

SPECIAL CITY COUNCIL MEETING AGENDA

Friday, May 22, 2020 at 9:30 AM

Mayor
Ken Miyagishima

Mayor Pro-Tem
Kassandra Gandara

Councilors
Tessa Abeyta-Stuve
Gabriel Vasquez
Johana Bencomo
Gill Sorg
Yvonne Flores



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

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

**Individuals may view meetings live at
lascruces.civicweb.net**

The health, safety and well-being of our residents and businesses are a top priority for City Council and the leadership in Las Cruces. As such, and consistent with and in support of the direction from Gov. Michelle Lujan Grisham and the New Department of Health public health order the Special Council Meeting will be held via video conference. In an effort to seek public input we ask that if you have comments/concerns/questions please e-mail your Councilor as follows:

District 1 – kgandara@las-cruces.org
District 2 – tstuve@las-cruces.org
District 3 – gvasquez@las-cruces.org
District 4 – ibencomo@las-cruces.org
District 5 – gsorg@las-cruces.org
District 6 – yflores@las-cruces.org
Mayor – mayor@las-cruces.org

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).

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1. **CONFLICT OF INTEREST INQUIRY BY MAYOR AS REQUIRED BY LCMC SECTION 2-27 (E)(2)**
2. **COVID DISCUSSION WITH MAYORS FROM SUNLAND PARK & ANTHONY**
3. **RESOLUTION(S) AND/OR ORDINANCE(S) FOR DISCUSSION**
 - 3.1. RESOLUTION NO. 20-161: A RESOLUTION TO ESTABLISH THE LAS CRUCES ECONOMIC RECOVERY AD HOC BOARD.
[Resolution No. 20-161 - Pdf](#)
4. **ADJOURNMENT**

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20-161

Type of Action:☒ Resolution☐ Ordinance☐ TIDD Resolution**Council Action and Executive Summary**

District:	☒ 1	☒ 2	☒ 3	☒ 4	☒ 5	☒ 6
1st Reading:				Adopted:	May 22, 2020	
Drafter:	Francisco Pallares			Department:	Economic Development	
Program:	ADMINISTRATION			Line of Business:	OFFICE OF THE DIRECTOR	
Title:	A RESOLUTION TO ESTABLISH THE LAS CRUCES ECONOMIC RECOVERY AD HOC BOARD.					

TYPE OF ACTION: ☒ Administrative ☐ Legislative ☐ Quasi-Judicial**PURPOSE(S) OF ACTION:**

Establish the Las Cruces Economic Recovery Ad Hoc Board.

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The spread of COVID-19 in the City of Las Cruces and the State of New Mexico poses a threat to the health, safety, wellbeing and property of the residents in the City due to, among other things, illness from COVID-19, illness-related absenteeism from employment (particularly among public safety and law enforcement personnel and persons engaged in activities and businesses critical to the economy and infrastructure of the City and the State), potential displacement of persons, and closures of schools or other places of public gathering.

On March 23, 2020, the New Mexico Department of Health instituted a Public Health Emergency Order closing all businesses and non-profit entities except for those deemed essential and providing additional restrictions on mass gatherings due to COVID-19.

On May 13, 2020, Governor Michelle Lujan Grisham announced that we should expect the Emergency Public Health Order will be extended to May 31, 2020.

The Governor identified a phased reopening strategy for the economy with a timeline and performance triggers based on the Gating Criteria proposed by the Center for Disease Control (CDC) and these proposed phases consider up-to-date data and readiness, in order to mitigate risk of resurgence, protect the most vulnerable, and it is implementable on a statewide basis at the Governors' discretion. The Las Cruces City Council support this phased approach as the safest and most effective way to restart the economy in Las Cruces.

The Governor announced the creation of the New Mexico Economic Recovery Council (NMERC) formed by fifteen (15) members representing New Mexico's business community, with the purpose of advising the Governor on strategies for gradually reopening New Mexico businesses in a smart, safe and effective manner that fits the needs of New Mexico specifically.

While the composition of the NMERC has been well thought out, there seems to be minimal representation from southern New Mexico and the representatives do not include nonbusiness entities, such as nonprofit organizations. The best practice for creating public policy is to have a transparent discussion with City staff, elected officials, community members, experts, and others to provide fact-finding inquiry or recommendations for the challenges facing the community. The Mayor and City Council support having a Las Cruces Economic

Agenda Item #3.1.

Recovery Board (LCERB) with the purpose of advising the Mayor and City Council on strategies for gradually reopening Las Cruces economy.

The Mayor and City Council indicate that LCERB shall be comprised of thirteen members, including: one member of United Food and Commercial Workers Union; one member from a local nonprofit organization; one member from the healthcare sector (nurse); one member of Workforce Solutions; one member from mental/behavioral health sector; seven business owners, with one each selected by a Councilor as a member from their district; and one member from the Business Recovery Committee convened by the Las Cruces Greater Chambers of Commerce.

This Board shall be an Ad Hoc Board governed by Chapter 2, Article IV, Division 6, Section 2-1071 et seq. authorizing the establishment of ad hoc boards by resolution of the City Council.

The purpose of the Las Cruces Economic Recovery Board (LCERB) is to make specific recommendations to the Mayor and City Council on strategies for gradually reopening Las Cruces economy affected by the COVID-19 pandemic in a smart, safe and effective manner that fits the needs of Las Cruces in alignment with the direction of NMERC and shall be dissolved upon full reopening of the economy in Las Cruces, New Mexico.

The LCERB is an advisory group and is not authorized to act or make any decision on behalf of the City Council.

COMMITTEE/BOARD REVIEW:

Economic Development

ANNUAL BUDGET APPROVAL:

- ☐ Yes
- ☐ No
- ☒ N/A

Does this action amend the Capital Improvement Plan (CIP)?

- ☐ Yes
- ☐ No
- ☒ N/A

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the Resolution and establish the Las Cruces Economic Recovery Ad Hoc Board
2. Vote "No"; this will not approve the Resolution nor establish the Las Cruces Economic Recovery Ad Hoc Board.
3. Vote to "Amend"; this will amend the Resolution based on Council discretion and direction from Council to staff as to how to proceed.
4. Vote to "Table"; this will delay the adoption of the Resolution and will require direction from Council to staff as to how to proceed.

RESOLUTION 20-161

A RESOLUTION TO ESTABLISH THE LAS CRUCES ECONOMIC RECOVERY AD HOC BOARD.

The City Council is informed that:

WHEREAS, the spread of COVID-19 in the City of Las Cruces and the State of New Mexico poses a threat to the health, safety, wellbeing and property of the residents in the City due to, among other things, illness from COVID-19, illness-related absenteeism from employment (particularly among public safety and law enforcement personnel and persons engaged in activities and businesses critical to the economy and infrastructure of the City and the State), potential displacement of persons, and closures of schools or other places of public gathering; and

WHEREAS, on March 23, 2020, the New Mexico Department of Health instituted a Public Health Emergency Order closing all businesses and non-profit entities except for those deemed essential and providing additional restrictions on mass gatherings due to COVID-19; and

WHEREAS, on May 13, 2020, Governor Michelle Lujan Grisham announced that we should expect the Emergency Public Health Order will be extended to May 31, 2020; and

WHEREAS, the Governor identified a phased reopening strategy for the economy with a timeline and performance triggers based on the Gating Criteria proposed by the Center for Disease Control (CDC); and

WHEREAS, this proposed phasing approach considers up-to-date data and readiness, in order to mitigate risk of resurgence, protect the most vulnerable, and it is implementable on a statewide basis at the Governors' discretion; and

WHEREAS, the Las Cruces City Council supports this phased approach as the safest and most effective way to restart the economy in Las Cruces; and

WHEREAS, the Governor announced the creation of the New Mexico Economic Recovery Council (NMERC) formed by fifteen (15) members representing New Mexico's business community, with the purpose of advising the Governor on strategies for gradually reopening New Mexico businesses in a smart, safe and effective manner that fits the needs of New Mexico specifically; and

WHEREAS, while the composition of the NMERC has been well thought out, there seems to be minimal representation from southern New Mexico and the representatives do not include nonbusiness entities, such as nonprofit organizations; and

WHEREAS, the best practice for creating public policy is to have a transparent discussion with City staff, elected officials, community members, experts, and others to provide fact-finding inquiry or recommendations for the challenges facing the community; and

WHEREAS, the Mayor and City Council support having a Las Cruces Economic Recovery Board (LCERB), with the purpose of advising the Mayor and City Council on strategies for gradually reopening Las Cruces economy; and

WHEREAS, the Mayor and City Council indicate that LCERB shall be comprised of thirteen members, including: one member of United Food and Commercial Workers Union; one member from a local nonprofit organization; one member from the healthcare sector (nurse); one member of Workforce Solutions; one member from mental/behavioral health sector; seven business owners, with one each selected by a Councilor member from their district; and one member from the Business Recovery Committee convened by the Las Cruces Greater Chambers of Commerce; and

Agenda Item #3.1.

WHEREAS, this Board shall be an Ad Hoc Board governed by Chapter 2, Article IV, Division 6, Section 2-1071 et seq. authorizing the establishment of ad hoc boards by resolution of the City Council; and

WHEREAS, the purpose of the Las Cruces Economic Recovery Board (LCERB) is to make specific recommendations to the Mayor and City Council on strategies for gradually reopening Las Cruces economy affected by the COVID-19 pandemic in a smart, safe and effective manner that fits the needs of Las Cruces in alignment with the direction of NMERC and shall be dissolved upon full reopening of the economy in Las Cruces, New Mexico; and

WHEREAS, the LCERB is an advisory group and is not authorized to act or make any decision on behalf of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Las Cruces:

(I)

THAT Las Cruces Economic Recovery Ad Hoc Board is hereby established in accordance with the Las Cruces Municipal Code, 1997, as amended and comprised of thirteen members, including: one member of United Food and Commercial Workers Union; one member from a local nonprofit organization; one member from the healthcare sector (nurse); one member of Workforce Solutions; one member from mental/behavioral health sector; seven business owners, with one each selected by a Councilor as a member from their district; and one member from the Business Recovery Committee convened by the Las Cruces Greater Chambers of Commerce.

(II)

THAT the purpose of the Las Cruces Economic Recovery Board (LCERB) is to make specific recommendations to the Mayor and City Council on strategies for gradually reopening Las Cruces' economy affected by the COVID-19 pandemic in a smart, safe and effective manner that fits the needs of Las Cruces in alignment with the direction of NMERC and shall be dissolved upon full reopening of the economy in Las Cruces, New Mexico.

(III)

THAT the members of the LCERB are not required to be residents of the City of Las Cruces as required by Section 2-1071 of the Las Cruces Municipal Code, 1997, as amended, specific to ad hoc boards and as exempted herein.

(IV)

THAT City staff is hereby authorized to do all deeds as necessary in the accomplishment of the herein above.

DONE AND APPROVED this day of

APPROVED

Mayor

ATTEST:

City Clerk

Moved by:

Seconded by:

AYES

NAYS