

# CITY COUNCIL

## AGENDA

**Mayor**  
**Ken Miyagishima**

**Mayor Pro-Tem**  
**Gill M. Sorg**

**Councillors**  
**Kasandra Gandara**  
**Gregory Z. Smith**  
**Gabriel Vasquez**  
**Jack Eakman**  
**Yvonne Flores**



**City of Las Cruces**<sup>®</sup>  
MOUNTAINS OF OPPORTUNITY

**CITY HALL**  
**P.O. BOX 20000**  
**LAS CRUCES, NM 88004**

**700 N. Main St.**  
**PHONE (575) 541-2067**

### **Council Meets** **1<sup>st</sup> & 3<sup>rd</sup> Mondays**

The following Agenda will be considered at a **Regular Meeting** of the City Council of the City of Las Cruces, New Mexico to be held **Monday, August 5, 2019, at 1:00 p.m.** in the City Council Chambers, City Hall.

If you need an accommodation for a disability to enable you to fully participate in this event please contact us 72 hours before this event at [541-2115/V](tel:541-2115) or [541-2182/TTY](tel:541-2182).

*The City of Las Cruces does not discriminate on the basis of race, color, national origin, sex, sexual orientation, gender identity, religion, age or disability in employment or the provision of services.*

The agenda cover sheet and complete packet of information are on the web at: [www.clctv.com](http://www.clctv.com). Copies of the agenda packet are available at the Branigan Library and City Clerk's Office.

### **CITIZEN PARTICIPATION**

Attendees at City Council meetings are encouraged to pick up a copy of the City's "Public Participation at City Council Meetings" brochure that is available in the front lobby of City Hall. This brochure will answer the most often asked questions concerning citizen participation at these meetings.

### **CONSENT AGENDA**

Items Marked with an Asterisk * Are Considered Routine Items and Will Be Voted on with One Motion Unless a Councillor Requests That a Specific Item Be Removed. There Will Be No Discussion. If You Wish to Have an Item Discussed, Contact Your District Councillor, the Mayor or the City Clerk Before the Beginning of the Meeting.
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### **COUNCIL VOTES**

This meeting will be conducted by a form of Robert's Rules of Order. It takes an 'Aye' vote of four members of the City Council to approve a Resolution or an Ordinance. A Councillor may make a motion for passage or second a vote for passage of an item yet vote "No" on the motion. A Councillor may vote in favor of an amendment to a motion, because of the contents of the amendments, and also vote "No" on the main motion.

## **COUNCIL APPOINTED BOARDS**

All information from advisory boards must be submitted in writing and contained in the agenda package. This will ensure that all Council members have access to the same information.

Members of Council appointed boards/commissions will not publicly discuss any actions or discussions of their board at City Council meetings, unless requested by the City Council.

## **PROTOCOL**

All Speakers are to conduct themselves in an orderly and law-abiding manner. Otherwise, a recess will be immediately declared until order and decorum are restored.

### **I. OPENING CEREMONIES**

1. Pledge of Allegiance – Councilor Flores
2. Pet of the Week
3. Presentation of Certificates of Appreciation/Proclamations – Councilor Flores

### **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.*

### **III. PUBLIC PARTICIPATION**

### **IV. READ CLOSED MEETING STATEMENT**

- a. Read July 22, 2019 Closed Meeting Statement into the record.

### **V. 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.**

### **VI. CITY COUNCIL MINUTES**

- \*(1) Regular City Council Meeting of July 15, 2019

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

- \*(2) Resolution No.20-018: A Resolution Approving a Memorandum of Agreement Between the City of Las Cruces and the South Central Regional Transit District (SCRTD) to Provide Annual Membership Dues to SCRTD Subject to Annual Budget Appropriations by the City Council.
- \*(3) Resolution No.20-019: A Resolution Approving a Contract for the Purchase of Tires, Tubes, Supplies and Related Services to Mesilla Valley Commercial Tire of

Las Cruces, New Mexico via Dona Ana County Contract No. 18-142 for an Initial Term of One Year, with the Option to Renew for an Additional Two (2) One-Year Terms, in an Amount Not to Exceed \$450,000.00 Annually Plus NM Gross Receipts Tax, Subject to Approved Budget Appropriations and Annual Renewals (Procurement No. 19-20-023).

- \* (4) Resolution No.20-020: A Resolution Approving a Memorandum of Agreement Between the City of Las Cruces (City) and Dona Ana County (DAC) to Award Grant Funding to the City in the Amount of \$48,391.68 from the New Mexico Department of Homeland Security and Emergency Management, Operation Stonegarden Program, Through DAC, to Authorize the City Manager and Police Chief's Signatures on the Agreement and to Approve an Adjustment to the FY2020 Budget.

#### **VIII. OLD BUSINESS**

- (5) Resolution No.20-013: A Resolution Repealing Resolution 19-181 and Approving a Sole Source Service Agreement for Planning and Development Services Related to Downtown Revitalization to Downtown Las Cruces Partnership of Las Cruces, New Mexico, for a Term of One Year, with the Option to Renew for an Additional (1) One-Year term, in an Amount Not to Exceed \$120,000.00 Annually, Subject to Approved Budget Appropriations and Annual Renewals (Procurement No. 18-19-135). **(Tabled July 15, 2019)**

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

- (6) **BEFORE CONSIDERATION OF THE FOLLOWING RESOLUTION NO. 20-021: A PUBLIC HEARING MUST BE HELD:** Resolution No.20-021: A Resolution Approving the Issuance of a Restaurant Beer and Wine Liquor License with On-Premises Consumption Only to Grill Operations 2017, LLC D/B/A Genghis Grill Las Cruces, to be Located at 840 South Telshor Boulevard, Las Cruces, New Mexico.
- (7) **BEFORE CONSIDERATION OF THE FOLLOWING RESOLUTION NO. 20-022: A PUBLIC HEARING MUST BE HELD:** Resolution No.20-022: A Resolution Approving the Issuance of a Small Brewer 1<sup>st</sup> Off-Site Liquor License Location to Icebox Brewing, LC D/B/A Icebox Brewing Company, to be Located at 3231 North Main Street, Las Cruces, New Mexico.
- (8) Resolution No.20-023: A Resolution Authorizing the City of Las Cruces (City) to Accept a Budget Adjustment for Emergency Humanitarian Assistance to Asylum Seekers from the Telshor Fund for \$500,000 Through an Amendment to the City's Adopted FY2020 Budget.
- (9) Resolution No.20-024: A Resolution Approving an Agreement to Employ William F. Studer, Jr as Interim City Manager.
- (10) Resolution No.20-025: Resolution to Authorize a Budget Transfer of \$100,000 to the Transit Fund, reducing the Dial-a-Ride Service Senior Fee to \$1.00 and ADA Riders to \$1.00, for FY 2019-20.

- (11) Council Bill No. 20-002; Ordinance No. 2894: An Ordinance Authorizing the Issuance and Sale of up to \$9,800,000 City of Las Cruces, New Mexico Taxable Subordinate Lien State Shared Gross Receipts Tax Improvement Revenue Bonds, Series 2019 for Construction, Acquisition and Improvement of Roadways, Public Infrastructure and Drainage Projects for the Metro Verde Phase II Voluntary Assessment District; Providing for the Sale of the Bonds Pursuant to a Bond Purchase Agreement and for the Maturity Dates and Amounts, Interest Rates, Prices, Redemption Features and Other Final Terms of the Bonds to be Established in a Sale Certificate and Bond Purchase Agreement and Delegating Authority to the Interim City Manager to Execute the Sale Certificate and Bond Purchase Agreement within the Parameters of this Ordinance.

**X. BOARD APPOINTMENTS**

- 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).***

- (12) Council Bill No. 20-003; Ordinance No. 2895: An Ordinance Amending the Las Cruces Municipal Code (LCMC) 1997, as Amended, Chapter 15, Section 15-7, Labor Management Relations Board – Created Terms.

**XII. CITY COUNCIL MEMBER BOARD REPORTS AND COMMENT**

**XIII. CITY MANAGER REPORT**