



THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILL HOLD A REGULAR BOARD MEETING ON MONDAY, JUNE 25, 2018 AT 6:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWNHALL.

- 1. PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL & DETERMINATION OF A QUORUM**
- 3. PUBLIC INPUT** – The public is invited to address the Board for up to 3 minutes.
- 4. CHANGES TO THE AGENDA & APPROVAL**
- 5. *APPROVAL OF CONSENT AGENDA** – The Board will be asked to approve by one motion the following items of recurring or routine business. The Consent Agenda is marked with an asterisk *:
 - A. *BOT Minutes** – Regular meeting & Work session of June 5, 2018.
 - B. *BOT Minutes** – Regular meeting of June 11, 2018.
 - C. *PZHAC Case 060737 w/CONDITION** – 1986 Calle de Cura, submitted by Dianne Moore; a request for a building permit to add a gate across a driveway, and replace an existing four-foot-high white picket fence with a six-foot-high white picket fence around a property at this address. Zoned: Historic Residential (HR).
- 6. NEW BUSINESS:**
 - A. For Approval: Ordinance 2018-01** – amending Chapter 13.15.050 Other Charges Established (Impact Fees). – **Debbie Lujan, Public Works Director.**
 - B. For approval:** renewal of Agreement MES2017-01 – A contract allowing the Town of Mesilla Fire Department to use the technical services of Physio Control, Inc. for its cardiac monitors and Automatic Electronic Defibrillator.
- 7. BOARD OF TRUSTEE COMMITTEE REPORTS**
- 8. BOARD OF TRUSTEE/STAFF COMMENTS**
- 9. ADJOURNMENT**

NOTICE

If you need an accommodation for a disability to enable you to fully participate in the hearing or meeting, please contact us at 524-3262 at least 48 hours prior to the meeting. The Mayor and Trustees request that all cell phones be turned off or set to vibrate. Members of the audience are requested to step outside the Board Room to respond to or to conduct a phone conversation. A copy of the agenda packet can be found online at www.mesillanm.gov. You may request to be added to the Mesilla Agenda E-Mailing list by calling or e-mailing Cynthia Stoechner-Hernandez, Clerk/Treasurer, at 524-3262 or cynthias-h@mesillanm.gov.

Posted 6/20/18 at the following locations: Town Clerk's Office 2231 Avenida de Mesilla, Public Safety Building 2670 Calle de Parian, Mesilla Community Center 2251 Calle de Santiago, Shorty's Food Mart 2290 Avenida de Mesilla, Ristramnn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.



**BOARD OF TRUSTEES
TOWN OF MESILLA
WORK SESSION
TUESDAY, JUNE 5, 2018
5:30 P.M.**

TRUSTEES: Nora L. Barraza, Mayor
Jesus Caro, Mayor Pro Tem
Carlos Arzabal, Trustee
Veronica S. Garcia, Trustee
Stephanie Johnson-Burick, Trustee

STAFF: Cynthia Stoehner-Hernandez, Town Clerk/Treasurer, Recorder
Kevin Hoban, Fire Chief
Debbie Lujan, Public Works Director

- 1. Review of proposed Ordinance 2018-01:** An ordinance revising Mesilla Town Code Chapter 13.15.050 other charges established (Impact Fees/Development Fees).

Mayor Barraza opened the work session at 5:30 p.m.

Ms. Lujan gave a brief overview of the updated rates to the Board of Trustees. The City of Las Cruces charges the Town these fees and they are increasing them as of July 1st. We are updating our ordinance to reflect those changes.

1 **BOARD OF TRUSTEES**
2 **TOWN OF MESILLA**
3 **REGULAR MEETING**
4 **TUESDAY, JUNE 5, 2018**
5 **6:00 P.M.**
6

7 **TRUSTEES:** Nora L. Barraza, Mayor
8 Jesus Caro, Mayor Pro Tem
9 Carlos Arzabal, Trustee
10 Veronica S. Garcia, Trustee
11 Stephanie Johnson-Burick, Trustee
12

13 **STAFF:** Cynthia Stoehner-Hernandez, Town Clerk/Treasurer, Recorder
14 Kevin Hoban, Fire Chief
15 Enrique Salas, Lt., Marshal's Department
16 Debbie Lujan, Public Works Director
17 Irene Parra, Special Events Coordinator
18

19
20 **PUBLIC:** Russell Hernandez
21 Christopher Shaljo
22 Morgan Switzer
23 Susan Krueger
24

25 **1. PLEDGE OF ALLEGIANCE**

26 Mayor Barraza led the Pledge of Allegiance.
27

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

29 **Roll Call.**

30 **Present: Mayor Barraza, Mayor Pro Tem Caro, Trustee Arzabal, Trustee Garcia, Trustee**
31 **Johnson-Burick.**
32

33 **3. RECOGNITION**

34 **A. Recognition of High School Graduates of the Mesilla Explorers Program. – Kevin**
35 **Hoban, Fire Chief.**

36 Mr. Hoban and Mayor Barraza gave recognition to the High School Graduates of the Mesilla Explorers
37 Program. Mayor Barraza commended them on furthering their education.
38

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

40 Ms. Kathy Garcia wanted to thank the Mayor and the Police and Fire Departments for their help in recent
41 weeks. They will have surveyors on the property and will notify them of that.
42

43 **5. CHANGES TO THE AGENDA & APPROVAL**

44 **Motion: To approve agenda, Moved by Mayor Pro Tem Caro, Seconded by Trustee Arzabal.**
45

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

47 **Mayor Pro Tem Caro Yes**

48 **Trustee Arzabal Yes**

49 **Trustee Garcia Yes**

1 Trustee Johnson-Burick Yes

2

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

6 Motion: To approve consent agenda, moved by Trustee Arzabal, Seconded by Trustee Johnson Burick.

7

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

9 Mayor Pro Tem Caro Yes

10 Trustee Arzabal Yes

11 Trustee Garcia Yes

12 Trustee Johnson-Burick Yes

13 A. *BOT MINUTES – Regular Meeting & Work Session of May 14, 2018. *Approved by*
14 *consent agenda.*

15 B. *Approval to hire three (3) Supervisors for Mesilla’s 2018 Summer Recreation Program.
16 *Approved by consent agenda.*

17 C. * **Resolution 2018-07**: A resolution authorizing the Town to Participate in the Local
18 Government Road Fund Program and a Request for match waiver administered by the New
19 Mexico Department of Transportation. *Approved by consent agenda.*

20

21 2. OLD BUSINESS: (** A public hearing must be held prior to action on item A**)

22 A. PZHAC Case Z18-001 – 2331 Calle de Parian, submitted by Eric Sanchez; a request for a
23 Zone change from Historical Commercial (HC) to Historical Residential (HR) for a 0.2-acre
24 parcel containing a residence at this address. – **Larry Shannon, Community Development**
25 **Coordinator.**

26 Motion: To close regular meeting for public hearing on PZHAC case Z18-001, moved by Trustee
27 Arzabal, Seconded by Trustee Garcia.

28

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

30 Mayor Pro Tem Caro Yes

31 Trustee Arzabal Yes

32 Trustee Garcia Yes

33 Trustee Johnson-Burick Yes

34

35 Ms. Krueger stated her concerns with the case. She referred to Mr. Cervantes’ opinion on spot zoning
36 and section 18.90.070 of the Municipal Town Code.

37

38 There were no other comments from the public on this case.

39 Motion: To close public hearing and open regular meeting, moved by Trustee Arzabal, Seconded
40 by Trustee Johnson-Burick

41

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

43 Mayor Pro Tem Caro Yes

44 Trustee Arzabal Yes

45 Trustee Garcia Yes

1 **Motion: to approve PZHAC Case Z18-001, moved by Trustee Arzabal, seconded by Mayor Pro**
2 **Tem Caro.**

3
4 **Roll Call Vote: Motion passed (summary: Yes = 4).**
5 **Mayor Pro Tem Caro Yes**
6 **Trustee Arzabal Yes**
7 **Trustee Garcia Yes**

8
9 **3. NEW BUSINESS:**

10 **A. Update to the Board on Experience Mesilla program. – Russell Hernandez, Owner, Salud**
11 **de Mesilla.**

12 Russell Hernandez and Morgan Switzer gave an overview of the Experience Mesilla Program. It’s been
13 highlighted on three television stations and has been featured on local radio stations. Businesses have
14 updated offers as the program goes on throughout the year.

15
16 Ms. Parra also commented that she announced the launch of this program and had several regions come
17 up and ask her about this. Secretary Langham of the NM Tourism Department has requested glasses.
18 They were impressed that they got 20+ businesses to come together.

19 **B. Discussion on drought condition forecasts for the upcoming fireworks season. – Kevin**
20 **Hoban, Fire Chief.**

21 Chief Hoban put together a few handouts for the Board included in the packet. We don’t have any
22 indicators that we should look at doing fireworks restrictions or anything like that. We will just be
23 cautious and ask people to be responsible with their fires and fireworks.

24 **4. BOARD OF TRUSTEE COMMITTEE REPORTS**

25 **None.**

26 **5. BOARD OF TRUSTEE/STAFF COMMENTS**

27 Trustee Garcia stated that Trustee Johnson-Burick needed to take the MOLI course, it was an eye opener.
28 Very good class.

29
30 Trustee Johnson-Burick asked where we are at with the Little Lending Library.

31
32 Mayor Barraza responded that she had just spoken to Cynthia about it and that she needed to review the
33 materials.

34
35 Mayor Barraza stated that we would have a first reading of Ordinance 2018-01 at our Meeting on
36 Monday, June 11, 2018. Thank you to Trustee Garcia for saying that about MOLI.

37
38 **6. ADJOURNMENT**

39 **The Town of Mesilla Trustees unanimously agreed to adjourn the meeting. (Summary: Yes-4)**

40
41 **MEETING ADJOURNED AT 7:03 P.M.**

42

1 APPROVED THIS 25th DAY OF JUNE 2018.

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Nora L. Barraza
Mayor

8

9

10

11 ATTEST:

12

13

14

15 _____
Cynthia Stohner-Hernandez
16 Town Clerk/Treasurer

Draft



1
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7
8 **BOARD OF TRUSTEES**
9 **TOWN OF MESILLA**
10 **REGULAR MEETING**
11 **TUESDAY, JUNE 5, 2018**
12 **6:00 P.M.**
13

14 **TRUSTEES:** Nora L. Barraza, Mayor
15 Jesus Caro, Mayor Pro Tem
16 Carlos Arzabal, Trustee
17 Veronica S. Garcia, Trustee
18 Stephanie Johnson-Burick, Trustee
19

20 **STAFF:** Cynthia Stochner-Hernandez, Town Clerk/Treasurer, Recorder
21 Kevin Hoban, Fire Chief
22 K.C. Alberg, Marshal
23 Debbie Lujan, Public Works Director
24

25 **PUBLIC:** Dan Lere
26 Barbara Reasoner
27 Michael Mandel
28 Kathleen Albers
29 Susan Krueger
30 John Chavez
31 Morgan Smith
32

33 **1. PLEDGE OF ALLEGIANCE**

34 Mayor Pro Tem Caro led the Pledge of Allegiance at 6:10 p.m.
35

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

37 **Roll Call.**

38 **Present: Mayor Barraza, Mayor Pro Tem Caro, Trustee Arzabal, Trustee Garcia, Trustee**
39 **Johnson-Burick**
40

41 **1. PROCLAMATIONS:**

42 **A.** A proclamation dedicating June 22, 2018 as “Dale Gas! (Step on It!) Day in the
43 Town of Mesilla – **Nora L. Barraza, Mayor.**

44 Ms. Kathleen Albers read the proclamation and invited the Board to attend the event.
45

46 The Board thanked Ms. Albers and the Dona Ana Arts Council for holding this event and for

1 relocating to the Town of Mesilla this past year.

- 2
3 **2. CLOSED SESSION – pursuant to NMSA 1978 Chapter 10-15-1(H)(2):** discussion
4 limited to personnel matters in the Public Works Department – **Nora L. Barraza,**
5 **Mayor.**

6 **Motion: To enter Closed Session - pursuant to Chapter 10-15-1(H)(2): discussion limited to**
7 **personnel matters in the Public Works Department, Moved by Mayor Pro Tem Caro,**
8 **Seconded by Trustee Arzabal.**

9
10 **Roll Call Vote: Motion passed (summary: Yes = 4).**

11 **Mayor Pro Tem Caro Yes**

12 **Trustee Arzabal Yes**

13 **Trustee Garcia Yes**

14 **Trustee Johnson-Burick Yes**

15
16 Entered Closed Session at 6:20 p.m.

17
18 **Motion: To go back into regular meeting after Closed Session - pursuant to Chapter 10-15-**
19 **1(H)(2): discussion limited to personnel matters in the Public Works Department; no action**
20 **taken, Moved by Trustee Arzabal, Seconded by Trustee Garcia.**

21
22 **Roll Call Vote: Motion passed (summary: Yes = 4).**

23 **Mayor Pro Tem Caro Yes**

24 **Trustee Arzabal Yes**

25 **Trustee Garcia Yes**

26 **Trustee Johnson-Burick Yes**

27
28 Entered Regular Meeting at 6:35 p.m.

- 29
30 **3. PUBLIC INPUT –** The public is invited to address the Board for up to 3 minutes.
31 Ms. Krueger requested the board remove PZHAC Case 060734 to be sent back to the P&Z.

32
33 Mr. Jerry Garcia stated that he and his wife went to the Post Office and that the Fire Marshal
34 almost hit them in the Pumper.

- 35
36 **4. CHANGES TO THE AGENDA & APPROVAL**

37 **Motion: To approve agenda, Moved by Trustee Arzabal, Seconded by Trustee Garcia.**

38
39 **Roll Call Vote: Motion passed (summary: Yes = 4).**

40 **Mayor Pro Tem Caro Yes**

41 **Trustee Arzabal Yes**

42 **Trustee Garcia Yes**

43 **Trustee Johnson-Burick Yes**

- 44
45 **5. *APPROVAL OF CONSENT AGENDA –** The Board will be asked to approve by
46 **one motion the following items of recurring or routine business. The Consent**

1 **Agenda is marked with an asterisk *:**

2 **Motion: To approve the consent agenda, Moved by Trustee Johnson-Burick, Seconded by**
3 **Trustee Arzabal.**

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

6 **Mayor Pro Tem Caro Yes**

7 **Trustee Arzabal Yes**

8 **Trustee Garcia Yes**

9 **Trustee Johnson-Burick Yes**

10
11 **Motion: To remove PZHAC Case 060734 for discussion, Moved by Mayor Pro Tem Caro,**
12 **Seconded by Trustee Garcia.**

13
14 **Roll Call Vote: Motion passed (summary: Yes = 4).**

15 **Mayor Pro Tem Caro Yes**

16 **Trustee Arzabal Yes**

17 **Trustee Garcia Yes**

18 **Trustee Johnson-Burick Yes**

19
20 **B. *PZHAC Case 060734 w/conditions** – 1988 Calle del Norte, submitted by Rocky
21 Burke; a request for a building permit to install a six-foot-high wood fence and gate
22 across the front of two properties at and adjacent to this address. Zoned: Historical
23 Commercial (HC).

24 Mayor Pro Tem Caro stated that the fence doesn't meet the Yguado Plan. Most of the fences in
25 that area are on the side or toward the back.

26
27 Mayor Barraza asked Ms. Stoechner-Hernandez for clarification as to whether wood is an
28 approved material or not.

29
30 Ms. Stoechner-Hernandez responded yes, it is an approved material.

31
32 Trustee Johnson-Burick requested clarification from Mayor Pro Tem Caro on what he meant by
33 the Yguado Plan.

34
35 Trustee Arzabal stated if that material is allowed, it should be approved. It appears we are
36 pulling every case that comes from the P&Z off and questioning staff and doesn't know if that is
37 the right way of handling things.

38 Photos of the development zone were included in the board packet.

39
40 Trustee Garcia asked about the clear-sight-triangle.

41
42 Ms. Stoechner-Hernandez stated that the clear-sight-triangle was a condition placed on the case by
43 the P&Z.

44
45 **Motion: To approve PZHAC Case 060734, Moved by Trustee Johnson-Burick, Seconded**
46 **by Trustee Arzabal.**

1
2 **Roll Call Vote: Motion passed (summary: Yes = 3; No = 2).**

3 **Mayor Pro Tem Caro No**

4 **Trustee Arzabal Yes**

5 **Trustee Garcia No**

6 **Trustee Johnson-Burick Yes**

7 **Mayor Barraza Yes**

8
9 Mayor Barraza explained her vote was yes because there is a wood fence within the development
10 zone and wood is an allowed material for fences.

11
12 **C. *For approval:** termination of an employee in the Public Works Department.
13 *Approved by consent agenda.*

14
15 **6. NEW BUSINESS:**

16 **D.** For 1st Reading/Public Hearing: **Ordinance 2018-01** – amending Chapter
17 13.15.050 Other Charges Established (Impact Fees). – **Debbie Lujan, Public**
18 **Works Director.**

19 **Motion: To open public hearing for Ordinance 2018-01 and close regular meeting, Moved**
20 **by Trustee Arzabal, Seconded by Trustee Johnson-Burick.**

21
22 **Roll Call Vote: Motion passed (summary: Yes = 4).**

23 **Mayor Pro Tem Caro Yes**

24 **Trustee Arzabal Yes**

25 **Trustee Garcia Yes**

26 **Trustee Johnson-Burick Yes**

27
28 Ms. Lujan explained that fees are based on the City of Las Cruces impact fees. The
29 development charge goes straight to the City. We did go up on our Connection Fees; \$50 from
30 5/8” to 1 1/2” meter, then up \$100 from there.

31
32 No public commented on this item during the public hearing, so the hearing was closed.

33
34
35 **Motion: To close public hearing and open regular meeting back up, Moved by Trustee**
36 **Johnson-Burick, Seconded by Trustee Arzabal.**

37
38 **Roll Call Vote: Motion passed (summary: Yes = 4).**

39 **Mayor Pro Tem Caro Yes**

40 **Trustee Arzabal Yes**

41 **Trustee Garcia Yes**

42 **Trustee Johnson-Burick Yes**

43
44
45 **7. *STAFF REPORTS: *Approved by consent agenda.***
46 **Community Development**

1 Community Programs
2 Finance Department
3 Fire Department
4 Marshal's Department
5 Public Works Department
6

7 **8. BOARD OF TRUSTEE COMMITTEE REPORTS**

8 None.
9

10 **9. BOARD OF TRUSTEE/STAFF COMMENTS**

11 Trustee Garcia and Mayor Pro Tem Caro asked about a memo sent from the Judge.
12

13 Mayor Barraza has not yet reviewed the memo, so she could not comment at that time.
14

15 Mayor Barraza stated that we are still having Summer Music Series on the Plaza every Friday at
16 8PM. She also reiterated that the Dona Ana Arts Council meeting is a wonderful thing and the
17 Board should attend.
18

19 **10. ADJOURNMENT**

20 **The Town of Mesilla Trustees unanimously agreed to adjourn the meeting. (Summary:**
21 **Yes-4)**

22
23 **MEETING ADJOURNED AT 6:54 P.M.**

24
25 **APPROVED THIS 25th DAY OF JUNE 2018.**
26
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32 **Nora L. Barraza**
33 **Mayor**
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41 **ATTEST:**
42
43
44

45 **Cynthia Stoechner-Hernandez**
46 **Town Clerk/Treasurer**



JUNE 18, 2018 PZHAC CASE TO THE BOT

1. **Case 060737 w/CONDITION** – 1986 Calle de Cura, submitted by Dianne Moore; a request for a building permit to add a gate across a driveway, and replace an existing four foot high white picket fence with a six foot high white picket fence around a property at this address. Zoned: Historic Residential (HR).

BOT ACTION FORM
BUILDING PERMIT REQUEST CASE 060737
[PZHAC REVIEW – 6/18/2018]

Item:

Case 060737 - 1986 Calle de Cura, submitted by Dianne Moore; a request for a building permit to add a gate across a driveway, and replace an existing four foot high white picket fence with a six foot high white picket fence around a property at this address. Zoned: Historic Residential (HR).

Staff Analysis:

The applicant would like to increase the height of a four foot high white picket fence around the property at this address. This will be a replacement of the existing fence. The new fence will be almost exactly the same style and color of the existing fence, with the only differences being the height of the fence, the shape of the dog ears at the tops of the pickets, and the addition of the gate. The fence will be installed on the property line in the same location as the existing fence. Since this is a corner property, the applicant will need to abide by the requirements for a clear-sight-triangle at this location, as per Section 18.60.340(D) and (G) of the Code.

A short section of fence, with no spacing between the slats, will be installed at a rear corner of the property along a block wall to add some privacy to the rear yard. The applicant will also add a gate across a driveway to the property.

The style of the fence will be almost identical to the fence it is replacing, and since the existing fence was approved for this property, the new fence is allowable by the Code. Additionally, a six foot height across the front of the property is allowed by Section 18.60.340 (stated below).

Estimated Cost: @ \$1,100.00

Consistency with the Code:

Chapter 18.35 Historic Residential Zone
18.35.040 New structures.

New structures may be built in this zone providing the exterior appearance of the structure is approved by the commission. [Ord. 94-06 § 1; prior code § 11-2-11.4.D]

18.60.340 Wall, fence, or hedge.

A. Height (see illustration in Appendix A).

1. A six-foot maximum height above ground surface level shall be permitted on any part of the required setbacks of front yards or side yards abutting a street in H-R and H-C zones; provided, such wall, fence or hedge is in accord with subsections (D) and (G) of this section.

The proposed fence appears to be compliant with all other applicable Codes concerning residential construction in the Historic Residential (HR) zone.

Findings:

- The PZHAC has jurisdiction to review and recommend approval of this request to the BOT.
- The proposed work consists of replacing a four foot high white picket fence with a six foot high picket fence of the same style and color.
- The proposed fence is similar in style to other fences in the area.
- The proposed fence appears to meet all applicable sections of the Code.

PZHAC ACTION:

The PZHAC voted 3 – 0 to recommend APPROVAL of the requested permit to the BOT with the following CONDITION:

The fence shall comply with the Clear-sight-triangle requirements for fences located on corner lots and for driveways. (Paragraphs 18.60.340(D) and (G) of the Code).

BOT OPTIONS:

1. Approve the proposed changes as approved by the PZHAC.
2. Approve the proposed changes with conditions.
3. Reject the application.

Doña Ana County, NM

General Reference Maps

2014 Aerial

Addresses

County Address Points

Select Search

Maps

Legend

Map Themes

Parcels

UDC Zoning

Roads and Transportation

NM House Districts

NM Senate Districts

County Commission Districts

City Council Districts

Median Household Income

General Land Ownership

Account Number: [R0400387](#)

Parcel Number: 4006137314503

Owner: BUCKINGHAM ROBERT
WILLIAM

Mail Address: PO BOX Y

Subdivision:

Property Address: 1986 CALLE DE
CURA

Acres: 0.15



PHOTOS OF EXISTING FENCE



Jonathan Moore

dotloop verified
06/06/18 10:44AM EDT
HU3B-EYED-726E-RLLD

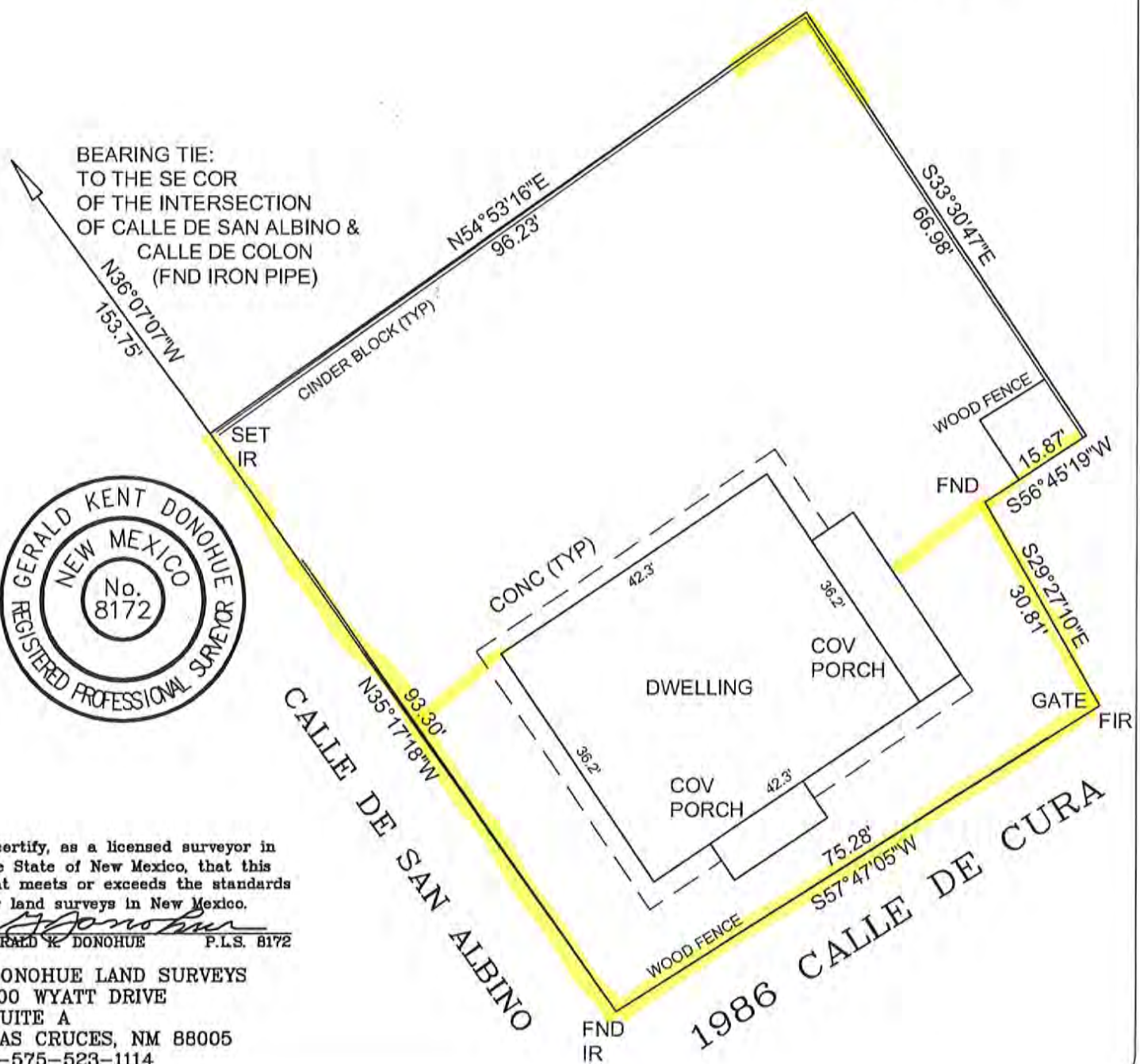
Diane B. Moore

dotloop verified
06/06/18 10:43AM EDT
RNIO-XIUW-YDMS-BOW9

PLAT OF SURVEY OF A 0.20± ACRE TRACT, BEING PART OF USRS TRACT 11A-8A, IN SEC 25, T 23S, R 1E, USRS, TOWN OF MESILLA JUNE 4, 2018



SCALE
1" = 20'
220-75



I certify, as a licensed surveyor in the State of New Mexico, that this plat meets or exceeds the standards for land surveys in New Mexico.

Gerald K. Donohue
GERALD K. DONOHUE P.L.S. 8172

DONOHUE LAND SURVEYS
100 WYATT DRIVE
SUITE A
LAS CRUCES, NM 88005
1-575-523-1114

TOWN OF MESILLA
PERMISSION TO CONDUCT WORK
OR
OBTAIN A COMMERCIAL/RESIDENTIAL BUILDING PERMIT

OFFICIAL USE ONLY:

Case # 060737

Fee \$ 60.00

2231 Avenida de Mesilla, P.O. Box 10, Mesilla, NM 88046 (575) 524-3262 ext. 104

CASE NO. 060737 ZONE: HR CODE: M1 APPLICATION DATE: 6/8/18

Diane Moore Name of Applicant/Owner 919-717-9088 Applicant's Telephone Number

P.O. Box 638 Mesilla Park, NM Applicant's/Owner's Mailing Address City State Zip Code 88047

dmoore4art@gmail.com Applicant's/Owner's E-mail Address

Self Contractor's Name & Address (If none, indicate Self)

same Contractor's Telephone Number Contractor's Tax ID Number Contractor's License Number

1986 Calle de Cura, Las Cruces, NM 88005 Address of Proposed Work:

Replace fence with 6' tall, evenly spaced wood dog-eared pickets and paint it white. Description of Proposed Work:

Note: no spaces at North corner by Palacio's

\$ 1100.00 Estimated Cost Diane Moore Signature of Applicant June 8, 2017 Date

Signature of property owner if applicant is not the property owner: _____

With the exception of administrative approvals, all permit requests must undergo a review process from staff, PZHAC and BOT before issuance of a building permit. Recorded proof of ownership with legal description of property (deed or current tax bill) along with verification of legally subdivided status of the property are required. **Plan sheets are to be no larger than 11 x 17 inches.**

FOR OFFICIAL USE ONLY

PZHAC Administrative Approval BOT Approved Date: _____
 Approved Date: _____ Disapproved Date: _____
 Disapproved Date: _____ Approved with Conditions
 Approved with conditions

FIRE INSPECTION/APPROVAL REQUIRED: ___ YES NO ___ SEE CONDITIONS

CID PERMIT/INSPECTION REQUIRED: ___ YES NO ___ SEE CONDITIONS

CONDITIONS: PZHAC REVIEW AND BOT FINAL APPROVAL REQUIRED

PERMISSION ISSUED/DENIED BY: _____ ISSUE DATE: _____

This Application will include the following, if checked:

- 1. ___ Plot plan with legal description to show existing structures, adjoining streets, driveway(s), improvements & setbacks. Verification shall show that the lot was legally subdivided through the Town of Mesilla or that the lot has been in existence prior to February 1972.
- 2. ___ Site Plan with dimensions and details.
- 3. ___ Proof of legal access to the property.
- 4. ___ Drainage plan.
- 5. ___ Architectural style and color scheme – diagrams or elevations (Historical and commercial zones only).
- 6. ___ Proof of sewer service or a copy of septic tank permit; proof of water service (well permit or statement from the Public Utility providing water services).
- 7. ___ Other information as necessary or required by the City Code or Community Development:

**TOWN OF MESILLA
BOARD ACTION FORM**

FIRE DEPARTMENT

SUBJECT: A CONTRACT ALLOWING THE TOWN OF MESILLA FIRE DEPARTMENT TO USE THE TECHNICAL SERVICES OF PHYSIO CONTROL, INC.

BACKGROUND INFORMATION: Attached is the proposed contract from Physio Control, Inc. This contract is a renewal of services provided by Physio Control, Inc. for the fire department's two Life Pak 12 cardiac monitor and 1 Life Pak 500 Automatic Electronic Defibrillator (AED). This contract includes software updates, labor and a site visit for preventive maintenance.

FIRE CHIEF RECOMMENDATION: To approve the contract in its entirety.

BOARD OPTIONS: The Board can approve the contract as recommended by Fire Chief, approve with conditions or deny.

Board action form prepared by Kevin Hoban, Fire Chief, 06/19/2018.



Physio Control, Inc.
 11811 Willows Road NE
 P.O. Box 97006
 Redmond, WA 98073-9706 U.S.A
 www.physio-control.com
 tel (800) 442.1142
 fax (800) 772.3340

Quote Number 00120567
 Create Date 4/3/2018 9:49 AM
 Quote Expiration Date 07/03/2018
 Quote Consultant John Kilby
 717-448-9784
 WECC74

Service Plan Quote

Account: 14192201	Service Plan Detail																		
Chief Kevin Hoban TOWN OF MESILLA FD 2670 CALLE DE PARIAN MESILLA, NM 88046 (575) 523-1311 kevinhoban@msn.com	<table> <tr> <td>Type</td> <td>Renewal</td> </tr> <tr> <td>Service Plan Start Date</td> <td>07/02/2018</td> </tr> <tr> <td>Service Plan End Date</td> <td>07/01/2019</td> </tr> <tr> <td>Reference Plan</td> <td>DS019902</td> </tr> <tr> <td>Billing Frequency</td> <td>Annual</td> </tr> <tr> <td>Terms</td> <td>All quotes subject to credit approval and the following terms and conditions</td> </tr> <tr> <td>Net Terms</td> <td>NET 30</td> </tr> <tr> <td>Promotion</td> <td></td> </tr> <tr> <td>Coverage Details-Brochure</td> <td>www.physio-control.com/ServicePlans/</td> </tr> </table>	Type	Renewal	Service Plan Start Date	07/02/2018	Service Plan End Date	07/01/2019	Reference Plan	DS019902	Billing Frequency	Annual	Terms	All quotes subject to credit approval and the following terms and conditions	Net Terms	NET 30	Promotion		Coverage Details-Brochure	www.physio-control.com/ServicePlans/
Type	Renewal																		
Service Plan Start Date	07/02/2018																		
Service Plan End Date	07/01/2019																		
Reference Plan	DS019902																		
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Net Terms	NET 30																		
Promotion																			
Coverage Details-Brochure	www.physio-control.com/ServicePlans/																		
Notes																			
Service plan customers receive 15% discount on Accessories and Disposables. SN: 30765843 & 33312097																			

Product	Start Date	End Date	Qty	Term List Price	Disc %	Annual Net Price Per Unit	Term Net Price Per Unit	Extended Term Net Price
LP12-SIPM-1	07/02/2018	07/01/2019	2	336.00	0.00	336.00	336.00	672.00

* Denotes Proration
 Product Descriptions provided below signature line.

Subtotal	USD 672.00
Estimated Tax	USD 0.00
Estimated Shipping & Handling	USD 0.00
Grand Total	USD 672.00

List Price Total	USD 672.00
Total Discount	USD 0.00
Estimated Tax + S&H	USD 0.00

Pricing Summary Totals
USD 672.00


Tax will be calculated at time of invoice and is based on the Ship To location where product will be shipped.

GRAND TOTAL FOR THIS QUOTE
USD 672.00

Please provide a company issued Purchase Order that includes Billing and Shipping Address.
 PO must reference payment terms of Net 30 days.

- OR -

Required information if no Purchase Order is provided

Billing Address <input type="checkbox"/> same as address on quote Town of Mesilla Account Name PO Box 10 Address Mesilla City NM State Zip Code 08046-0010	Shipping Address <input type="checkbox"/> same as Billing Address Town of Mesilla Account Name 2670 Calle de Parian Address Mesilla, NM City NM State Zip Code 08046-0010
Accounts Payable Contact Information Gloria Maya Accounts Payable Contact Accounts Payable Email	575-524-3262 Accounts Payable Phone Number Customer is Tax Exempt? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Authorized Customer Signature Kevin Hoban Name Fire Chief Title	 Signature 6-19-18 Date

Optional information:

Special Ship to Address

Comments

For Multiple End Users, please attach a supporting document with End User name, physical location, product type and quantity
 To update any customer information, please complete form at www.physio-control.com/account/

Reference Number JS/14192201/162050/00120567

Product	Product Description
LP12-SIPM-1	LIFEPAK 12 Service - 1 YEAR. Ship in Preventative Maintenance.

Service Plan Summary
List of covered equipment by location will be provided upon Customer's signature of this quote.

General Terms for all Products, Services and Subscriptions.

Physio-Control, Inc. ("Physio") accepts Buyer's order expressly conditioned on Buyer's assent to the terms set forth in this document. Buyer's order and acceptance of any portion of the goods, services or subscriptions shall confirm Buyer's acceptance of these terms. Unless specified otherwise herein, these terms constitute the complete agreement between the parties. Amendments to this document shall be in writing and no prior or subsequent acceptance by Seller of any purchase order, acknowledgment, or other document from Buyer specifying different and/or additional terms shall be effective unless signed by both parties.

Pricing. Prices do not include freight insurance, freight forwarding fees, taxes, duties, import or export permit fees, or any other similar charge of any kind applicable to the goods and services. Sales or use taxes on domestic (USA) deliveries will be invoiced in addition to the price of the goods and services unless Physio receives a copy of a valid exemption certificate prior to delivery. Discounts may not be combined with other special terms, discounts, and/or promotions.

Payment. Payment for goods and services shall be subject to approval of credit by Physio. Unless otherwise specified by Physio in writing, the entire payment of an invoice is due thirty (30) days after the invoice date for deliveries in the USA, and sight draft or acceptable (confirmed) irrevocable letter of credit is required for sales outside the USA.

Minimum Order Quantity. Physio reserves the right to charge a service fee for any order less than \$200.00.

Patent Indemnity. Physio shall indemnify Buyer and hold it harmless from and against all demands, claims, damages, losses, and expenses, arising out of or resulting, from any action by a third party against Buyer that is based on any claim that the services infringe a United States patent, copyright, or trademark, or violate a trade secret or any other proprietary right of any person or entity. Physio's indemnification obligations hereunder will be subject to (i) receiving prompt written notice of the existence of any claim; (ii) being able to, at its option, control the defense and settlement of such claim (provided that, without obtaining the prior written consent of Buyer, Physio will enter into no settlement involving the admission of wrongdoing); and (iii) receiving full cooperation of Buyer in the defense of any claim.

Limitation of Interest. Through the purchase of Physio products, services, or subscriptions, Buyer does not acquire any interest in any tooling, drawings, design information, computer programming, patents or copyrighted or confidential information related to said products or services, and Buyer expressly agrees not to reverse engineer or decompile such products or related software and information.

Delays. Physio will not be liable for any loss or damage of any kind due to its failure to perform or delays in its performance resulting from an event beyond its reasonable control, including but not limited to, acts of God, labor disputes, the requirements of any governmental authority, war, civil unrest, terrorist acts, delays in manufacture, obtaining any required license or permit, and Physio inability to obtain goods from its usual sources.

Limited Warranty. Physio warrants its products and services in accordance with the terms of the limited warranties located at <http://www.physio-control.com/Documents/>. The remedies provided under such warranties shall be Buyer's sole and exclusive remedies. Physio makes no other warranties, express or implied, including, without limitation, **NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND IN NO EVENT SHALL PHYSIO BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, SPECIAL OR OTHER DAMAGES.**

Compliance with Confidentiality Laws. Both parties acknowledge their respective obligations to maintain the security and confidentiality of individually identifiable health information and agree to comply with applicable federal and state health information confidentiality laws.

Compliance with Law. The parties agree to comply with any and all laws, rules, regulations, licensing requirements or standards that are now or hereafter promulgated by any local, state, and federal governmental authority/agency or accrediting/administrative body that governs or applies to their respective duties and obligations hereunder.

Regulatory Requirement for Access to Information. In the event 42 USC § 1395x(v)(1)(I) is applicable, Physio shall make available to the Secretary of the United States Department of Health and Human Services, the Comptroller General of the United States General Accounting Office, or any of their duly authorized representatives, a copy

of these terms, such books, documents and records as are necessary to certify the nature and extent of the costs of the products and services provided by Physio.

No Debarment. Physio represents and warrants that it and its directors, officers, and employees (i) are not excluded, debarred, or otherwise ineligible to participate in the Federal health care programs as defined in 42 USC § 1320a-7b(f); (ii) have not been convicted of a criminal offense related to the provision of healthcare items or services; and (iii) are not under investigation which may result in Physio being excluded from participation in such programs.

Choice of Law. The rights and obligations of Physio and Buyer related to the purchase and sale of products and services described in this document shall be governed by the laws of the state where Buyer is located. All costs and expenses incurred by the prevailing party related to enforcement of its rights under this document, including reasonable attorney's fees, shall be reimbursed by the other party.

Additional Terms for Purchase and Sale of Service Plans.

In addition to the General Terms above, the following terms apply to all Physio Service Plans.

Service Plans. Physio shall provide services according to the applicable Service Plan purchased by Buyer and described at <http://www.physio-control.com/ServicePrograms.aspx> for the length of the subscription purchased and for the devices specified as covered by the Service Plan ("Covered Equipment").

Pricing. If the number or configuration of Covered Equipment changes during the Service Plan subscription, pricing shall be pro-rated accordingly. For Preventative Maintenance, Inspection Only, Comprehensive, and Repair & Inspect Service Plans, Buyer is responsible to pay for preventative maintenance and inspections that have been performed since the last anniversary of the subscription start date and such services shall not be pro-rated.

Device Inspection Before Acceptance. All devices that are not covered under Physio's Limited Warranty or a current Service Plan must be inspected and repaired (if necessary) to meet specifications at then-current list prices prior to being covered under a Service Plan.

Unavailability of Covered Equipment. If Covered Equipment is not made available at a scheduled service visit, Buyer is responsible to reschedule with the Physio Service Technician, or ship-in the Equipment to a Physio service depot. Physio reserves the right to charge Buyer a surcharge for a return visit. Surcharges will be based on then-current Physio list price of desired services, less 10% for labor and 15% for parts, plus applicable travel costs. The return visit surcharge will be in addition to the subscription price of the Service Plan. To avoid the surcharge, Buyer may ship devices to a Physio service depot. Buyer shall be responsible for round-trip freight for ship-in service.

Unscheduled or Uncovered Services. If Buyer requests services to be performed on Covered Equipment which are not covered by a Service Plan, or are outside of designated Services frequency or hours, Physio-Control will charge Buyer for such services at 10% off Physio-Control's standard rates (including overtime, if appropriate) and applicable travel charges. Repair parts required for such repairs will be made available at 15% off the then-current list price.

Loaners. If Covered Equipment must be removed from service to complete repairs, Physio will provide Buyer with a loaner device, if one is available. Buyer assumes complete responsibility for the loaner and shall return the loaner to Physio in the same condition as received, normal wear and tear exempted, upon the earlier of the return of the removed Covered Equipment or Physio's request.

Cancellation. Buyer may cancel a Service Plan upon sixty (60) days' written notice to Physio. In the event of such cancellation, Buyer shall be responsible for the portion of the designated price which corresponds to the portion of the Service Plan subscription prior to the effective date of termination and the list-price cost of any preventative maintenance, inspections, or repairs rendered after the last anniversary date of the subscription start date.

No Solicitation. During the Service Plan subscription and for one (1) year following its expiration Buyer agrees to not to actively and intentionally solicit anyone who is employed by Physio to provide services such as those described in the Service Plan.



**NOTICE OF PUBLIC HEARING & INTENT TO RECOMMEND ADOPTION OF
ORDINANCE 2018-01
AN ORDINANCE REVISING CHAPTER 13.15.050 OTHER CHARGES –
ESTABLISHED (IMPACT FEES)**

The Board of Trustees (BOT) will hold a public hearing on **Monday, June 11, 2018 at 6:00 p.m.** in the board room of the Mesilla Town Hall, 2231 Avenida de Mesilla. The purpose of the hearing is to take public comments on the proposed ordinance 2018-01 revising Chapter 13.15.050 other charges- established (impact fees).

As part of their regularly scheduled meeting on **Monday, June 25, 2018 at 6:00 p.m.**, the BOT will consider recommending the adoption of ordinance 2018-01 revising Chapter 13.15.050 other charges- established (impact fees).

Copies of the proposed ordinance change can be requested at the Mesilla Town Hall, 2231 Avenida de Mesilla or by calling (575) 524-3262.

Posted on **5/25/18** on the following locations: Town Clerk's Office 2231 Avenida de Mesilla, Public Safety Building 2670 Calle de Parian, Mesilla Community Center 2251 Calle de Santiago, Shorty's Food Mart 2290 Avenida de Mesilla, Ristrammn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.

13.15.050 Other charges – Established.

At the time of application for each connection to the sewerage disposal system or the water system by any premises located inside or outside the municipal boundaries, a utility development charge, hereinafter referred to as the “DCs,” shall be paid in full based on the following schedules:

A. Water Developmental Charge.

Water Service Meter Size	Water Developmental Charge
5/8- x 3/4-inch	\$1,200.00
1-inch	\$1,800.00
1-1/2-inch	\$2,700.00
2-inch	\$3,800.00
4-inch	\$5,000.00
6-inch	\$7,000.00

B. Sewer Developmental Charge.

Size of Capacity	Development Charge	*Connection Fee	Total
5/8- x 3/4-inch meter	\$1,943.00	\$750.00	\$2,693.00
1-inch meter	\$4,858.00	\$850.00	\$5708.00
1-1/2-inch meter	\$9,715.00	\$950.00	\$10,665.00
2-inch meter	\$15,544.00	\$1,100.00	\$16,644.00
3-inch meter	\$31,088.00	\$1,300.00	\$32,388.00
4-inch meter	\$48,575.00	\$1,600.00	\$50,175.00
6-inch meter	\$97,150.00	\$2,100.00	\$99,250.00
8-inch meter	\$155,440.00	\$4,100.00	\$159,540.00

These fees are subject to change by resolution approved by the Board of Trustees and subject to City of Las Cruces Development Impact Fees.

C.* Additional Charge. The developmental charge is in addition to all other fees and charges. All Costs and expenses incident to the installation and connection of the building sewer shall be borne by the applicant. [Ord. 2014-01; Ord. 2013-01; Ord. 2012-03; Ord. 2006-12; Ord. 2005-02 § 1; Ord. 2001-06 § 4; Ord. 98-04 § 1; Ord. 92-04 § 1; Ord. 91-11 § 1; prior code § 10-2-1.D]