Council Action and Executive Summary

Item # 8  Ordinance/Resolution# 18-116

For Meeting of ____________________________  For Meeting of March 19, 2018
(Ordinance First Reading Date)  (Adoption Date)

Please check box that applies to this item:
☐ QUASI JUDICIAL  ☑ LEGISLATIVE  ☑ ADMINISTRATIVE

TITLE: A RESOLUTION TO BETTER ENSURE THE SAFETY OF STUDENTS IN LAS CRUCES SCHOOLS.

PURPOSE(S) OF ACTION:

Support safety of students in Las Cruces schools.

COUNCIL DISTRICT: All

<table>
<thead>
<tr>
<th>Drafter/Staff Contact:</th>
<th>Department/Section:</th>
<th>Phone:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elizabeth Teeters</td>
<td>Administration/City Manager’s Office</td>
<td>541-2181</td>
</tr>
</tbody>
</table>

City Manager Signature:

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The Las Cruces City Council carries the duty and authority to act in the best interest of the health, welfare, and safety of the residents they represent. Recently deadly attacks at schools and in other public places in our nation have brought to them numerous calls to better ensure the community’s safety, particularly that of the young people. Article II, Section 6 of the New Mexico State Constitution prohibits municipalities from making any laws regarding the possession of any firearms within their city’s jurisdiction, except as to prohibiting their discharge.

Recent threats made against the lives of students in Las Cruces schools have resulted in school lockdowns, police searches of schools, early releases of students, students fearing for their lives at school, and students staying home from school. The education of young people is a critical element in the successes they can hope to achieve in their lives, but too easy access to semi-automatic weapons, primarily designed to replicate weapons of war, is a strongly contributing factor to students staying out of school and being in fear for their lives when at school.

The proposed Resolution, if approved, would request that the New Mexico Legislature and Governor act to better secure the safety and education of young people by restricting the sale and possession of semi-automatic weapons and any devices intended to convert another weapon into or simulate an automatic or semi-automatic weapon in New Mexico.
SUPPORT INFORMATION:

1. Resolution.

SOURCE OF FUNDING:

<table>
<thead>
<tr>
<th>Is this action already budgeted?</th>
<th>Yes</th>
<th>See fund summary below</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>No</td>
<td>If No, then check one below:</td>
</tr>
<tr>
<td>Budget Adjustment Attached</td>
<td></td>
<td>Expense reallocated from:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Proposed funding is from a new revenue source (i.e. grant; see details below)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Proposed funding is from fund balance in the (# and Fund Name) Fund.</td>
</tr>
</tbody>
</table>

| Does this action create any revenue? | Yes  | Funds will be deposited into this fund: (Fund #) in the amount of $_______ for FY____. |
|                                     | N/A  | There is no new revenue generated by this action. |

BUDGET NARRATIVE

N/A

FUND EXPENDITURE SUMMARY:

<table>
<thead>
<tr>
<th>Fund Name(s)</th>
<th>Account Number(s)</th>
<th>Expenditure Proposed</th>
<th>Available Budgeted Funds in Current FY</th>
<th>Remaining Funds</th>
<th>Purpose for Remaining Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will adopt the Resolution to support the safety of students in Las Cruces schools.
2. Vote "No"; this will not adopt the Resolution to support the safety of students in Las Cruces schools.
3. Vote to "Amend"; this could amend the Resolution to support the safety of students in Las Cruces schools.
4. Vote to "Table"; this could delay the adoption of the Resolution to support the safety of students in Las Cruces schools.

(Continue on additional sheets as required)

Rev. 02/2012
REFERENCE INFORMATION:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

N/A
COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of ___________________________  For Meeting of March 19, 2018
(Ordinance First Reading Date) (Adoption Date)

TITLE: A RESOLUTION TO BETTER ENSURE THE SAFETY OF STUDENTS IN LAS CRUCES SCHOOLS.

Purchasing Manager's Request to Contract (PMRC) {Required?}  Yes  No  

<table>
<thead>
<tr>
<th>DEPARTMENT</th>
<th>SIGNATURE</th>
<th>PHONE NO.</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elizabeth Teeters</td>
<td></td>
<td>541-2181</td>
<td>3/14/18</td>
</tr>
<tr>
<td>Policy Analyst/Administration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department Director</td>
<td></td>
<td>2642</td>
<td>3/14/18</td>
</tr>
<tr>
<td>Budget</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assistant City Manager /William F. Studer, Jr.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assistant City Manager/David P. Dollahon</td>
<td></td>
<td>X-2078</td>
<td>3/14/18</td>
</tr>
<tr>
<td>City Attorney</td>
<td></td>
<td>3010</td>
<td>3/14/18</td>
</tr>
<tr>
<td>City Clerk</td>
<td></td>
<td>3115</td>
<td>3/14/18</td>
</tr>
</tbody>
</table>

Rev. 5/2017
RESOLUTION NO. 18-116

A RESOLUTION TO BETTER ENSURE THE SAFETY OF THE STUDENTS IN LAS CRUCES SCHOOLS.

The City Council is informed that:

WHEREAS, we, as the elected representatives of the residents of Las Cruces, do carry the duty and authority to act in the best interests of the health, welfare, and safety of those residents we represent; and

WHEREAS, recent deadly attacks at schools and in other public places in our nation have brought to us numerous calls to better ensure our community’s safety, particularly that of our young people; and

WHEREAS, Article II, Section 6 of our New Mexico State Constitution prohibits municipalities from making any laws regarding the possession of any firearms within our jurisdictions, except as to prohibiting their discharge; and

WHEREAS, recent threats made against the lives of students in Las Cruces schools have resulted in school lockdowns, police searches of schools, early releases of students, students fearing for their lives at school, and students staying home from school; and

WHEREAS, the education of our young people is a critical element in the successes they can hope to achieve in their lives, but too easy access to semi-automatic weapons, primarily designed to replicate weapons of war, is a strongly contributing factor to students staying out of school and being in fear for their lives when at school.

NOW, THEREFORE, We, the members of the governing body of the City of Las Cruces, do hereby request that our New Mexico Legislature and our Governor act to better secure the safety and education of our young people by restricting the sale and
possession of semi-automatic weapons and any devices intended to convert another
weapon into or simulate an automatic or semi-automatic weapon in New Mexico, and in
order to convey that message, be it Resolved by the Governing Body of the City of Las
Cruces:

(I)

THAT the City Manager send a letter and an email to each member of our state
legislative delegation with this request and a copy of this resolution as ultimately approved
by the City Council of Las Cruces.

(II)

THAT the City Manager ensure that this request is included in our legislative
requests for the 2019 Legislative Session.

(III)

THAT the City Manager direct staff to do all that is necessary to ensure this is
accurately conveyed to our state legislators with adequate time to submit and consider
appropriate legislation.

(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 ________________, 20__.

APPROVED:

Mayor
ATTEST:

City Clerk

(SEAL)

Moved by: __________________________

Seconded by: ________________________

APPROVED AS TO FORM:

City Attorney

VOTE:

Mayor Miyagishima: ______

Councillor Gandara: ______

Councillor Smith: ______

Councillor Vasquez: ______

Councillor Eakman: ______

Councillor Sorg: ______

Councillor Flores: ______