City Council
of the
City of Las Cruces

Regular Meeting

June 1, 2015
1:00 P.M.
Council Chambers, City Hall

MEMBERS PRESENT:	**STAFF:**
Mayor Ken Miyagishima	Robert Garza, City Manager
Councillor Miguel Silva, District 1	Rusty Babington, City Attorney
Councillor Greg Smith, District 2	Linda Lewis, Interim City Clerk
Councillor Olga Pedroza, District 3	
Councillor Nathan Small, District 4	
Councillor Gill Sorg, District 5	
Councillor Ceil Levatino, District 6	

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I. OPENING CEREMONIES

Mayor Miyagishima called the meeting to order and asked for a moment of silence. Councillor Levatino 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.

Councillor Levatino presented a Proclamation to Ben Woods and declared June 1, 2015 as Ben Woods Day.

Councillor Levatino presented a Proclamation to Bob Burns and declared June 2, 2015 as Bob Burns Day.

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?

Councillor Small said I will be recusing myself from Resolution 15-203 as it is a matter concerning him.

Councillor Sorg said I will be recusing myself from Resolution 15-201.

Councillor Pedroza said I will be recusing myself for the same reasons on Resolution 15-202.

Councillor Silva said I wonder if Councillor Small, Sorg, and Pedroza should recuse themselves from all three items based on the court order referring to all three several times.

Councillor Small said I would refer to City Attorney Rusty Babington's opinion because the resolutions are not based on the court case but had been tabled previously.

Mayor Miyagishima said in the previous meetings, each one individually recused themselves when it came to them and keep in mind that this is not a quasi-judicial matter.

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City Attorney Rusty Babington said according to the ethics section of the City Municipal Code, it is appropriate to abstain from the specific resolution that applies to them. Looking at Robert's Rules of Order concerning conflict of interest supporta that if it concerns you, then you should step back from it. If it doesn't, there is no reason to recuse yourself.

III. PUBLIC PARTICIPATION

Patricia Gonzales, Member of the Public said in December I was told the petition was to tear down the PAL Building to enlarge the Las Cruces Aquatic Center and I signed the petition without looking at it. I saw an editorial in the Sun News of a similar incident. I was referred to Peter Goodman by a friend and I wrote a letter to the City Clerk to have name deleted from the petition. In January I was approached again and this time I was told that Conlee Elementary School was requesting installation of speed bumps, vut I didn't sign the petition the second time.

Shelly Nichols-Shaw, Member of the Public said regarding ADA violations by the City, I have requested assistance for over a year and a half. My mother requested assistance regarding people parking on sidewalks. I asked the City to deal with this issue many times. My car has been hit nine times in this area and the City's solution was to put up barriers blocking the sidewalk, but we need the sidewalk to walk on.

Robert Garza, City Manager said this street is between a barbershop and tile shop. It is a rolled out sidewalk negotiated when NMDOT did the work on Main Street as well as when the City did the North Alameda reconstruction project. The City allowed the parking before the ADA rules were in

place. The solution is to remove the portion of concrete that appears to be a sidewalk and cross the street on the south side and the solution is 100% in compliance with the ADA. We have written that to the Governor's Office and I am confident it will meet the expectations of the ADA.

Shelly Nichols-Shaw said the New Mexico ADA have not heard back from the City as of Friday. My understanding was that the sidewalk was to be removed last August. I asked for a copy of the agreement and was told it didn't exist. Licenses should be made public record. I should have been consulted on this and have not.

Mayor Miyagishima said we will be communicating to the Governor's Office and a copy of the letter will be available in the Clerk's Office.

Emma Murillo, Member of the Public said I have a problem on my street, East Las Cruces Street. There has been a lot of thefts. There is a terrible parking situation on my street.

Daniel Tapper, Member of the Public said I have noticed the poverty rate hasn't changed and is very high at 20%. I am asking you to commit to eliminating poverty and garner support of all elements of the community.

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IV. <u>ACCEPTANCE OF AGENDA: THOSE ITEMS ON THE AGENDA INDICATED BY AN ASTERISK (*) ARE ON THE CONSENT AGENDA AND WILL BE VOTED ON BY ONE MOTION.</u>

Mayor Miyagishima said Item 3 will be removed from the Consent Agenda for discussion.

Councillor Sorg Moved to Approve the Agenda as Amended and Councillor Pedroza Seconded the motion.

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

V. <u>CITY COUNCIL MINUTES</u>

*(1) Regular City Council Meeting of May 4, 2015

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

*(2) Resolution No. 15-222: A Resolution Approving a Memorandum of Agreement Between the City of Las Cruces (City) and the New Mexico Energy, Minerals, and Natural Resources Department (NMEMNRD) to Initiate the City's Participation in the Local Energy Efficiency Program (LEEP) for the Purpose of Identifying and Assessing Energy Efficiency Improvement Opportunities for City Facilities.

*(4) Resolution No. 14-15-134: A Resolution Awarding a Contract for a Three Year Period for CPA Audit and Professional Services to Moss Adams LLP Of Albuquerque, NM, in the Amounts of $240,800.00 for Year 1; $249,300.00 for Year 2; and $259,000.00 for Year Three, plus Gross Receipts Tax, Pending Annual Contract Renewal as Authorized by the State Auditor and Approved Annual Budgets as Authorized by City Council.

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

*(3) Resolution No. 15-223: A Resolution Authorizing the City of Las Cruces, to Accept a Direct Purchasing Agreement in the Amount of $75,000.00, From the New Mexico Economic Development Department for Local Economic Development Act (LEDA) Capital Outlay Project - Certoplast North America, Inc., With a $75,000.00, Local Match, and to Adjust the City's FY 2015 Budget.

Councillor Small Moved to Approve the Resolution No. 15-223 and Mayor Pro-Tem Smith Seconded the motion.

Councillor Small said Certoplast is a German company whose first North American expansion is in Las Cruces and MVEDA played a key role. This is the first company to come in with the foreign trade zone in the West Mesa Industrial Park and further benefit of attracting supply chain partners. This demonstrates successful expansion of economic opportunity.

Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-223 and it was Unanimously Approved. 7-0

VIII. UNFINISHED BUSINESS

(5) Resolution No. 15-201: A Resolution Reviewing and Approving the City Clerk's Certification of Insufficient Petition as Amended Involving the Recall Petition of Councillor Gill M. Sorg. ***(TABLED FROM MAY 18, 2015)***

Councillor Small Moved to remove Resolution No. 15-201 from the table and Mayor Pro-Tem Smith Seconded the motion.

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Mayor Miyagishima called for the roll on the Motion to remove Resolution No. 15-223 from the table and it was Approved. 6-0. Councillor Silva, Councillor Pedroza, Councillor Small, Councillor Levatino, Councillor Smith, and Mayor Miyagishima voted Aye. Councillor Sorg was absent.

Robert Garza said that there are no formal presentations by staff. These three resolutions are presented separately to make a determination that the City Clerk did what the City Charter asked her to do. Does Council want to suspend the rules of public participation and then go back and revisit each item and have a Council discussion?

Mayor Miyagishima said I have no problem suspending the rules.

Mayor Pro-Tem Smith Moved to Suspend the Rules and discuss Items 5, 6, and 7 concurrently and Councillor Levatino Seconded the motion.

Councillor Small asked should Iabstain from this vote?

Mayor Miyagishima said I'm only looking for the votes of Councillor Silva, Councillor Levatino, Councillor Smith and myself to move forward. If not, each resolution will be looked at individually and public participation will be limited to 10 minutes.

Rusty Babington, City Attorney said it may be difficult for the three Councillors to express themselves if the rules are suspended so I caution against it.

Mayor Pro-Tem Smith can the rules be suspended long enough for the two parties to share 30 minutes as they wish to do and then go back to each individual resolution?

Rusty Babington, City Attorney said that is a good solution.

Mayor Miyagishima called for the roll on the Motion to Suspend the Rules and discuss Items 5, 6, and 7 concurrently and it was Approved. 4-0-2. Councillor Silva, Councillor Levatino, Councillor Smith, and Mayor Miyagishima voted Aye. Councillor Pedroza and Councillor Small abstained. Councillor Sorg was absent.

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Samantha Barncastle, Attorney for petitioner Burrell gave a verbal presentation and said I would ask that all three Councillors and the Mayor recuse themselves from every resolution vote. I will not be providing evidence but an offer of proof. I ask that the City Attorney's emails on this issue be available for record of appeal. We are here today because Judge Rosner told us we needed to exhaust our administrative remedies. The petitioner sought relief from the court in four ways: Count signatures withdrawn after February 6 file date, count invalidated signatures collected by a non-registered voter, count signatures claimed to be duplicates on second round of submissions but originally purged on first round, and perform more than a mechanical review of validating and invalidating signatures. Issues 2-4 needed factual issues to be resolved so only issue one was decided in court. The petitioner denies fraud or misrepresentation although these issues have been raised. The City Charter does not provide any guidelines for validation, purging or withdrawal of signatures. Our position is that once the petitions are filed you cannot withdraw a signature. Those who withdrew their names because they were changing their mind should not be allowed after the petitions were filed. The City Charter has no provision requiring the circulators to be qualified voters and just says they must reside in the Council district. The circulator met those requirements and 37 votes should have been counted in Councillor Sorg's district and 93 in Councillor Pedroza's. Names that were purged due to incorrect addresses and then signed again to correct were counted as duplicates and should not have been. The Clerk has no procedures in place or uniformity to validate signatures. The petitions should be certified as sufficient. The whole process has been very closed and raises transparent government issues.

Peter Goodman, Attorney for Councillor Sorg gave a verbal presentation and said I object to the Councillors recusing themselves from all three items. Councillor Small and Councillor Pedroza were not parties to the lawsuit and there may not be enough votes if the three Councillors and the Mayor recuse themselves. This is not a judicial hearing. The City Charter allows recall petitions

without the safeguards required in state law. There was evidence of misconduct, possible fraud, and misleading statements. I don't believe that voters should have been allowed to remove their names only up until the petitions were filed. The City Clerk had a problem and dealt with it.

Emma Murillo, Member of the Public said the credibility of Judge Rosner is to be questioned.

Roberta Graham, Member of the Public said I worked for Gill Sorg as a volunteer on the recall. I asked others what was the reason for the recall and I was amazed at the different answers I received. I was told not to pressure anyone to sign the letter or give suggestions of what they might have heard. I believe it was fraudulent from the beginning and I believe it was because they voted to raise the minimum wage.

Lydia Yolanda Lopez, Member of the Public read an affidavit that she gave after signing unknowingly.

Richard Ferrary, Member of the Public read a couple of the lettersand said I worked on Gill Sorg's anti-recall campaign.

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Ken Survey, Member of the Public said I was one of the first persons to contact the City Clerk about people coming to my door regarding the demolition of the PAL Boxing Club for a parking lot. We don't want to have a government based on distrust.

Vince Jeffers, Member of the Public said I live in District 4, I signed the petition and I support it. I believe this stems from minimum wage not being put on the ballot.

Yvonne Magdalena Flores, Member of the Public said I worked on Councilman Sorg's fight against the recall. For a group of people to be going out and using the recall petition in such an abysmal and atrocious manner is a travesty on our constitution and the citizenship of our country.

Karen Schumaker, Member of the Public said I walked for all three recalled Councillors because I was appalled for the reasoning behind it. I was disappointed that only a few of you said it was wrong. We should recall people when they break laws.

Charlotte Lipson, Member of the Public said I live in District 1. I visited those in Councillor Pedroza's district. Petitioners were targeting those with hearing and eyesight difficulties and dementia. I would like to know who is following up on criminal indictments.

Jordan Banegas, Member of the Public said I was one of the organizers of the recall effort. Our group used three ring binders to hold the papers so the top of the petition was visible. Our circulators were paid hourly and our collectors were trained and had a script.

Daniel Zalinsky, Member of the Public said I was approached about PAL Boxing Gym and it sounded like a good cause so I signed the petition. There was never any mention of a recall. Later I did sign to have my name removed.

Jerry Clark, Member of the Public said we have heard the word fraud used a lot today and the City uses a prescribed procedure approved by the City Clerk for the collection of signatures. Fraud needs to be proven in court and the term should not be used until proven in court.

Nancy Greene, Member of the Public said shame on you because you never said why you were doing a recall and to the rest of us shame on us because we signed things we didn't read and should take responsibility.

Mayor Miyagishima said it was my call to give Ms. Barncastle 30 minutes instead of three hours because we are not here to hear an appeal. This is not a quasi-judicial hearing and I don't feel a need to recuse myself. I'm okay with the Council members voting except on their particular issue. Has the final certification been done correctly and legally?

Rusty Babington said yes. Ms. Barncastle made a representation regarding duplication of signatures and in the case of Councillor Sorg, we struck 24 signatures that we should have counted so there will be 24 signatures added with respect to the final certification. The petition is still insufficient. Judge Rosner's ruling and what the City Clerk did is legal.

Mayor Pro-Tem Smith Moved to reinstate the rules and unsuspend the three items and Councillor Levatino Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to reinstate the rules and unsuspend the three items and it was Approved. 5-0-2. Councillor Silva, Councillor Pedroza, Councillor Levatino, Councillor Smith, and Mayor Miyagishima voted Aye. Councillor Small and Councillor Sorg abstained.

Mayor Pro-Tem Smith said I would be comfortable approving the former City Clerk's report.

Councillor Pedroza said the charter does not specify that petitioners prove maleficence but maybe that's what we need.

Councillor Levatino said that I was opposed to the recall from the beginning and the reasons given behind it were not appropriate. An election is how you remove a Councillor you don't agree with. I am concerned with some issues raised by Ms. Barncastle and I think they need to be explored. There are some holes in the City Charter that need to be looked at and changed so these processes are clarified.

Councillor Silva said I don't support the recall and I have said this many times in public forums, but I do understand it. Our charter falls short and I think it creates loopholes that favor the incumbent. The process for the collection of signatures is imbalanced and not consistent.

Mayor Pro-Tem Smith Moved to Amend Resolution No. 15-201 to include Exhibit C and Councillor Small Seconded the motion.

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Mayor Miyagishima called for the roll on the Motion to Amend Resolution No. 15-201 to include Exhibit C and it was Approved. 6-0-1. Councillor Silva, Councillor Pedroza, Councillor Small, Councillor Levatino, Councillor Smith, and Mayor Miyagishima voted Aye. Councillor Sorg abstained.

Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-201 as Amended and it was Approved. 4-1-2. Councillor Pedroza, Councillor Small, Councillor Smith, and Mayor Miyagishima voted Aye. Councillor Levatino voted Nay. Councillor Silva and Councillor Sorg abstained.

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(6) Resolution No. 15-202: A Resolution Reviewing and Approving the City Clerk's Certification of Insufficient Petition as Amended Involving the Recall Petition of Councillor Olga Pedroza. ***(TABLED FROM MAY 18, 2015)***

Mayor Pro-Tem Smith Moved to Approve Resolution No. 15-202 and Councillor Sorg Seconded the motion.

Mayor Pro-Tem Smith asked do we have information about duplicate signatures on this one?

Rusty Babington, City Attorney said our review did not indicate any duplicate signatures on any other petition other than Councillor Sorg.

Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-202 and it was Approved. 4-1-2. Councillor Small, Councillor Sorg, Councillor Smith, and Mayor Miyagishima voted Aye. Councillor Levatino voted Nay. Councillor Silva and Councillor Pedroza abstained.

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(7) Resolution No. 15-203: A Resolution Reviewing and Approving the City Clerk's Certification of Insufficient Petition as Amended Involving the Recall Petition of Councillor Nathan P. Small. ***(TABLED FROM MAY 18, 2015)***

Mayor Pro-Tem Smith Moved to Approve Resolution No. 15-203 and Councillor Sorg Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-203 and it was Approved.4-1-2. Councillor Pedroza, Councillor Sorg, Councillor Smith, and Mayor Miyagishima voted Aye. Councillor Levatino voted Nay. Councillor Silva and Councillor Small abstained.

IX. RESOLUTION(S) AND/OR ORDINANCE(S) FOR DISCUSSION

(8) Resolution No. 15-224: A Resolution for the City of Las Cruces Convention and Visitors Bureau to Look at a Possible Assessment of Assuming the Whole Enchilada Fiesta.

Mayor Pro-Tem Smith Moved to Approve Resolution No. 15-224 and Councillor Sorg Seconded the motion.

Chris Favre, Convention and Visitor's Bureau gave an overhead presentation regarding the feasibility study of the Whole Enchilada Fiesta.

Councillor Silva said Mayor Pro-Tem Smith and I met with Mr. Roberto Estrada and he would love to continue making the enchilada, but I have spoken with many people in the community and they believe the Whole Enchilada Fiesta has run its course. I think maybe we should wait a year, work with the CVB and repackage the whole event.

Councillor Pedroza asked what time frame is needed to evaluate the City taking it over?

Chris Favre said we haven't begun the process but we could wrap it up in four to six weeks.

Councillor Pedroza asked how much would that process cost?

Chris Favre said it would just be CVB staff time so there would be no added charges.

Councillor Small asked is the same outcome possible with the Whole Enchilada Festival that came from assessing the White Sands Film Festival?

Chris Favre said we would have to look at what they are spending to put on the event to see if that is doable.

Anita Allen, Member of the Public said maybe it would help to have input from other people other than those on the board.

Dolores Connor, Member of the Public said please find the Enchi Balloon and use it again. TWEF did lose it's purpose and flair. TWEF originally used its proceeds to put into non-for-profits in the community and I suggest you review how that can be part of TWEF again.

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Mayor Miyagishima said the chambers were really involved and a lot of businesses started from the booths that were set up at TWEF.

Vince Jeffers, Member of the Public said I hope it's all done properly.

Carrie Hamblen, Member of the Public said I am here with the Las Cruces Green Chamber of Commerce. I think bringing people here to spend money is a great opportunity. I would like to propose to give four or five Downtown groups a year permit with requirements put forth by Council to encourage participation by other groups to hold events Downtown.

Robert Garza, City Manager said the problem is that the New Mexico Department of Alcohol, Tobacco and Firearms requires a public hearing to be held before they issue the event permit.

Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-224 and it was Unanimously Approved. 7-0

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(9) Resolution No. 15-225: A Resolution Authorizing Use of Mesilla Valley Intermodal Transit Terminal and Continued Support for the South Central Regional Transit District (SCRTD) and to Adjust the City's FY 2015 Budget.

Councillor Small Moved to Approve Resolution No. 15-225 and Councillor Sorg Seconded the

motion.

Mike Bartholomew, Transit Administrator gave an overhead presentation and said this resolution is to authorize the use of space in the Mesilla Valley Intermodal Transit Terminal and to provide general support for the South Central Regional Transit District in the amount of $48,000. There would be a budget adjustment to move money from the City's vehicle acquisition fund. It would authorize the use of in-kind office space at the Mesilla Valley Intermodal Transit Terminal at $250 a month.

Councillor Sorg read a letter from Commissioner Wayne Hancock. This resolution is important because it connects us with our surrounding communities.

Mayor Pro-Tem Smith said I have some concerns on how we move forward and as the County has taken this on, that we dovetail our operations and that we have the support of the Council to move forward. Do you see dovetailing as a possibility and also something that will continue to work into the future?

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Mike Bartholomew said that is correct.

Councillor Levatino asked why were some of the routes discontinued after November?

Mike Bartholomew said last November, after the referendum failed, they gave a two week notice to customers and then shut down.

Councillor Levatino asked do you know why?

Mike Bartholomew said they didn't have the money to continue.

Councillor Levatino asked where would you get the money to reinitiate it?

Mike Bartholomew said the County has committed $750,000 and they are seeking funds from their member entities such as we're doing today.

Councillor Levatino asked does Sierra County contributes finances to this?

Sharon Thomas, Member of the Public said Sierra County, T or C, Elephant Butte, and Williamsburg all contribute. In Doña Ana County, everybody but Anthony contributes.

Councillor Levatino asked the $750,000 you received from the County is one time, not ongoing?

Sharon Thomas said that is true and it will be ongoing.

Councillor Levatino said I'm not sure how the private sector is being defined and whether those resources have been identified. I think those should be made public.

Sharon Thomas said the Regional Transit District works with the Las Cruces Shuttle. Some other possibilities are working with the businesses in Santa Teresa. Corporations who provide transit for their employees get a tax break so there's the opportunity to set up those types of agreements and partnerships.

Councillor Levatino asked would they be supplying the buses?

Sharon Thomas said they pay for their employees to use the service and then they get a tax cut.

Councillor Levatino asked you haven't gotten anybody to sign on officially to participate?

Sharon Thomas said there's a contract with Las Cruces Shuttle. We have talked to Convergys and they're looking at what the tax rebate would be but we would have to work with Roadrunner again to be able to do that.

Councillor Levatino asked if we vote yes today, this would be a one time allocation of money?

Sharon Thomas said yes. They would come back every year to report how they're doing and ask for another year.

Councillor Pedroza said the $48,000 is a small amount because of the benefit it can bring.

Councillor Silva said if the County wants to set up transportation then let them do it and pay for it. I think the County can fund this on their own and they don't need help from other entities.

Mayor Miyagishima said this has an impact on various people from shopping to being able to connect.

Councillor Sorg said all transportation uses tax dollars. The district is working with La Clinica and the two hospitals on doing partnerships in which they will pay for advertising.

Councillor Silva said I don't think the full picture or the needs of this project are being presented to us.

Joanne Ferrary, Member of the Public and Planning and Zoning Commissioner said we worry about people getting into the City and we need to support this.

Carrie Hamblen, Member of the Public said I am with the Las Cruces Green Chamber and to have transit available is really important because it does set a tone and demonstrates commitment.

Tamika Jackson, Member of the Public said I lived in Orlando, Florida and I was able to take my daughter around to visit different places because of public transportation but since I've moved to New Mexico, I had to buy a car in order to do the same.

Roberta Graham, Member of the Public said I see this as a win-win situation.

Yvonne Magdalena Flores, Member of the Public said when I was in college and law school I couldn't have gotten around without public transportation. The reason it may have been shot down at the November election is because people couldn't get to the polls because of lack of transportation.

Councillor Silva said we still have to meet the needs of our own City residents. I would invest in improving our own system.

Sharon Thomas said we will be eligible for transit administration funds and for other kinds of grants once you have a record and some local commitment.

Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-225 and it was Approved. 6-1 Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor Levatino, Councillor Smith, and Mayor Miyagishima voted Aye. Councillor Silva voted Nay.

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(10) Resolution No. 15-226: A Resolution Authorizing the Mayor to Sign a Letter of Support for the Transportation Investment Generating Economic Recovery (Tiger) Grant Application by County of Doña Ana for the South Central Regional Transportation District.

Mayor Pro-Tem Smith Moved to Approve Resolution No. 15-226 and Councillor Small Seconded the motion.

Tom Murphy gave an overhead presentation and said this item is closely related to the previous one. This item does not have any financial commitment. It is merely a show of regional support and coordination.

Councillor Silva asked what is the breakdown?

Tom Murphy said we were just given generalities. They want to improve some of the transit stops and bus stations in and around their service area, get additional transit vehicles, and begin development on the maintenance facility.

Councillor Silva asked what are the annual operating costs?

Tom Murphy said I don't have that information but it's essentially the building of bus stops.

Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 15-226 and it was Approved. 6-1 Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor Levatino, Councillor Smith, and Mayor Miyagishima voted Aye. Councillor Silva voted Nay.

DRAFT

X. BOARD APPOINTMENTS

Mayor Miyagishima reappointed James Carmichael and Jim Ericson to the Board of Commissioners for the CLC Utilities.

Councillor Sorg Moved to Approve Mayor Miyagishima's board reappointments of James Carmichael and Jim Ericson and Councillor Levatino Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to Approve Mayor Miyagishima's board reappointments of James Carmichael and Jim Ericson and it was Approved. 6-0 Councillor Pedroza, Councillor Small, Councillor Sorg, Councillor Levatino, Councillor Smith, and Mayor Miyagishima voted Aye. Councillor Silva was absent.

XI. 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).*

(11) Council Bill No. 15-037; Ordinance No. 2756: An Ordinance Authorizing a Real Estate Sales Agreement Between the City of Las Cruces and High Range LLC, for the Sale of 1.35 Acres of Municipally Owned Land at 200 N. Church Street for the Purchase Price of One Million One Hundred Forty Thousand Dollars ($1,140,000.00), in Accordance with Provisions of LCMC 1997, Section 2-1312.

Mayor Miyagishima and Council agreed to bring this item back.

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(12) Council Bill No. 15-038; Ordinance No. 2757: An Ordinance Authorizing the Issuance and Sale of Up to $10,000,000 City of Las Cruces, New Mexico Taxable Subordinate Lien State Shared Gross Receipts Tax Improvement Revenue Bonds, Series 2015A for the Construction, Acquisition and Improvement of Roadways, Public Infrastructure, and Drainage Projects.

Mayor Miyagishima and Council agreed to bring this item back at a special meeting on June 24, 2015.

XII. CITY COUNCIL MEMBER BOARD REPORTS

There were no City Council member board reports.

XIII. GENERAL DISCUSSION

b.) City Council

Councillor Small said I want to also thank Chuck McMahon from the County who was the key person in helping get the foreign trade zone for Certoplast back in 2013.

I am excited and thankful for the members of the Council, staff and administration with the Amador redevelopment efforts. We're going into the next phase and that will be a charrette similar to the one for Downtown.

I want to mention the Fight to Bite Program and everyone should be very diligent about standing water.

It was raised previously about expanding mental health services in our community and there is a need for us to engage in that a bit more.

There are two big public meetings this week on Wednesday, one is here in our building for the Valley Drive reconstruction project and the other one is El Paso Electric Rate Case meeting at the County.

Councillor Sorg said I don't think our residents know what we do in City government here and I plan to do something about this in the months to come.

Mayor Pro-Tem Smith said we need to make it work locally and be an example.

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a.) Mayor

Mayor Miyagishima said I want to congratulate Councillor Pedroza, Small, and Sorg and I am proud of the way you all acted over the last several months.

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c.) City Manager

Robert Garza, City Manager said we are having problems at Frenger Pool. The boiler has gone down and resuscitating it will be costly.

We had an item scheduled for the June 22nd Work Session concerning the election process. I was told some of you would not be here so I'm suggesting to move it to July 13th.

An updated schedule of the plaza will be provided to you this Friday in my newsletter.

I have made a determination on the hiring of our new Assistant City Manager and I will also be making that announcement Friday.

Mayor Pro-Tem Smith Moved to Adjourn and Councillor Small Seconded the motion.

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

Council said "Aye."

Meeting Adjourned at 5:20 p.m.