



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

**Regular Meeting**

**December 15, 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

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

DRAFT

**I. OPENING CEREMONIES**

25 Mayor Miyagishima called the meeting to order and asked for a moment of silence. Councillor Silva led the Pledge of Allegiance.

28 Councillor Silva presented a Proclamation to David Hanson and declared December 10, 2014 as Human Rights Day.

31 Mayor Miyagishima, Councillor Pedroza and Councillor Silva presented the Mayor's Citation for Community Service to a group with Lutheran Campus Ministry at NMSU.

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**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.***

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

1 There were no conflicts mentioned.

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5 **III. PUBLIC PARTICIPATION**

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7 Francis Cochran, Member of the Public said I think your historical preservation ordinance is  
8 wonderful and it will benefit all of us.

9

10 Jack Eichmann, Member of the Public said I would like to suggest a program, earn it here, buy it  
11 here, as an economic partnership for Las Cruces in 2015.

12

13 Mayor Miyagishima said please go upstairs and speak with my assistant to set up an appointment  
14 so we can talk about that program.

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

21

22 Mayor Miyagishima said Items 4, 5, 6 and 7 need to be pulled from the Consent Agenda for  
23 discussion.

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27 Councillor Small Moved to Approve the Agenda as Amended and Councillor Smith Seconded the  
28 motion.

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

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37 **V. CITY COUNCIL MINUTES**

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39 \*(1) Regular City Council Meeting of November 17, 2014

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

\* (2) Resolution No. 15-119: A Resolution Approving the Issuance of a Waiver of the Church/School Distance Restriction to Bosque Brewing Co. For the Public Celebration Permit Application Submitted for the 1<sup>st</sup> Annual Las Cruces Chile Drop to be Held on December 31, 2014.

\* (3) Resolution No. 15-120: A Resolution Authorizing Bosque Brewing Co. To Continue With the Permitting Process to Allow for the Sale and Consumption of Beer Within a Restricted and Secured Area at the 1<sup>st</sup> Annual Las Cruces Chile Drop to be Held on Main Street on December 31, 2014.

\* (8) Council Bill No. 15-024; Ordinance No. 2743: An Ordinance Approving a Zone Change From UR (Urban Ranch) to EE (Single Family Equestrian Estate & Agriculture) for a 2.34 Acre Parcel 02-18631 Located at 4860 Dunn Drive. Submitted by the Property Owner, Erica Lee. (Z2881)



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

\* (4) Resolution No. 15-121: A Resolution Approving a Land Lease of the City-Owned Parcel 51 at the Las Cruces International Airport to Air Methods Corporation for a Term of Three Years at an Initial Rent of \$3,186.00 Per Year.

Councillor Small Moved to Approve Resolution No. 15-121 and Councillor Sorg Seconded the motion.

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Councillor Small said I simply wanted to say thanks and this will result in new construction at the airport.

Lisa Murphy, Airport Manager said we do have a new fixed base operator and there is a lot of positive things going on at our airport.

Councillor Silva said there will be construction of a 1,400 square foot building so what happens to that building after the lease?

Lisa Murphy said at the end of the lease, they will have to remove it at their own expense if they choose not to be in business anymore.

1  
2 Councillor Silva asked do we presently have an ambulance business at the airport?

3  
4 Lisa Murphy said yes and this is the same ambulance company that is currently out there.

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8 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-121 and it was  
9 Unanimously Approved. 7-0

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13 \*(5) Resolution No. 14-15-084: A Resolution Awarding the Bid for the Purchase of 72 Taser  
14 Axon Flex Patrol Cameras, for Use by the Las Cruces Police Department, in the Amount of  
15 \$319,600.15 to Taser International Inc., of Scottsdale, AZ as Approved Under Grant Number  
16 2014-DJ-BX-0844, FY 2014 Byrne JAG Grant for Five (5) Years Subject to the Approved  
17 Budget Appropriations and Annual Renewals.

18  
19 Councillor Sorg Moved to Approve Resolution No. 14-15-084 and Councillor Pedroza Seconded  
20 the motion.

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24 Councillor Pedroza said I just want some reassurance that this is not militarization of our police.

25  
26 Deputy Chief Dunivan, LCPD gave an overhead presentation and said there were three vendors who  
27 responded to our bid process and based on pricing and quality of the product, Taser International,  
28 Inc. was selected. The total cost for a five year time period is \$319,600.15 which includes hardware,  
29 software and a maintenance agreement and the first year is going to be \$84,592.15 which out of that  
30 \$39,134 will be funded from the FY14 Edward Burn Memorial Justice Assistance Grants that we  
31 were awarded in September; \$45,458.15 will be funded from the department's general fund. The  
32 remaining years (two through five) will be included in our budgets for those years.

33  
34 Councillor Levatino asked how many cameras will this purchase?

35  
36 Deputy Chief Dunivan said 72 actual cameras and 20 docking stations.

37  
38 Councillor Pedroza said this relieves my mind and this seems to be very beneficial to the public and  
39 the police. Can a officer just turn off their camera when there is something going on that they don't  
40 want recorded?

41  
42 Deputy Chief Dunivan said that relates to department policy and one of our goals is to enhance that  
43 process.

1  
2 Councillor Smith said I think taking these steps is proactive and it will help our officers do their job  
3 better with more security so I appreciate these efforts.

4  
5 Vince Jeffers, Member of the Public asked is the funding covering the storage of the video?  
6  
7 Mayor Miyagishima said the grant does cover it for one year.

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11 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-15-084 and it  
12 was Unanimously Approved. 7-0

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16 \*(6) Resolution No. 14-15-108: A Resolution Requesting the Purchase of 25 Portable Radio  
17 Units and Accessories to Dailey-Wells of San Antonio, TX in the Amount of \$57,687.50  
18 Using NM SPD #40-000-14-00055.

19  
20 Councillor Smith Moved to Approve Resolution No. 14-15-108 and Councillor Sorg Seconded the  
21 motion.

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25 Deputy Chief Dunivan, LCPD said the purchase of these additional radios is for our academy cadets  
26 to supplement their equipment.

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30 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 14-15-108 and it  
31 was Unanimously Approved. 7-0

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35 \*(7) Council Bill No. 15-023; Ordinance No. 2742: An Ordinance Repealing Sections 16-67 and  
36 16-69 of the Las Cruces Municipal Code, 1997, as Amended, and Enacting New Sections 16-  
37 67 and 16-69 to Bring the City's Lodger's Tax Ordinance in Alignment With the State  
38 Statutes Related to Late Payment Penalties and to Clarify Due Date of Payment.

39  
40 Councillor Smith Moved to Approve Council Bill No. 15-023; Ordinance No. 2742 and Councillor  
41 Sorg Seconded the motion.

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2  
3 Councillor Silva said this has to do with lodgers tax and the changing of the payment; can you  
4 clarify?

5  
6 Philip San Filippo, CVB Executive Director said this is simply to clarify the situation of the 25<sup>th</sup>  
7 landing on a weekend or holiday and that if a payment is late then there is a penalty of \$100 or 10%,  
8 whatever is greater, which makes our ordinance the same as the State's ordinance.

9  
10 Councillor Silva said so this is not raising lodgers tax; correct?

11  
12 Philip San Filippo said that is correct, we are not raising the taxes, we're just making ours consistent  
13 with the State.

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16  
17 Mayor Miyagishima called for the roll on the Motion to Council Bill No. 15-023; Ordinance No.  
18 2742 and it was Unanimously Approved. 7-0

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22 (9) **BEFORE CONSIDERATION OF THE FOLLOWING RESOLUTION NO. 15-122;**  
23 **A PUBLIC HEARING MUST BE HELD:**

24  
25 Mayor Miyagishima said the Public Hearing for Resolution No. 15-122 is now open. Is there anyone  
26 who wishes to speak against this item?

27  
28 No one spoke.

29  
30 Mayor Miyagishima said the Public Hearing for Resolution No. 15-122 is now closed.

31  
32 Resolution No. 15-122: A Resolution Approving the Issuance of a Restaurant (Beer and  
33 Wine) License to RJK Dining LLC d/b/a Café A Go Go, Located at 1120 Commerce Drive,  
34 Suite A, Las Cruces, New Mexico.

35  
36 Councillor Smith Moved to Approve Resolution No. 15-122 and Councillor Sorg Seconded the  
37 motion.

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41 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-122 and it was  
42 Unanimously Approved. 7-0

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**(10) BEFORE CONSIDERATION OF THE FOLLOWING RESOLUTION NO. 15-123;  
A PUBLIC HEARING MUST BE HELD:**

Mayor Miyagishima said the Public Hearing for Resolution No. 15-123 is now open. Is there anyone who wishes to speak against this item?

No one spoke.

Mayor Miyagishima said the Public Hearing for Resolution No. 15-123 is now closed.

Resolution No. 15-123: A Resolution Approving the Transfer of Ownership of Liquor License No. 2749 to Cattle Baron Restaurants, Inc. d/b/a Farley’s Food Fun and Pub, Located at 3499 Foothills Drive, Las Cruces, New Mexico.

Councillor Smith Moved to Approve Resolution No. 15-123 and Councillor Pedroza Seconded the motion.

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Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-123 and it was Unanimously Approved. 7-0

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**(11) Resolution No. 15-124:** A Resolution to Adjust the Adopted Fiscal Year 2014-15 Budget Allowing for Adjustments Within Various Line Item Budgets and Transfer Accounts Due to Mid-year Development Regarding Revenues and Expenditures.

Councillor Small Moved to Approve Resolution No. 15-124 and Councillor Sorg Seconded the motion.

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Robert Lundien, Senior Budget Analyst gave an overhead presentation and said the purpose of this adjustment is to align expenditures and resources to reflect the actual 2013-2014 activity and fund balances, include the economic developments for the first half of 2014-2015 and to reflect the expenditure and revenue collections for the first half of 2014-2015. There were 50 funds adjusted and there were 475 separate budget items adjusted. This is a routine annual adjustment for the fiscal year midpoint, our General Fund Reserves are maintained at twice the required amounts and the majority of the changes are for the class and comp study and the bargaining contract increases.

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2 Councillor Smith said the change in income for the transit was quite a jump.

3  
4 Robert Lundien said the increase is mainly due to a change in our accounting practices. We budgeted  
5 in one fund and we needed to transfer it to another fund for grant purposes so this is not an actual  
6 increase in funds.

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10 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-124 and it was  
11 Approved. 6-0 Councillor Pedroza was absent

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15 (12) Resolution No. 15-125: A Resolution Supporting the Growing Film, Television and Media  
16 Industry Cluster in Las Cruces and Southern New Mexico.

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18 Councillor Small Moved to Approve Resolution No. 15-125 and Councillor Sorg Seconded the  
19 motion.

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23 Gary Camarano, Economic Development Coordinator introduced Cruz Ramos as the new Film  
24 Liaison.

25  
26 Cruz Ramos, Film Liaison spoke about himself and his background.

27  
28 Councillor Smith asked did you know Gary Camarano prior to coming to Las Cruces, since you both  
29 are from Illinois?

30  
31 Cruz Ramos said no, I first heard of him from a realtor that I was dealing with.

32  
33 Councillor Sorg asked why did you come to Las Cruces?

34  
35 Cruz Ramos said I was laid off after 27 years of service.

36  
37 Councillor Small said there is value for you to connect to Regional Film Doña Ana and I'm  
38 impressed and excited to have you on board.

39  
40 Councillor Levatino said I think this could be a great economic generator for this area if it is done  
41 correctly and I encourage you to get in contact with some of the people at NMSU because they are  
42 a great resource.

1  
2 Councillor Pedroza said this will actually create different types of jobs, not just acting jobs.  
3  
4 Councillor Silva said I feel the Interview Committee hired the right person and I'm glad you are here.  
5  
6 Gary Camarano gave an overhead presentation and said this resolution is to support the growing  
7 film, television and media industry in Las Cruces and Southern New Mexico. The City's Economic  
8 Development Office and Film Liaison will market Las Cruces and the region as a film location,  
9 recruit film production to Las Cruces, assist in the creation, expansion, and attraction of direct and  
10 indirect film related businesses to Las Cruces. The City will be supportive in establishing a film  
11 district in an area located on State, County or City land and in creating a film, television, media  
12 center on City property with the appropriate and necessary infrastructure.  
13  
14 Councillor Sorg said one thing I've learned is one of the most important thing we can do as a city  
15 to attract the film industry is for us to treat producers and site personnel very well when they come  
16 here because it is a closed industry and if one person has a bad experience here then it influences  
17 others.  
18  
19 Councillor Silva said it looks like you are on the right track and it looks like you are developing a  
20 business plan which is something that would be in place and would help us move forward positively  
21 down the road.  
22  
23 Representative Jeff Steinborn gave an overhead presentation and said the New Mexico film statistics  
24 are that there has been \$1.5 billion in spending over the last five years, it has created 12,000 jobs,  
25 there is a \$50 million Annual State Incentive Program and there are four existing sound stages which  
26 are Albuquerque Studios at 171,000 square feet, Santa Fe University at 24,200 square feet, Santa Fe  
27 Studios at 38,450 square feet, and I25 Studios at 136,331 square feet. The proposed Las Cruces  
28 sound stage would be a large studio area where film sets will be constructed to provide film makers  
29 with control over sound, lighting, temperature, spectators, and security; creative opportunities for  
30 performances, sets, and effects; and efficiency in production with on site resources. The benefits of  
31 a Las Cruces sound stage are that it would create jobs, significant revenue for local small businesses,  
32 gross recipes taxes, develop creative economy, commercial revenue, tourism and regional promotion,  
33 jobs for college and university graduates, high school vocational training, early high school media  
34 programs, middle school film magnet program opportunities, regional film entrepreneur  
35 opportunities, and internships. The projected cost for a commercial stage and mill is \$3 to \$4 million  
36 and the available funding sources include the New Mexico Legislature, the City of Las Cruces,  
37 NMSU, local school districts, and the federal government. The next steps would be to attain city and  
38 academic support for a stage and associated infrastructure, develop robust film marketing and  
39 promotion, have a film location online database, establish a film district in coordination with Doña  
40 Ana County and State Land Office, and establish a regional film development advisory committee.  
41

1 Mayor Miyagishima said if you fall short on funds from the Legislature and look at the City; we'd  
2 probably want to see some sort of statements to see what type of money is generated, to see how  
3 we'd pay back our funding capabilities.

4

5 Representative Jeff Steinborn said absolutely.

6

7 Councillor Sorg said I consider this economic development opportunity equal to improving our  
8 infrastructure like our streets and parks and those are my number one priorities.

9

10 Councillor Small said the jobs and the dollars that this brings to other parts of the state; I think we  
11 need to make this resolution all inclusive as possible to leave as many opportunities open as possible  
12 and to locate these facilities in the appropriate places.

13

14 Robert Garza said if we get legislative funding, we have to own the land or we won't get the funding.

15

16 Councillor Pedroza said we need to think of new types of jobs because a lot of the older jobs have  
17 been outsourced. I wish you success and I do support this resolution

18

19 Vince Jeffers, Member of the Public said I want to mention that Film Las Cruces meets on the  
20 second Tuesday of every month at the Rio Grande Theater.

21

22 Irene Oliver-Lewis, Member of the Public said this is an excellent example of what can happen in  
23 a creative economy.

24

25 Pepper Gallegos, Member of the Public said I want a unified New Mexico so lets make this happen  
26 for the film industry and for Las Cruces.

27

28 Ross Marks, Member of Public said I have a production company and I am attached to several  
29 projects as a director. Over the past couple of years, we have tried to launch two projects and they  
30 were shot down when we said we wanted to film in Las Cruces because we don't have the facilities  
31 or the crew base.

32

33 Councillor Smith said the sound stage is critical to get done.

34

35 Susana Hernandez, Member of the Public said I grew up in Juarez and lived in El Paso and Las  
36 Cruces and there are a lot of talented and creative people in this area. One of the first things they ask  
37 when you go to film school is where are you going to work because there is nothing here so this will  
38 motivate people to stay and work here.

39

40 Sean Tumey, Member of the Public said I am a visiting professional and I'm flying back to  
41 California tomorrow but I just want to say that I am very excited for you with this opportunity.

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1 Mark Vasconcellos, Member of the Public said this is a huge opportunity for Las Cruces, Doña Ana  
2 County and Southern New Mexico and if we can capitalize on this venture then we would be the  
3 only major studio in the southwest. This is a huge economic opportunity for all of us.

4

5 Derek Fisher, Member of the Public said I am a professor at NMSU and I am very excited about this  
6 opportunity.

7

8 Councillor Small said I want to add a couple amendments which the first one is to create a new  
9 number four under the "That" on page 333, to read "That the City shall seek partnership with New  
10 Mexico State University, Doña Ana Community College, and school districts within Doña Ana  
11 County for the development of commercial and academic film infrastructure within the designated  
12 film, television, and media industry center and the second one is under paragraph three, remove the  
13 words "on City property" and replace them with "in Doña Ana County"

14

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16

17 Councillor Small Moved to Amend Resolution No. 15-125 to create a new number four under the  
18 "That" on page 333, to read "That the City shall seek partnership with New Mexico State University,  
19 Doña Ana Community College, and school districts within Doña Ana County for the development  
20 of commercial and academic film infrastructure within the designated film, television, and media  
21 industry center and Councillor Silva Seconded the motion.

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25 Mayor Miyagishima called for the roll on the Motion to Amend Resolution No. 15-125 to create  
26 a new number four under the "That" on page 333, to read "That the City shall seek partnership with  
27 New Mexico State University, Doña Ana Community College, and school districts within Doña Ana  
28 County for the development of commercial and academic film infrastructure within the designated  
29 film, television, and media industry center and it was Unanimously Approved. 7-0

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33 Mayor Miyagishima said regarding your second amendment, I think Robert had something to  
34 mention.

35

36 Robert Garza said I think Councillor Small wants to say "on City property, or other areas within  
37 Doña Ana County".

38

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41 Councillor Small Moved to Amend Resolution No. 15-125 in paragraph three, add the words "or  
42 other locations in Doña Ana County" following the words "on City property" and Councillor Sorg  
43 Seconded the motion.

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Councillor Pedroza said the way I understood it, if we were to obtain money from the Legislature to do this, it would depend on whether or not it's City property. Didn't he say that it had to be on City property?

Mayor Miyagishima said he did say that but I think that's why he suggested to put it as "City or other locations within Doña Ana County".

Robert Garza said we have current funding that is going to be proposed to be re-authorized and re-targeted so when that is done, there is some crafting of the language. So, as long as we are using those funds for equipping a facility, we can say "yes" to owning the facility as long as we are buying the equipment. Without knowing what types of legislative funds or how much; it'll probably be around \$4 million, so the majority of those funds will probably come from other sources.

Councillor Pedroza said so you don't see a threat to the whole project by expanding the available land?

Robert Garza said I think the way it is being proposed is keeping our options open.

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Mayor Miyagishima called for the roll on the Motion to Amend Resolution No. 15-125 in paragraph three, add the words "or other locations in Doña Ana County" following the words "on City property" and it was Unanimously Approved. 7-0

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Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-125 as Amended and it was Unanimously Approved. 7-0

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(13) Resolution No. 15-126: A Resolution Approving the Las Cruces Public Art Funding Policy.

Councillor Small Moved to Approve Resolution No. 15-126 and Councillor Smith Seconded the motion.

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1 Mark Johnston, Parks and Recreation Director gave an overhead presentation and said the Art Board  
2 was established in January 2013 and it is a recommending board with Council action required. The  
3 Art Board is recommending approval of the proposed Las Cruces Public Art Funding Policy and the  
4 board will consider art projects as part of the capital improvement process. The City does consider  
5 a 1% set aside during the annual budget process for general fund projects.

6  
7 Councillor Levatino asked do we have a ballpark figure of about what the 1% would be in dollars?

8  
9 Mark Johnston said we did a projection with \$30,000 set aside for 2014-2015 but I won't know  
10 exactly what it is going to be until we go through the adoption of our ICIP process.

11  
12 Robert Garza, City Manager said the biggest part of our general fund capital improvement projects  
13 is funded through a revenue bond cycle that comes up every three years. That by itself it is about \$10  
14 million every three years that we are spending on major projects so one percent of that is \$100,000  
15 every three years and that's how we get the \$30,000 per year.

16  
17 Councillor Levatino asked are we ONLY restricting this to local artists?

18  
19 Mark Johnston said that may be one of the recommendations of the board.

20  
21 Councillor Silva asked will this be part of the funds for street projects?

22  
23 Mark Johnston said no.

24  
25 Irene Oliver-Lewis, Member of the Public said I am an arts advocate and I was on the board to  
26 review the Downtown Plan. We as a committee recommended three things which were a plaza, a  
27 staff person, and one percent for art. So I want to thank you for accomplishing all three things.

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31 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-126 and it was  
32 Unanimously Approved. 7-0

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36 (14) Resolution No. 13-14-330A-1: A Resolution Approving an Agreement for Employee Health  
37 Benefits with Blue Cross Blue Shield of New Mexico.

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39 Councillor Silva Moved to Approve Resolution No. 13-14-330A-1 and Councillor Small Seconded  
40 the motion.

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2 Andre Moquin, HR Director gave an overhead presentation and said the City was self-insured until  
3 2004 at which time they elected to offer all benefits through State of New Mexico Risk Management  
4 Division. In 2014, the City moved back towards independent insurance and chose the fully insured  
5 option for health and dental benefits. We have approximately 1,050 participants for our health  
6 insurance and we will remain with Blue Cross Blue Shield of New Mexico as a third party  
7 administrator and move to self-insured status. The premiums and plan design are unchanged for the  
8 next calendar year. We have approximately 1,130 participants for our dental insurance and we will  
9 remain with Delta Dental of New Mexico as a third party administrator.

10  
11 Councillor Small asked how close are we to getting to the goal where we can safely move ahead?

12  
13 Andre Moquin said we have fully met the need that we have in terms of funding for going forward  
14 at this time.

15  
16 Mayor Miyagishima asked are the employees going to see big changes when they go to a doctor?

17  
18 Andre Moquin said there is no change at this point. The big thing is that the employees will, to some  
19 degree, control their premiums because what they put in and what is taken out is what drives the  
20 premiums.

21  
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24 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 13-14-330A-1 and  
25 it was Unanimously Approved. 7-0

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28  
29 (15) Resolution No. 13-14-330B-1: A Resolution Approving an Agreement for Employee Dental  
30 Insurance Benefits with Delta Dental of New Mexico.

31  
32 Councillor Small Moved to Approve Resolution No. 13-14-330B-1 and Councillor Sorg Seconded  
33 the motion.

34  
35 -----

36  
37 Andre Moquin, HR Director said right now we have approximately 1,130 participants for our dental  
38 insurance and we will remain with Delta Dental of New Mexico as a third party administrator.

39  
40 Councillor Levatino said you keep expressing that the premiums won't change this year so do you  
41 anticipate changes in the future?

42

1 Andre Moquin said there is an industry standard of about 8% increase to healthcare costs on an  
2 annual basis so we realistically, we can expect some increase in the future.

3  
4 Mark Winson said third party administrators, Blue Cross and Delta, can negotiate discounts with  
5 providers because of their size and scope of their community which we wouldn't have that power  
6 to do, so that provides us with additional savings.

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10 Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 13-14-330B-1 and  
11 it was Unanimously Approved. 7-0

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13 -----  
14

15 **VIII. BOARD APPOINTMENTS**

16  
17 Mayor Miyagishima appointed Dr. John Walker (DACC Representative) to the Transit Advisory  
18 Board.

19  
20 Councillor Small Moved to Approve the Mayor's board appointment of Dr. John Walker (DACC  
21 Representative) to the Transit Advisory Board and Councillor Sorg Seconded the motion.

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23 -----  
24

25 Mayor Miyagishima called for the roll on the Motion to Approve the Mayor's board appointment  
26 of Dr. John Walker (DACC Representative) to the Transit Advisory Board and it was Unanimously  
27 Approved. 7-0

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

33  
34 There were no proposed ordinances.

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38 **X. CITY COUNCIL MEMBER BOARD REPORTS**

39  
40 Councillor Pedroza gave a report regarding the Foreclosure Task Force.

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**XI. GENERAL DISCUSSION**

a.) Mayor

Mayor Miyagishima said regarding the minimum wage ordinance that was passed, I believe during our discussion it was said that in July the minimum wage would change to \$9.20 and I want to make sure that wording is in line with what Councillor Small wanted to do.

Robert Garza, City Manager said I believe that the final review by staff showed that the key word that was articulated was “if” so what is in the record is “to meet in July to determine “if” future increases would go into play.”

Esther Martinez-Carrillo, City Clerk said the record reads as follows, “the City Council will meet on or before July 1, 2015; July 1, 2016; and July 1, 2018 to determine if there should be any change in the minimum wage.”

Mayor Miyagishima asked was that your intent Councillor Small?

Councillor Small said my intent was simply to review it and not to place a precondition of if it should go into effect.

Mayor Miyagishima said I thought that was the case so I would like at our next council meeting to have that ordinance so we can make that correction.

Robert Garza said for clarification, rather than have a meeting on those three dates to determine if a subsequent increase will go into play; you want it to read that meetings would occur on those three dates to discuss the issue and take the words “to determine if an increase will go into play” and apply that it would be an automatic increase.

Mayor Miyagishima said correct.

Councillor Silva said I find it interesting that you ask Councillor Small about his intent but I’m the one who made the motion for that amendment and it was seconded and voted upon. I read it word for word so I feel disrespected that you didn’t ask me what my intent was since I made the motion. Councillor Small voted against my motion so he already displayed his intent by voting no.

Robert Garza said the ordinance as adopted says that there will be increases going into effect January 1, 2015; January 1, 2017; and January 1, 2019 so those increases will go into effect and it states that you will meet to discuss if there should be any additional changes.

1 Rusty Babington, City Attorney said looking at the ordinance as a whole, those increases will take  
2 effect on the days that Council agreed on and it also states that you will meet to determine if there  
3 should be any other changes to it.

4

5 Mayor Miyagishima said so the increase will go on automatically.

6

7 Rusty Babington said correct.

8

9 Mayor Miyagishima said okay, I just wanted to make sure.

10

11 Councillor Silva said I think you should have respectfully asked the four people who voted for this  
12 amendment what their intent was because I read it clearly and my intent was that there would not be  
13 any increases unless we met and there wouldn't be any automatic increases.

14

15 Rusty Babington said the language you passed states that the Council will meet on or before July 1,  
16 2015, July 1, 2016, and July 1, 2018 to determine whether there should be any changes to the  
17 minimum wage. So it is a mandatory meeting and it is up to your discretion to make any changes.

18

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21 b.) City Council

22

23 Councillor Smith read a proposed resolution regarding minimum wage data collection that he would  
24 like Council to consider.

25

26 Councillor Smith said I was pleased to be present in Santa Fe when the vote was taken on cultural  
27 properties for the Papen Center and I look forward to us being able to do similar things for other  
28 historic properties.

29

30 Mayor Miyagishima said we're just gonna hold on to your resolution; we've scheduled a work  
31 session sometime in February and this might be some of the guidelines to use along with some other  
32 ideas.

33

34 Robert Garza, City Manager said we have a work session on February 9<sup>th</sup> but I have already  
35 mentioned to the Mayor that we'd probably be best served by hiring a consultant to build those  
36 benchmarks.

37

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39

40 Councillor Levatino said I want to remind everyone about the New Year's Eve Chili Drop event at  
41 the Downtown Mall. It is free of charge and there will a lot of children activities.

42

1 Carrie La Tour will be leaving us and I want to publically say that she had done a great job and I will  
2 miss her.

3  
4 I really appreciate the foreclosure information that was provided by Councillor Pedroza.

5  
6 There was a horrible accident in my district on Saturday and I want to encourage everyone to slow  
7 down and take it easy.

8  
9 -----

10  
11 Councillor Sorg said I think we should wait on Councillor Smith's proposed resolution until we have  
12 our work session in February.

13  
14 I want to say that the City government has done many things to conserve water, we've installed  
15 several solar PV systems at City facilities and private buildings; to the point where Las Cruces now  
16 leads New Mexico in solar power generation but there is still more we can do. I would like to suggest  
17 that we have a work session so I can explain about the available programs. I would like the Council  
18 to support storm water harvesting in all new developments of City properties and retro fitting  
19 existing properties.

20  
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22  
23 Councillor Small said one of our local teachers, Elisa Cundiff, who teaches at Las Cruces High  
24 School, was honored as one of the top 100 computer science teachers in the Country.

25  
26 I think there are tremendous energy opportunities that bring economic gain and save taxpayers'  
27 money through our wise use of energy.

28  
29 I think we're all happy to see the new development around the city, Whiskey Dicks is opening and  
30 the work that has gone on for Franco Whole Foods, and hopefully there will be continued  
31 opportunities next year to redevelop, re-purpose properties and buildings in our city.

32  
33 I also would like for everyone to be safe during this holiday season.

34  
35 -----

36  
37 Councillor Pedroza said I think the storm water harvesting has come a long way and it is very  
38 important to do.

39  
40 I would like to wish everyone a Merry Christmas and Happy New Year.

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Councillor Silva said I certainly support buying local and the local chamber and the Green Chamber have launched local programs. I would encourage all three chambers and the City to work together to develop a buy local program.

Regarding the presentation on the film industry, I really liked the discussion on market awareness and I feel that is something that is lacking in our city. I feel we need to strive to do something that is uniquely different to our area.

I sent out an email regarding an audit of the South Central Regional Transport; we contributed to that program and since it failed at the polls, I think an audit is in store regarding what happened to that funding, is there any leftover funding, and if there are leftovers then will that funding be given back to us? There are just a whole lot of questions regarding that funding and how it was spent.

I also would like to thank Carrie La Tour for all her years of service and she will be missed.

I would like to put out an invitation for the Mayfield Football Team to come before Council and recognize them for making it to the final two championship game.

I want to thank the Chief and the Mayor for attending the Community Safety Meeting that we had for the Alameda District. It was a very informative meeting and it's good to know there is a lot of working being done to address the recent break-ins that are happening in that district.

I also want to thank Willie Roman and his staff for helping with our meeting regarding the lighting in the Alameda District.

Happy Holidays to everyone and have a Merry Christmas and a very blessed 2015.

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c.) City Manager

Robert Garza, City Manager said we have to do some business related to the minimum wage; we are going to be going through our local business license database and sending them a communication advising them that the City Council put a minimum wage ordinance in place and sending them a copy of it.

We will be launching our new website on January 2, 2015.

I want to wish everyone a Merry Christmas and Happy New Year.

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- 1
- 2 Councillor Smith Moved to Adjourn and Councillor Small Seconded the motion.
- 3
- 4 Mayor Miyagishima said all of those in favor signify by saying "Aye."
- 5
- 6 Council said "Aye."
- 7
- 8 **Meeting Adjourned at 4:51 p.m.**

DRAFT