded the
8 motion.

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12 Louis Grijalva, Project Development Administrator gave an overhead presentation and said the
13 Public Works Department has identified the streets to receive a new layer of hot mix material for the
14 2014/2015 Overlay Maintenance Project. The streets were prioritized and the type of maintenance
15 was identified by using the recommendations from the Pavement Analysis Report provided by
16 Infrastructure Management Services. We will utilize the existing State Pricing Agreement with
17 Cutler Repaving to mill the existing roadway and replace the layer of asphalt. This will extend the
18 service life by 10 to 15 years of the roadway surface at a much lower cost than reconstruction.

19

20 Councillor Silva asked what percentage is this list to the total 2014/2015 list?

21

22 Louis Grijalva said we are still planning on doing almost \$2 million worth of additional work with
23 our Pavement Replacement Program and our Micro-Surfacing Program so this is maybe half.

24

25 Councillor Silva said I know we are working off of the State Pricing Agreement but have we ever
26 bid this on our own? Would we get a better price if we bid this locally?

27

28 Louis Grijalva said this is a specialized process and Cutler is the only company that does this type
29 of process in the U.S.

30

31 Councillor Pedroza asked are we going to get street closure announcements from PIO?

32

33 Louis Grijalva said yes, and the contractor will also put out door hangers.

34

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36

37 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-15-010 and it
38 was Unanimously Approved. 7-0

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2 (9) Resolution No. 15-005: A Resolution in Support of National Climate Change Legislation
3 to Reduce Greenhouse Gas Emissions.

4

5 Councillor Smith Moved to Approve Resolution No. 15-005 and Councillor Sorg Seconded the
6 motion.

7

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9

10 Councillor Sorg showed a video by Risky Business regarding climate change.

11

12 Councillor Pedroza said even though the video seems to reflect only one aspect of the situation, we
13 cannot disagree that things do change but we can't control some of the things that change. We do
14 need to try to control things that have an effect on the changes in our climate so I am in favor of this
15 resolution.

16

17 Councillor Levatino said I respect Mr. Sorg's passion about this and all the work he has done on it
18 but I strongly disagree with it. I would like to know how these individuals would benefit financially
19 from all the changes they are proposing in the video. No one denies there is climate changes and the
20 question is who is causing it, if anyone is causing it, or is it just part of the natural occurrences of our
21 planet? There is a lot of data disputing this and showing how the numbers are being manipulated so
22 this is not settled science. I don't think the Council should take a position on something that has not
23 really been proven so I am opposed to this resolution.

24

25 Councillor Small said there are many maps that show the climatic effects of climate change to our
26 area and it shows it will hit us harder, earlier, and will potentially have huge ramifications on how
27 we exist. I think this resolution is a positive approach to this issue and I do plan to support it.

28

29 Councillor Silva said I don't have any difficulty supporting a resolution that addresses climate
30 change and shows that we support our legislators taking action to address it. There are some items
31 in this resolution that needs clarification, for example, on page 197, what is the term "market base
32 program"?

33

34 Councillor Sorg said it is a program that helps reduce greenhouse gases through the market place by
35 the cost of energy. In other words, making renewable energy have a lower price than the price of
36 fossil fuels.

37

38 Councillor Silva said this resolution states we are going to support a market base program so without
39 having a clear definition or example, it is hard to accept something of this nature. Also, I don't recall
40 Senator Udall's office coming up here and giving a presentation regarding the Rio Grande
41 Environmental Management Program and this resolution talks about us supporting that program as
42 well. Have they done so and I just don't recall it?

1

2 Mayor Miyagishima said no, not to my knowledge.

3

4 Councillor Silva said Item 4 on the following page states “to be funded” so we are supporting
5 something to be funded but it doesn’t say by whom. I have difficulty with that portion as well. Also,
6 Item 3 states “reduce all United States carbon emissions by 10% of 1990 levels”; I don’t even know
7 what the current level is, let alone going back to 1990. I would support passing this resolution with
8 an amendment to omit the second “Whereas” regarding the market place program and Item 4
9 regarding the Rio Grande project. I would suggest that maybe we table this for a month or until we
10 can get a workshop scheduled to discuss and clarify these issues.

11

12 Councillor Sorg said the market place program is just a general program; it’s not specific so there
13 are many ways to do it and the Senate is considering all the options. We are just encouraging them
14 to move ahead and do something about it. The funding for the Rio Grande project is not funded by
15 local government. It is only funded by the federal government.

16

17 Councillor Pedroza said we live in a market base economy so I don’t see the problem with that being
18 included in the resolution. I would not be in favor of tabling this resolution because we have already
19 had a lot of discussion on it and I would like for us to move ahead.

20

21 Vince Gutschick, Member of the Public said I am just one of many people who are concerned
22 because we have climate changes occurring and very little time to act on it. The U.S. Military
23 considers the climate change as the single greatest threat to national security.

24

25 Clifford Pelton, Member of the Public said I just finished a 10-week course on climate change in four
26 dimensions and I learned that it is not unsettled science. The climate is changing at an unprecedented
27 rate. Not that it has not changed before or not that it won’t change again and not that there are many
28 possibilities to what is causing it but one that has started to be identified about 150 years ago was
29 the contribution of carbon dioxide. When that accumulates in the upper atmosphere it is called a
30 greenhouse gas and it has now been identified as the cause of the present problems. If we stopped
31 putting carbon dioxide in the air today, it would take 30 years before the atmosphere stabilizes back
32 to the way it was in pre-industrial times. This proposal hopes to put a stop to the pouring of carbon
33 dioxide into the atmosphere by putting a tax on carbon at its production and disbursing that tax back
34 to the people to offset the additional cost of the carbon. I am fully in support of this resolution.

35

36 Dan Townsend, Member of the Public said whenever we have a problem with oil or gas being
37 removed from the ground; for example, Oklahoma had four earthquakes and earthquakes are not
38 normal for Oklahoma, the point is that they had been pulling oil and other things out of the ground
39 for generations which makes voids under the ground so the earth is going to fill those voids in some
40 way.

41

1 Tom Reader, Member of the Public said I use to work at White Sands Missile Range in Electronic
2 Warfare. I had to try to figure out that if the Army builds a missile, how can we jam it, so we can
3 make it harder for the enemy to jam it and take advantage of us during combat. For 20 years we had
4 all these different models to test on but the last ten years we also had all these images from space that
5 brought us some serious concerns. I haven't heard anything about sun spots and the sun is what
6 causes climate changes. I think we need to be careful before we endorse something because it is not
7 settled science. I think this resolution is premature.

8

9 Kenneth Knutson, Member of the Public said my wife and I are 100% in favor of this resolution.

10

11 Wayne Miller, Member of the Public said we have two responses that we can take; we can mitigate
12 the responsibility of what the climate change is, or we can prepare for the adaptation of our
13 communities. I think you should support this resolution because it acknowledges the reality of the
14 high probability of climate change and it continues to introduce the issue into the public discourse
15 so instead of ending up with a future that we fear, we end up with a future that we want.

16

17 Judith McCarthy, Member of the Public said I would like to have copies of the articles that
18 Councillor Levatino mentioned regarding this issue and pass them out to all the councillors. I don't
19 think that just because there are articles denying climate change means those articles are legitimate.

20

21 Councillor Levatino said I would be happy to make copies for any councillor who wishes to have
22 them.

23

24 Robert DeKinder, Jr., Member of the Public said Robert Endling met Councillor Sorg at a climate
25 change class and asked Councillor Sorg to send him his data on this issue but to date he has not sent
26 that information. One of the things I think you all should do is postpone doing anything on this
27 particular resolution because the data is not settled.

28

29 Ron Camuñez, Member of the Public said this is a big hoax and a way for the government to tell us
30 what to do. If this Council passes this resolution, they are telling the Federal Government to increase
31 taxes on energy and other costs that we are being hit with and this needs to stop.

32

33 Mayor Miyagishima said I do believe the earth is getting warmer and even though I don't know
34 exactly what is going on, something is going on. There was a climate resolution passed at the
35 Conference of Mayors a few weeks ago and I gave a copy of it to Councillor Sorg but it was a little
36 more broad and it didn't have specific numbers in it. My concern is that having specific numbers
37 included and not having the data, it is difficult for me to have specific numbers and not know the full
38 effect of it. I would be happy to support this if it was more broad in nature.

39

1 Councillor Small said I would point out that the market base program is part of the “Whereas” in the
2 resolution and not the “Therefore” portion. I would support keeping the National Renewable Energy
3 Standard in the resolution. I would support removing the Rio Grande Management Program from
4 the resolution because I think we would benefit from having a presentation and learning more about
5 the funding sources of the program. The risk to us is incredibly high and we are starting to see some
6 of the effects in real time so it is important for us to look into the future and try to mitigate risks for
7 our community.

8
9 Councillor Smith said we are not the legislative body so we can do nothing regarding Senator Udall’s
10 resolution or those kinds of binding things. Nevertheless, we are here to represent our community
11 and what happens with climate change is something that dramatically could impact what happens
12 here. I agree with removing the portion regarding the Rio Grande Management Program because I
13 don’t know enough about it to say whether or not I’d support it. Whenever we have a workshop to
14 discuss this issue, I would like for us to focus on what we can do locally, like purchasing electric cars
15 for our Parks Department, instead of nationally.

16
17 Councillor Sorg read a statement regarding the Risky Business Group and said this resolution
18 represents an effort to have an insurance policy so that it mitigates the risks that we may have in the
19 future.

20
21 Councillor Pedroza said I would like copies of the articles that were mentioned by Councillor
22 Levatino. I find it hard to believe that the people who did the video are just trying to benefit
23 themselves. I think we need to address things like the earthquakes that are happening closer to us and
24 I think the two most disasters that we are subject to in our area are drought and heat. So if we can
25 do something about it then it is our responsibility to do it.

26
27 Councillor Silva said I have no problem supporting a resolution that addresses national climate
28 change but this is more of a feel good resolution than one that is taking action. I agree that it is a bit
29 premature to pass this resolution. I think if we remove the market base program section and the Rio
30 Grande Management portion then we could pass this and have a resolution that should affect climate
31 change at a national level. We need to decide what we are going to do with this resolution; are we
32 just going to file it or are we going to mail it to our legislators to say we support this action?

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36 Councillor Silva Moved to Amend Resolution No. 15-005 to omit the second “Whereas” on page
37 197 and omit number four on page 198 and Councillor Levatino Seconded the motion.

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1 Councillor Small said I'd like to ask Councillor Silva to make those amendments into two motions
2 because I would support the first one but not the second one.

3

4 Mayor Miyagishima said we would need to vote this amendment up or down then you can make
5 another amendment.

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9 Mayor Miyagishima called for the roll on the Motion to Amend Resolution No. 15-005 to omit the
10 second "Whereas" on page 197 and omit number four on page 198 and it Failed. 2-5 Councillor
11 Silva and Councillor Levatino voted Aye. Councillor Pedroza, Councillor Small, Councillor Sorg,
12 Councillor Smith and Mayor Miyagishima vote Nay.

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16 Councillor Small Moved to Amend Resolution No. 15-005 on page 198, number four under Roman
17 Numeral One, strike the last words following 2025; striking the words "and the Rio Grande
18 Environmental Management Program be funded" and Councillor Smith Seconded the motion.

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22 Mayor Miyagishima called for the roll on the Motion to Amend Resolution No. 15-005 on page 198,
23 number four under Roman Numeral One, strike the last words following 2025; striking the words
24 "and the Rio Grande Environmental Management Program be funded" and it was Approved. 5-2
25 Councillor Silva, Councillor Pedroza, Councillor Small, Councillor Levatino, and Councillor Smith
26 voted Aye. Councillor Sorg and Mayor Miyagishima voted Nay.

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30 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-005 as
31 Amended and it was Approved. 5-2 Councillor Silva, Councillor Pedroza, Councillor Small,
32 Councillor Sorg, and Councillor Smith voted Aye. Councillor Levatino and Mayor Miyagishima
33 voted Nay.

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37 (10) Resolution No. 15-006: A Resolution Establishing the City of Las Cruces Wage Plus
38 Program and Establishment of the 2014-15 Budget Utilizing the \$80,000.00 of 2013-14
39 Discretionary Fund with Approval of Budget Adjustment.

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1 Councillor Sorg Moved to Approve Resolution No. 15-006 and Councillor Smith Seconded the
2 motion.

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6 Councillor Small gave an overhead presentation and said the Wage Plus Program is a City of Las
7 Cruces program and it does provide a reimbursement to businesses for a portion of the costs
8 associated with the hiring and training of employees but the business must be a registered business
9 inside the city limits and manufacture or produce a product in New Mexico or a non-retail service
10 company that exports out of state or certain green industries that meet State LEDA requirements. The
11 job eligibilities are for it to be a new, year round, full-time position that directly relates to the
12 creation of the product or service and the wage must be at least 10% higher than the DAC median
13 wage at the time the JTIP contract is executed. The City Manager will have the ability to disburse
14 the funds and the City Council will receive semi-annual reports.

15

16 Councillor Levatino said I am fully in support of this program.

17

18 Councillor Smith said I believe this does function as one of those accelerators or building blocks that
19 we need for our local economy. I look forward to this going forward at least on this trial basis to see
20 if it works. I do support this resolution.

21

22 Councillor Silva asked how many companies do you think would qualify for this program?

23

24 Councillor Small said I don't have that number with me but probably hundreds of companies.

25

26 Councillor Silva asked what discretionary fund did these funds come out of?

27

28 Brian Denmark, Assistant City Manager said last year there was a little more than a million dollars
29 in City Council discretionary funds that were distributed to a variety of projects, programs, and
30 activities and one of them was \$80,000 for the Wage Plus Program. Since we didn't have a specific
31 policy in place to implement those funds, those monies were not used so they are being carried over
32 for this fiscal year to support this program. These are one time monies only and Council will decided
33 whether or not to fund this program again next fiscal year.

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37 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-006 and it was
38 Approved. 6-0 Councillor Sorg was absent.

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 2 (11) Resolution No. 15-007: A Resolution Adopting and Approving Continuing Disclosure
 3 Compliance Procedures for Bonds and Loans of the City; Other Matters Relating Thereto;
 4 and Ratifying Actions Previously Taken in Connection Therewith.

5
 6 Councillor Small Moved to Approve Resolution No. 15-007 and Councillor Smith Seconded the
 7 motion.

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 11 Councillor Pedroza Moved to suspend the rules and discuss Resolution No. 15-007 and Resolution
 12 No.15-008 concurrently and Councillor Smith Seconded the motion.

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 16 Mayor Miyagishima called for the roll on the Motion to suspend the rules and discuss Resolution
 17 No. 15-007 and Resolution No.15-008 concurrently and it was Unanimously Approved. 5-0
 18 Councillor Silva and Councillor Sorg were absent.

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 22 Robert Scaling, Treasurer said these resolutions deal with compliance processes after the City issues
 23 debt.

24
 25 Duane Brown, Modrall Sperlring Law Firm gave an overhead presentation and said these resolutions
 26 are to put in place procedures for bonds, loans and other relating matters and we are recommending
 27 that you do this as a best practice. The responsibilities will be delegated to the City Treasurer to
 28 monitor these things and make sure all the procedures are being followed.

29
 30 Councillor Small said I think this sets a very positive standard.

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 34 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-007 and it was
 35 Approved. 5-0 Councillor Pedroza and Councillor Sorg were absent.

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 39 (12) Resolution No. 15-008: A Resolution Adopting and Approving Post-Issuance Tax
 40 Compliance Procedures for Tax-Exempt Bonds and Loans of the City; Other Matters
 41 Relating Thereto; and Ratifying Actions Previously Taken in Connection Therewith.

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2 Councillor Small Moved to Approve Resolution No. 15-008 and Councillor Smith Seconded the
3 motion.

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7 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-008 and it was
8 Approved. 6-0 Councillor Sorg was absent.

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12 **IX. BOARD APPOINTMENTS**

13
14 Mayor Miyagishima appointed Victor Delgado to the Convention and Visitors Bureau Advisory
15 Board.

16
17 Councillor Smith Moved to Approve the Mayor's board appointment of Victor Delgado to the
18 Convention and Visitors Bureau Advisory Board and Councillor Small Seconded the motion.

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22 Mayor Miyagishima called for the roll on the Motion to Approve the Mayor's board appointment
23 of Victor Delgado to the Convention and Visitors Bureau Advisory Board and it was Approved. 6-0
24 Councillor Sorg was absent.

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28 Mayor Miyagishima appointed Karen Woods (United Military Women of the Southwest) to the
29 Veterans Advisory Board.

30
31 Councillor Smith Moved to Approve the Mayor's board appointment of Karen Woods (United
32 Military Women of the Southwest) to the Veterans Advisory Board and Councillor Small Seconded
33 the motion.

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37 Mayor Miyagishima called for the roll on the Motion to Approve the Mayor's board appointment
38 of Karen Woods (United Military Women of the Southwest) to the Veterans Advisory Board and it
39 was Approved. 6-0 Councillor Sorg was absent.

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

(13) Council Bill No. 15-001; Ordinance No. 2720: An Ordinance Approving a Zone Change from C-2 (Commercial Medium Intensity) to C-3 (Commercial High Intensity) on 2.2 ± Acres of Land Located at 2295 Bataan Memorial West. Submitted by Borderland Engineers and Surveyors on Behalf of Paul Waddell & Riyad Nehlawi, Property Owners (Z2872).

Mayor Miyagishima and Council agreed to bring this item back.

(14) Council Bill No. 15-002; Ordinance No. 2721: A Supplemental Ordinance Authorizing the Issuance and Sale of \$11,700,000 City of Las Cruces, New Mexico Joint Utility Refunding and Improvement Revenue Bonds to Be Issued in Two Series to Refinance the City's Series 2005 Joint Utility Revenue Bonds and to Improve the City's Joint Utility System.

Mayor Miyagishima and Council agreed to bring this item back.

XI. CITY COUNCIL MEMBER BOARD REPORTS

There were no City Council Member Board Reports given.

XII. GENERAL DISCUSSION

a.) Mayor

Mayor Miyagishima said I have been asked to go on a helicopter ride on July 18th but I can't make it and neither can Councillor Smith so Councillor Levatino will go in our place.

I'd like to congratulate staff on a great 4th of July event.

1 b.) City Council

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3 Councillor Smith said I was not able to attend the 4th of July events but I heard it went well as did
4 the Electric Light Parade on July 3rd.

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8 Councillor Levatino said I also want to congratulate everyone who did a magnificent job on the 4th
9 of July. I was there and the entertainment and fireworks display were wonderful.

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13 Councillor Small said I am very pleased with the two job items that were on today's agenda and I
14 think we are working toward and responding to economic challenges.

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16 I want to remind everyone that with the rainfall comes mosquitos and they need less than an inch of
17 standing water to multiply quickly so please empty areas with collecting water.

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19 I also want to congratulate everyone on the 4th of July celebration. There were traffic issues but I
20 think that is to be expected but the key safety concerns for that area were addressed.

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24 Councillor Pedroza said I learned last Friday of a lawsuit that was filed by Gary King vs B & B
25 Investment Group that is doing business as Cash Loans Now and American Cash Loans. We had a
26 presentation regarding predatory loans and those businesses are a type of predatory loan and those
27 loans were found to be procedurally unconscionable. These businesses used loans that are similar
28 to payday loans and they had a interest rate of over 1,000% per year and the Supreme Court said that
29 was unconscionable and those companies are to pay back the borrowers anything over 15%.

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31 I want to congratulate and thank everyone involved with helping the refugees in Las Cruces.

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35 Councillor Silva said I also would like to thank Rob Caldwell and everyone who helped with the 4th
36 of July celebration.

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38 Mr. Mayor, you missed an event last week where the entire Council was serving tables to raise
39 money for El Caldito. I'd like to thank everyone who helped out with that great event.

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2 c.) City Manager

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4 Brian Denmark, Assistant City Manager said I'd also like to thank staff for all their hard work
5 with the 4th of July event. This was the first time holding this event at the Field of Dreams so it is
6 expected that we'd receive some concerns. We are planning a post meeting with the staff
7 involved with the event and discuss how we can improve it for next year.

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9 I want to remind Council that next Monday we are having a TIDD Board Meeting following the
10 Work Session.

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14 Councillor Smith Moved to Adjourn and Councillor Small Seconded the motion.

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

17

18 Council said "Aye."

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20 **Meeting Adjourned at 3:47 p.m.**