

CITY COUNCIL AGENDA

Mayor Ken Miyagishima

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

Mayor Pro-Tem
Gill M. Sorg



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

Councillors
Kasandra Gandara
Gregory Z. Smith

Gabriel Vasquez

Jack Eakman

Yvonne Flores

Council Meets
1st & 3rd Mondays
CORRECTED

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, October 7, 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. 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 Smith
2. Pet of the Week
3. Presentation of Certificates of Appreciation/Proclamations – Councilor Smith

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. 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.

V. CITY COUNCIL MINUTES

*(1) Regular City Council Meeting of September 16, 2019

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

- *(2) Resolution No.20-042: A Resolution Authorizing the Write-Off of Uncollectible Library Fines and Fees from Fiscal Years 2013-2015 in the Amount of \$105,961.69.

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

- (3) **BEFORE CONSIDERATION OF THE FOLLOWING RESOLUTION NO. 20-043; A PUBLIC HEARING MUST BE HELD:** Resolution No.20-043: . A Resolution Approving the Issuance of a Restaurant Beer/Wine Liquor License with On Premises Consumption and Patio Service to Boba, Inc. D/B/A Boba Café, to be Located at 1900 South Espina, Suite 8, Las Cruces, New Mexico.
- (4) **BEFORE CONSIDERATION OF THE FOLLOWING RESOLUTION NO. 20-044; A PUBLIC HEARING MUST BE HELD:** Resolution No.20-044: A Resolution Approving the Issuance of a Winegrower 2nd Offsite Liquor License Location with On-Premises Consumption and Package Sales with Patio Service to Bosque Brewing Co., LLC. D/B/A Bosque Brewing Company, to be Located at 2102 Telshor Court, Las Cruces, New Mexico.
- (5) Resolution No.20-045: A Resolution to Recommend the Novak Consulting Group of Cincinnati, Ohio for Recruitment Services for a City Manager. (Procurement No. 19-20-052).
- (6) Resolution No.20-046: A Resolution Approving Amendments to the Collective Bargaining Agreement Between the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial & Service Workers International Union (USW) and the City of Las Cruces.
- (7) Resolution No.20-047: A Resolution Adopting the Pioneer Women's Park Conceptual Master Plan Report.
- (8) Council Bill No. 20-004; Ordinance No. 2896: An Ordinance Authorizing a Real Estate Exchange Agreement for 3.95 Acres of Land Located at the Northwest Corner of Bataan Memorial Highway and Rinconada Boulevard Owned by the City of Las Cruces and 4.62 Acres of Land Located Along the Southwest Side of Roadrunner Parkway Owned by Wilfred E. Binns and Iva Bernice Irrevocable Children's Trust 10-15-93 #1001, in Accordance with Provisions of LCMC 1997, Section 2-1312.

VIII. *APPEAL PROCESS*

Council members shall not privately discuss with any interested person or persons the merits of a case which is / or may be pending before the City Council. If there have been

any such discussion or discussions, they should be disclosed by the appropriate Councilor(s) or individuals at this time.

Appeals to be presented before the Las Cruces City Council shall follow the procedure outlined in LCMC 1997, Chapter 38, Article II, Section 38-13.

- (9) APPEAL – Resolution No.20-048: A Resolution Appealing the Decision of Approval by the Planning and Zoning Commission on July 23, 2019 for a Proposed Preliminary Plat for a Subdivision Known as University Meadows for a Property Encompassing 36.145± Acres, Zoned R-1C (Single-Family Low Density) and R-1A (Single-Family Medium Density), and Located West of Stern Drive, North and East of the City of Las Cruces City Limits, and Generally South of Karen Drive and Ringneck Drive. Submitted by the Law Office of Kyle H. Moberly, P.C. (19CS0500046).
- (10) APPEAL – Resolution No.20-049: A Resolution Appealing the Decision of Approval by the Planning and Zoning Commission on July 23, 2019 for a Proposed Master Plan for a Subdivision Known as University Meadows for a Property Encompassing 36.145± Acres, Zoned R-1C (Single-Family Low Density) and R-1A (Single-Family Medium Density), and Located West of Stern Drive, North and East of the City of Las Cruces City Limits, and Generally South of Karen Drive and Ringneck Drive. Submitted by the Law Office of Kyle H. Moberly, P.C. (19CS0500047).

IX. BOARD APPOINTMENTS

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

- (11) Council Bill No. 20-005; Ordinance No. 2897: An Ordinance Approving a Zone Change from C-2 (Commercial Medium Intensity) to C-3 (Commercial High Intensity) for Two Parcels Encompassing 1.14± Acres Located at 4380 and 4400 E. Lohman Avenue Submitted by Pillar Engineering LLC, Representative (19ZO0500079).
- (12) Council Bill No. 20-006; Ordinance No. 2898: An Ordinance Amending the Las Cruces Municipal Code by Adding a New Chapter 29, Section 29-7, ET Seq. Entitled “Wrecker Rotation Program Ordinance”.

XI. CITY COUNCIL MEMBER BOARD REPORTS AND COMMENT

XII. CITY MANAGER REPORT