



**BOARD OF TRUSTEES  
TOWN OF MESILLA  
MEETING  
TUESDAY, MAY 26, 2015  
6:00 P.M.**

**TRUSTEES:** Nora L. Barraza, Mayor  
Linda L. Flores, Mayor Pro Tem  
Carlos Arzabal, Trustee  
Sam Bernal, Trustee  
Stephanie Johnson-Burick, Trustee

**STAFF:** Cynthia Stoechner-Hernandez, Town Clerk/Treasurer  
Kevin Hoban, Fire Chief  
Debbie Lujan, Public Works Director  
Chris Mangusing, Marshal  
Irene Parra, Special Events Coordinator  
Gloria Maya, Recorder

**PUBLIC:** Alicia G. Diaz  
Adolf Zubia  
Tamra McLeod  
Russell Hernandez  
Mary F. Lucero  
CW Buddy Ritter  
Beverly Zubia  
Yolanda Lucero  
Chris Schaljo

**1. PLEDGE OF ALLEGIANCE**

Mayor Barraza led the Pledge of Allegiance.

**2. ROLL CALL & DETERMINATION OF A QUORUM**

**Roll Call.**

**Present:** Mayor Barraza, Mayor Pro Tem Flores, Trustee Bernal, Trustee Arzabal, Trustee Johnson-Burick.

**3. PRESENTATION:**

**a.** Presentation regarding Capital Outlay. – **State Representative Bill McCamley.**

Rep. Bill McCamley gave a presentation on Capital Outlay.

Mayor Barraza stated they were disappointed with the Capital Outlay outcome. The Town of Mesilla wrote a letter asking for a Special Session which did not happen. She stated the town will do anything to

1 help. She hates the games being played because communities rely on Capital Outlay to take care of the  
2 community needs. She hopes everyone learns to work together and do what is right for the communities

3  
4 Rep. McCamley stated there was a mix up in paperwork with Mesilla's request. He asked that the town  
5 submit those at the beginning of the session.

6  
7 Mayor Barraza thanked Rep. McCamley for his support and is looking forward to November for the bond  
8 sale.

9  
10 **4. PUBLIC INPUT** – The public is invited to address the Board for up to 3 minutes.

11 Mr. Jesus Caro stated residents are being told that a second fire station will not cost anything as grant  
12 money will be used. The Town of Mesilla does not have the land or the building for a second fire station.  
13 Mesilla does not want any more taxes. Once it is built the town will have to take care of the building;  
14 maintenance, utilities. We see the handwriting on the wall. He is asking the trustees to relook at the  
15 request of a second fire department. We have a lot other priorities.

16  
17 Mrs. Alicia Diaz stated they have had a lot of problems with the parking on Calle de San Albino. The  
18 way it is it is perfect for the residents. There are a lot of safety issues with parking being allowed on both  
19 sides. She has seen where people need to walk in the road when vehicles were parked on both sides. She  
20 does not understand when they say the businesses are losing money with parking only being allowed on  
21 one side when it is not the patrons parking on San Albino but the employees that are doing from the  
22 restaurants.

23  
24 **5. CHANGES/APPROVAL OF THE AGENDA**

25 Trustee Arzabal asked for under New Business #6 items C, D, E and F to be placed on the consent  
26 agenda. He asked if there is a presentation for item 6A since it is not stated as a presentation on the  
27 agenda. The trustees did not receive a copy of presentation and do not have anything to go with. He has  
28 a hard time making a decision on that.

29  
30 Mayor Barraza responded we put on the agenda what was told to us by the attorneys. Ms. Stoechner-  
31 Hernandez received a call requesting equipment for a power point presentation. We were not aware of a  
32 presentation until 3:00 p.m.

33  
34 Trustee Arzabal stated he does not know how fair it to ask the board to vote on something after they have  
35 not had a chance to review the presentation.

36  
37 Mayor Barraza asked for a recommendation from the attorney.

38  
39 *Mr. Cervantes stated he did not participate in the mediation. He read the released signed on May 4,*  
40 *2015. The agreement was to place the proposal on the agenda which the town did and is in*  
41 *compliance. The presentation is in accordance with the Open Meeting Act. Mayor Barraza has*  
42 *solicited advice and the agenda does advise the public so the town is in compliance if it allows the*  
43 *presentation. He believes the court would say the agenda notice is adequate.*  
44

1  
2 Mayor Barraza stated the agenda does state for approval. It is not the practice of the Town of Mesilla or  
3 the board to be involved in the public safety aspect. Those issues are referred to our Fire and Marshal  
4 Department as well as Public Works to decide what is in the best interest of public safety. The board has  
5 not been involved in those decisions before. She asked should the presentation be allowed when the  
6 board does not have to act on it.

7  
8 Mr. Cervantes respond the document says the item will be placed on the agenda – not that the town has to  
9 act it.

10  
11 Mayor Barraza stated the town has not received a copy of the document and asked if the document he has  
12 is a signed document.

13  
14 Mr. Cervantes responded he has a signed document.

15  
16 Ms. Autrey stated the understanding which was agreed upon by both parties was that this would be placed  
17 on the agenda. There was no agreement as far as a decision being rendered. From her perspective and the  
18 terms of the settlement agreement aside from allowing the presentation she does not believe any further  
19 action is required by the board. It is the board's prerogative on what they choose to do.

20  
21 Mayor Barraza asked the board if they understand that they do not need to take action.

22  
23 Trustee Arzabal asked Mayor Barraza if she is going to allow for the party to make a presentation.

24  
25 Mayor Barraza responded she will allow the presentation but no action will be taken.

26  
27  
28 **Motion:** To approve the agenda as amended, **Moved by** Trustee Arzabal, **Seconded by** Trustee Johnson-  
29 Burick.

30 **Roll Call Vote: Motion passed (summary: Yes = 4).**

31 Mayor Pro Tem Flores Yes

32 Trustee Arzabal Yes

33 Trustee Bernal Yes

34 Trustee Johnson-Burick Yes

35  
36 **6. \*APPROVAL OF CONSENT AGENDA – The Board will be asked to approve by one**  
37 **motion the following items of recurring or routine business. The Consent Agenda is marked**  
38 **with an asterisk \*:**

- 39 • **\*BOT MINUTES** – Work session of Wednesday, April 29, 2015. *Approved by consent*  
40 *agenda*  
41 • **\*BOT MINUTES** – Regular Meeting of Monday, May 11, 2015. *Approved by consent*  
42 *agenda*  
43

1 **Motion:** To approve the consent agenda as amended, **Moved by** Trustee Bernal, **Seconded by** Trustee  
2 Arzabal.

3 **Roll Call Vote: Motion passed (summary: Yes = 4).**

4 Mayor Pro Tem Flores Yes

5 Trustee Arzabal Yes

6 Trustee Bernal Yes

7 Trustee Johnson-Burick Yes

8

9 **6. NEW BUSINESS:**

10 **a.** For approval: a proposal by Buddy Ritter regarding changes to the parking designations on  
11 Calle de San Albino. – **Mr. C.W. Buddy Ritter.**

12

13 Mr. Ritter stated they are here under the orders of United States District Court Federal Judge Wormuth  
14 who represents the New Mexico District. In the settlement agreement the Town of Mesilla agreed to  
15 place on the town meeting agenda our proposal to change the No Parking/Fire Zone designation on the  
16 west side of Calle de San Albino between Calle de Santiago and Calle de Correo. The Double Eagle and  
17 La Posta Restaurants propose to present sufficient information for the board to consider their proposal.  
18 Judge Wormuth has ordered the documents will be completed and provided to the federal court no later  
19 than the 9<sup>th</sup> of June. Mr. Tom Hutchinson and he have retained Mr. Adolf Zubia a nationally respected  
20 authority in the fire service, as a consultant.

21

22 Mr. Zubia made a presentation on Mesilla Parking Issues.

23

24 Trustee Johnson-Burick stated she would like a copy of the presentation.

25

26 Mr. Hutchinson stated both restaurants are open 105 hours a week. When you consider deliveries they are  
27 the blood line of a business. Deliveries are made between 8:00 a.m. and 11:00 a.m. Deliveries take  
28 about 3 hours a week, 3% of operation time so he felt it was overkill to commit that entire area. The  
29 Town of Mesilla was built for horses and buggies not for vehicles. Several communities wrestle with  
30 these issues. The area of San Albino between Parian and Correro is pretty sleepy especially in the  
31 morning. The deliveries are done on Tuesdays and Fridays, staff begins to arrive at 8:00 a.m. The real  
32 safety issue he sees after 20 years of being in Mesilla is the high curbs on the north side of Calle de  
33 Parian, traffic going the wrong way on the one ways. San Albino for whatever reason was built to be  
34 wider than most streets in Mesilla. We know how precious parking is in Mesilla. Anyone who stands  
35 here and questions the policy runs the danger of being labeled self-serving. A solution is being offered  
36 and supported by an expert in the field and by existing code. He encourages that the town adopts what  
37 Mr. Zubia is recommending. He read what Mr. Zubia is recommending.

1  
2 Mayor Pro Tem Flores asked if the trustees will be receiving the report or the presentation as she would  
3 like both. She would like for Fire Chief Hoban to response to the presentation.  
4

5 Mayor Barraza responded that the board will receive both the presentation and the report.  
6

7 Trustee Arzabal stated he is not sure why we would vote on this. The town government is policy and  
8 finance board.  
9

10 Trustee Johnson-Burick indicated she would like Fire Chief Hoban to answer to what was presented this  
11 evening.  
12

13 Trustee Bernal stated the board did not receive any documents to review. He is speaking for himself and  
14 the residents that voted for him which he supports. He is sorry his tone and thoughts may be different but  
15 this is our town; our residents. The residents are the ones that vote for us. Those are the ones we need to  
16 listen to and support.

17  
18 Mr. Hutchinson reminded Trustee Bernal that this was required to come to the board and that is why they  
19 are there. There is a formal appeals process that exist which is proper place to take it.  
20

21 Mr. Zubia stated the code requires that an appeal process be implemented which has not taken place.  
22 If there is no appeal process to come forth with concerns it will go to the Board of Trustees.  
23

24 Mayor Barraza stated the trustees have made it clear that they only want to hear the presentation which  
25 they have. She asked that any comments or concerns be submitted in writing.  
26

27 **b. Discussion of current drought conditions. – Chief Kevin Hoban.**

28 Fire Chief Hoban stated drought conditions are good for 2015. There are currently no fire restrictions in  
29 New Mexico. The fire and fire danger indicators are moderate to high. However, the forecast is to  
30 improve to low over the next couple of weeks. We are on top of this. Las Cruces is also recommending  
31 no restrictions be made for this season.  
32

33 Trustee Bernal stated it is looking good for July 4<sup>th</sup> this year.  
34  
35

- 1 c. For approval: award of a construction contract to Burn Construction Company, Inc. for Calle  
2 Principal Phase I & II. – **Debbie Lujan, Public Works Director** *Approved by consent*  
3 *agenda*  
4
- 5 d. For approval: the hiring of 2015 Summer Recreation Program Staff. – **Irene Parra, Special**  
6 **Events Coordinator.** *Approved by consent agenda*  
7
- 8 e. For approval: reappointment of Roman Prieto to the Planning, Zoning and Historical  
9 Appropriateness Commission for a two year term. –**Nora L. Barraza, Mayor.** *Approved by*  
10 *consent agenda.*  
11
- 12 f. Resolution 2015-07: a resolution authorizing the destruction of Fire and Marshal Files  
13 Pursuant to §32A-2-32 NMSA 1978. – **Cynthia Stoechner-Hernandez, Clerk-Treasurer.**  
14 *Approved by consent agenda*

## 15 16 17 **7. BOARD OF TRUSTEE COMMITTEE REPORTS**

18 No Board of Trustee Committee Reports  
19

## 20 **8. BOARD OF TRUSTEE COMMENTS**

21 Trustee Johnson-Burick stated she agrees with the trustees that they are here to serve the people of  
22 Mesilla which is also her #1 priority. She feels we also need to do what we can to use proper procedures  
23 for issues like this. The business community is a big part of our Gross Receipt Tax that helps support the  
24 Town of Mesilla. She would like to see us balance all of that in the future.  
25

26 Trustee Bernal stated parking is an ongoing thing in Mesilla and it is hard. We see and appreciate the  
27 Planning and Zoning Committee and what they go through. The board is supporting the Planning and  
28 Zoning and its constituents. We love this town; we are special because we try to do the right thing. We  
29 are on the right track and doing the right thing. We cannot survive with our out merchants but this is  
30 about the safety of the residents and tourist. If someone gets hurts it will be the board that will have to  
31 answer for that.  
32

33 Trustee Arzabal stated the trustees need to receive information for review prior to meeting. He hopes we  
34 do not go through this again. Town representatives need to look at what we are agreeing to. Parking is  
35 and will always be an issue in the Town of Mesilla. He understands there was a compromise/balance  
36 since the recommendation was to not allow parking on both sides. The town agreed to only restrict  
37 parking on the west side of Calle de San Albino.  
38

1 Mayor Pro Tem Flores stated she has a lot of faith in Fire Chief Hoban. She believes this was brought to  
2 the board prior. There will be a public meeting in June for the Corridor Committee. We received a grant  
3 for planning and are asking the public what they would like to see which would be helpful for Economic  
4 Development. She invites the public as it will benefit the business and communities.

5  
6 Mayor Barraza stated Calle de San Albino issue was discussed at a few board meetings. Residents  
7 complained that delivery trucks were parking in the middle of the road and they were unable to get out of  
8 their driveways or go down the street until the delivery trucks move; traffic was at a standstill. We have  
9 tried to work with the business by setting specific times and place but after a couple of months it goes  
10 back to what it was. There have been times when emergency vehicles could not get in. When she asked  
11 what could be done to rectify the problem. They proposed no parking on both sides of the road, she asked  
12 for a compromise. It made sense that the loading area zone designated would be behind the businesses.  
13 Public Safety is the #1; people walk in the road because people park on the sidewalks and up to the fence.  
14 We are not going to sit here and wait for an accident to happen to take action. We did meet with Mr.  
15 Hutchinson, Mr. Ritter and Mr. Harrell to discuss the parking situation; they were not happy. We feel this  
16 situation has worked out well for the residents in that area. We need to listen to the residents that live in  
17 that area. When we go to mediation; the insurance company is the one that makes the decision and settle;  
18 not the Town of Mesilla trustees. The appropriate steps were taken and also this agreement was signed by  
19 Mr. Ritter.

20  
21 Ms. Autrey responded many times these non-monetary settlement agreements are actually in the best  
22 interest of the town. You save dollars that could have been part of the settlement versus giving Mr. Ritter  
23 a platform to vent his frustration. She understands the board does not want to be told what to do which  
24 was not our intention. That was the suggestion from the federal judge. It was to help the town to come  
25 up with creative ways to appease all parties without spending more money.

26  
27 Mayor Barraza reiterated the town is unique; road width is nothing we have control of. The Town of  
28 Mesilla was established before there were vehicles. Previous administration did their best have done their  
29 best. In early years the roads were dirt and no sidewalks. We have fulfilled our obligation with the court.  
30 Ms. Stoechner-Hernandez will provide the board with a copy of the agreement, report and presentation.  
31 She understands there is no action that needs to take place; it was a presentation. She does not see it  
32 coming to the board for action. It is awesome to see the plaza on a Sunday. She had to call the Marshall  
33 due to the traffic congestion. Mr. Zubia indicated that the streets around the plaza were not in  
34 compliance, maybe we need to eliminate all parking on the plaza. Ms. Parra's hard work promoting the  
35 Town of Mesilla is paying off. Both the vendors and merchants are very pleased with the attendance.

1           **9. ADJOURNMENT**

2

3   **Motion:** To adjourn, **Moved by** Trustee Arzabal, **Seconded by** Trustee Bernal.

4

5   **Roll Call Vote: Motion passed (summary: Yes = 4).**

6   Mayor Pro Tem Flores   Yes

7   Trustee Arzabal   Yes

8   Trustee Bernal   Yes

9   Trustee Johnson-Burick   Yes

10

11   **MEETING ADJOURNED AT 7:29 P.M.**

12

13   **APPROVED THIS 8<sup>TH</sup> DAY OF JUNE, 2015.**

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Draft

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Nora L. Barraza  
Mayor

**ATTEST:**

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Cynthia Stoechner-Hernandez  
Town Clerk/Treasurer