



City Council
of the
City of Las Cruces

Special Meeting

July 23, 2014

1:30 P.M.

Council Chambers, City Hall

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MEMBERS PRESENT:

STAFF:

Mayor Ken Miyagishima (arrived at 2:00pm)
Councillor Miguel Silva, District 1
Councillor Greg Smith, District 2
Councillor Olga Pedroza, District 3 (By Phone)
Councillor Nathan Small, District 4 (By Phone)
Councillor Gill Sorg, District 5
Councillor Ceil Levatino, District 6

Robert Garza, City Manager
Rusty Babington, Assistant City Attorney
Esther Martinez-Carrillo, City Clerk

DRAFT

Mayor Pro-tem Smith called the meeting to order.

(1) 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 Pro-tem Smith asked if anyone had any conflicts with anything on the agenda?

There were no conflicts mentioned.

(2) ORDINANCE FOR DISCUSSION/APPROVAL

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2 Erik Harrington said it's about \$3.2 million in net proceeds for new projects.

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4 Councillor Silva asked what are we going to be doing with that new \$3.2 million for projects?

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6 Robert Garza said the \$3.2 million in new money is to do the projects that are aligned with our street
7 and drainage projects that we have scheduled for this year.

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9 Jorge Garcia, Utilities Director said these are projects that you have selected to go into rehabilitation
10 or construction and they are projects that were not in the ICIP last year.

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12 Councillor Silva said so there is no impact to our residents.

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14 Robert Garza said that is correct.

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18 Councillor Sorg Moved to Allow Councillor Small to participate via telephone and Councillor Silva
19 Seconded the motion.

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23 Mayor Pro-tem Smith called for the roll on the Motion to Allow Councillor Small to participate via
24 telephone and it was Approved. 6-0 Mayor Miyagishima was absent.

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28 Duane Brown, Modrall Sperling Law Firm said we now have all of the final numbers so we need
29 to include those into this ordinance. The hard copy of the ordinance in front of you has a new
30 amount of the combined total of bonds in the title; that amount is now ten million five hundred
31 and fifty thousand; and the original ordinance we had in front of you for first reading was eleven
32 million seven hundred thousand. So we need a motion to amend the title to include the correct
33 amount of ten million five hundred and fifty thousand dollars.

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37 Councillor Sorg Moved to Amend Council Bill No. 15-002; Ordinance No. 2721 to amend the title
38 to include the correct amount of ten million five hundred and fifty thousand dollars and Councillor
39 Silva Seconded the motion.

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2 Councillor Sorg asked do you think we will be able to get the same amount of projects done that
3 we had planned to do with this reduction?

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5 Jorge Garcia said yes, the amount of the new money is the same amount that we requested.

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9 Mayor Pro-tem Smith called for the roll on the Motion to Amend Council Bill No. 15-002;
10 Ordinance No. 2721 to amend the title to include the correct amount of ten million five hundred and
11 fifty thousand dollars and it was Approved. 6-0 Mayor Miyagishima was absent.

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15 Duane Brown said on page three of the ordinance, the refunding bond portion, the second full
16 paragraph, the numbers that the purchaser has agreed to purchase the Series A bonds for is seven
17 million six hundred and sixty six thousand and twenty three dollars and thirteen cents. The premium
18 number now that the purchaser is paying for the Series A bonds is five hundred and forty one
19 thousand and twenty three dollars and thirteen cents.

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22

23 Councillor Sorg Moved to Amend Council Bill No. 15-002; Ordinance No. 2721 on page three of
24 the ordinance, the refunding bond portion, the second full paragraph, the number that the purchaser
25 has agreed to purchase the Series A bonds for is seven million six hundred and sixty six thousand
26 and twenty three dollars and thirteen cents. The premium number now that the purchaser is paying
27 for the Series A bonds is five hundred forty one thousand and twenty three dollars and thirteen cents
28 and Councillor Silva Seconded the motion.

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32 Councillor Sorg asked why did these numbers change?

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34 Duane Brown said the reason the numbers changed slightly is because the Series B bonds are subject
35 to optional redemption prior to their maturity and the Series A bonds are not subject to redemption
36 prior to their maturity but when we were processing the numbers we accidentally included the last
37 maturity of the Series A bonds as if they were going to be eligible for redemption which through off
38 the numbers a little bit.

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 2 Mayor Pro-tem Smith called for the roll on the Motion to Amend Council Bill No. 15-002;
 3 Ordinance No. 2721 on page three of the ordinance, the refunding bond portion, the second full
 4 paragraph, the number that the purchaser has agreed to purchase the Series A bonds for is seven
 5 million six hundred and sixty six thousand and twenty three dollars and thirteen cents. The premium
 6 number now that the purchaser is paying for the Series A bonds is five hundred forty one thousand
 7 and twenty three dollars and thirteen cents and it was Approved. 6-0 Mayor Miyagishima was absent.

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 11 Duane Brown said I would ask that you now move to accepted this now amended new ordinance
 12 as a substitute for the original ordinance.

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 16 Councillor Levatino Moved to Amend Council Bill No. 15-002; Ordinance No. 2721 to accept the
 17 amended new ordinance as a substitute for the original ordinance and Councillor Silva Seconded the
 18 motion.

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 21
 22 Mayor Miyagishima called for the roll on the Motion to Amend Council Bill No. 15-002; Ordinance
 23 No. 2721 to accept the amended new ordinance as a substitute for the original ordinance and it was
 24 Unanimously Approved. 7-0

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 28 Mayor Miyagishima called for the roll on the Motion to Approve Council Bill No. 15-002;
 29 Ordinance No. 2721 as Amended and it was Unanimously Approved. 7-0

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 33 Councillor Smith Moved to Adjourn and Councillor Sorg Seconded the motion.

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

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 37 Council said "Aye."

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 39 **Meeting Adjourned at 2:03 p.m.**