



THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILL HOLD A **WORK SESSION** ON **TUESDAY**, JUNE 5, 2018 AT 5:30 P.M. IN THE BOARD ROOM OF THE MESILLA TOWNHALL.

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

THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILL HOLD A **BOARD MEETING** ON **TUESDAY**, JUNE 5, 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. **RECOGNITION:**
  - A. Recognition of High School Graduates of the Mesilla Explorers Program. – **Kevin Hoban, Fire Chief.**
4. **PUBLIC INPUT** – The public is invited to address the Board for up to 3 minutes.
5. **CHANGES TO THE AGENDA & APPROVAL**
6. **\*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 May 14, 2018.
  - B. **\*Approval to hire three (3) Supervisors for Mesilla’s 2018 Summer Recreation Program.**
  - C. **\* Resolution 2018-07**: A resolution authorizing the Town to Participate in the Local Government Road Fund Program and a Request for match waiver administered by the New Mexico Department of Transportation.
7. **OLD BUSINESS: (\*\* A public hearing must be held prior to action on item A\*\*)**
  - A. **PZHAC Case Z18-001** – 2331 Calle de Parian, submitted by Eric Sanchez; a request for a Zone change from Historical Commercial (HC) to Historical Residential (HR) for a 0.2-acre parcel containing a residence at this address. – **Larry Shannon, Community Development Coordinator.**
8. **NEW BUSINESS:**
  - A. Update to the Board on Experience Mesilla program. – **Russell Hernandez, Owner, Salud de Mesilla.**
  - B. Discussion on drought condition forecasts for the upcoming fireworks season. – **Kevin Hoban, Fire Chief.**
9. **BOARD OF TRUSTEE COMMITTEE REPORTS**
10. **BOARD OF TRUSTEE/STAFF COMMENTS**
11. **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](http://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](mailto:cynthias-h@mesillanm.gov).

Posted 5/31/18 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, Ristramn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.

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PO BOX 10, MESILLA, NM 88046

PH: (575) 524-3262

2231 AVENIDA DE MESILLA



**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.

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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.

PROPOSED ORDINANCE 2018-01

**13.15.050 Other charges – Established.**

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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.

<b>Water Service Meter Size</b>	<b>Water Developmental Charge</b>
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.

<b>Size of Capacity</b>	<b>Development Charge</b>	<b>Connection Fee</b>	<b>Total</b>
5/8- x 3/4-inch meter	<del>\$1,665.00</del> <u>1,943.00</u>	\$700.00	<del>\$2,365.00</del> <u>2,643.00</u>
1-inch meter	<del>\$2,333.00</del> <u>3,596.00</u>	\$800.00	<del>\$3,133.00</del> <u>4,396.00</u>
1-1/2-inch meter	<del>\$4,667.00</del> <u>7,191.00</u>	\$900.00	<del>\$5,567.00</del> <u>8,091.00</u>
2-inch meter	<del>\$7,466.00</del> <u>11,505.00</u>	\$1,000.00	<del>\$8,466.00</del> <u>12,505.00</u>
3-inch meter	<del>\$16,334.00</del> <u>23,711.00</u>	\$1,200.00	<del>\$17,534.00</del> <u>24,911.00</u>
4-inch meter	<del>\$46,668.00</del> <u>48,575.00</u>	\$1,500.00	<del>\$48,168.00</del> <u>50,075.00</u>
6-inch meter	<del>\$93,336.00</del> <u>97,150.00</u>	\$2,000.00	<del>\$95,336.00</del> <u>99,150.00</u>

Size of Capacity	Development Charge	Connection Fee	Total
8-inch meter	<del>\$175,005.00</del> <u>155,440.00</u>	\$4,000.00	<del>\$179,005.00</del> <u>159,440.00</u>

C. Additional Charge. The developmental charge is in addition to all other fees and charges. ~~heretofore or hereafter established by ordinances and resolutions. All Costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner.~~ [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]

# Mesilla Fire Department

Mesilla, NM

This report was generated on 5/23/2018 12:56:34 PM



## 2018 Graduates

ID	PERSONNEL			RANK	School
5060	Alderete, Robert J			Fire Cadet	RGPI
5050	Corral, Jeremy A			Fire Explorer	RGPI
5061	Gore, Seriah R			Fire Cadet	Centennial
5047	Navarro, Nicolas A			Fire Cadet	Centennial
3175	Smith, Morgan Samantha			EMS Cadet	Las Cruces
3172	Thunhorst, Dylan P			EMS Cadet	Centennial
3178	Villazon, Lillian M			Fire Cadet	Oate



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6 **BOARD OF TRUSTEES**  
7 **TOWN OF MESILLA**  
8 **WORK SESSION**  
9 **MONDAY, MAY 14, 2018**  
10 **5:00 P.M.**

11  
12 **TRUSTEES:** Nora L. Barraza, Mayor  
13 Jesus Caro, Mayor Pro Tem  
14 Carlos Arzabal, Trustee  
15 Veronica S. Garcia, Trustee  
16 Stephanie Johnson-Burick, Trustee

17  
18 **STAFF:** Cynthia Stoechner-Hernandez, Town Clerk/Treasurer  
19 K.C. Alberg, Marshall  
20 Kevin Hoban, Fire Chief  
21 Debbie Lujan, Public Works Director  
22 Gloria Maya, Recorder

- 23  
24  
25 • Discussion of the Town of Mesilla Preliminary Budget for FY 2018/2019. – **Cynthia Stoechner-**  
26 **Hernandez, Clerk/Treasurer.**

27 Mayor Barraza opened the Worksession at 5:03 p.m.

28  
29 Ms. Stoechner-Hernandez reviewed the changes made to the Town of Mesilla Preliminary Budget for FY  
30 2018-2019.

31  
32 Mayor Barraza stated the operation expenses were adjusted for the salary increase; asked if those  
33 adjustments were made through the court or did she make them.

34  
35 Ms. Stoechner-Hernandez responded she spoke to Judge Fietze and Ms. Carbajal to get her the final  
36 numbers so she can plug them in.

37  
38 Mayor Barraza asked if these numbers could change.

39  
40 Ms. Stoechner-Hernandez responded the operating expenses total line item will stay the same.

41  
42 Mayor Barraza stated the bottom number will remain the same; the grand total of salaries and operating  
43 expenses will be \$72,463 as in all other departments. We have not confirmed the budget amount for the  
44 SRO.

45  
46 Trustee Johnson-Burick reviewed the court budget; operating budget will remain the same. She stated  
47 Ms. Stoechner-Hernandez went back and adjusted the town's budget to remove all the extras we had in  
48 there for the increases.

49  
50 Mayor Barraza asked what she meant by the town's budget.

51  
52 Trustee Johnson-Burick responded we had budgeted to accommodate the 5% and increase. At the last  
53 meeting based on the ordinances and State Statute it went back to the judge to absorb those cost.

1  
2 Mayor Barraza stated it is coming from the court's operating budget, not from the town budget, to cover  
3 personnel.

4  
5 Mayor Pro Tem Caro inaudible

6  
7 Trustee Garcia asked if Judge Fietze understands what is taking place.

8  
9 Ms. Stoechner-Hernandez responded she went over it with the court this afternoon.

10  
11 Mayor Pro Tem Caro inaudible

12  
13 Trustee Garcia asked how much we pay dispatch.

14  
15 Ms. Stoechner-Hernandez stated it comes out of her budget but does not know the amount.

16  
17 Fire Chief Hoban responded it is about \$54,000. MRVDA fees are calculated by the number of calls  
18 received which comes up with a price per call; excludes City of Las Cruces and Dona Ana County due to  
19 their in-kind services.

20  
21 Trustee Garcia stated she was told that the City of Anthony paid \$90,000.

22  
23 Fire Chief Hoban stated larger communities – higher call volume.

24  
25 Mayor Pro Tem Caro stated he feels we need to cut back in the Marshal Department such as the take  
26 home vehicles. We should cut down to one marshal and four deputies. The department is too big for the  
27 number of residents in Mesilla. We do not know what cut backs will be done with Trump so we need to  
28 be ready and tighten our belts as we may be getting less from the state. We need to do whatever is needed  
29 to stay above water.

30  
31 Trustee Johnson-Burick stated she hears from the residents that they do not see the officers out on the  
32 streets. She feels that may be because of the lack of overtime. We are barely covering the 24/7 weekly  
33 shifts with the number of deputies we currently have. Her concern is the impact a change like that would  
34 have on operations and public safety. She tells residents the officers are doing their jobs.

35  
36 Mayor Pro Tem Caro stated two years ago the officers were all over the place; now you hardly see them.  
37 The marshal needs to be more active. He feels schedules need to be worked on. He sees the officers all  
38 over Las Cruces; residents also say they see them all over. We need to make them accountable. We do  
39 not like to micromanage but sometimes you have to.

40  
41 Trustee Arzabal stated Marshal Gray and Marshal Mangusing did a presentation on the take home units;  
42 increased response time. We are not in charge of personnel and saying that we need to micromanage, that  
43 is not our job. We are a finance and policy making board. The mayor is in charge of personnel. We can  
44 ask the mayor to look into any issue that may arise. We can request the Marshal's Department to make a  
45 presentation.

46  
47 Mayor Barraza stated she disagrees with Mayor Pro Tem Caro in that the marshal and four deputies can  
48 cover the town 24/7 and complete the required paperwork. They would need to work seven days straight  
49 without a day off. There is more than just patrolling. They have paperwork to complete and submit,  
50 attend court when needed. Officers get overtime once they work 84 hours a pay period. She does see the  
51 officers patrolling. When there is only one officer per shift they cannot be everywhere. They are doing  
52 traffic stops, paperwork, transporting prisoners, attend to calls, etc. It is impossible for them to be  
53 everywhere. The marshal has money in his budget for overtime such as for the fiestas as there needs to be  
54 officers present during an event to do crowd control. The town is not participating in Stonegarden so we



1 do not have the overtime money which was used strictly for Stonegarden. If an officer works 84/86 hours  
2 a pay period he will have to be paid not less than two hours of overtime for attending court. She and the  
3 Department Heads oversee personnel. No one documents when they see officers all over town; we need  
4 specifics so that we can follow up. How can we go on work of mouth? She encourages everyone to  
5 notify her so that she can follow through so that get a response back to you. The response time would  
6 decrease if there is not a take home vehicles program. The take home vehicles are part of the Collective  
7 Bargaining Agreement.

8  
9 Trustee Garcia stated the FBI statistic states it should be one officer for every 500 people. Lieutenant  
10 Salas had someone pulled over on the interstate which is out of the town's jurisdiction.

11  
12 Mayor Barraza responded the violation may have happened in Mesilla but the person may not have  
13 stopped until that point.

14  
15 Trustee Garcia asked would either ramp that enters the interstate still be in Mesilla? Mr. Robert Taylor  
16 told her he has emailed the Marshal Department and the town regarding how fast people are driving down  
17 his road and has not received a response. She will be visiting with him; he will be forwarding all the  
18 emails to her which she will forward to the trustees. She asked if the officers are forwarding the tickets to  
19 Magistrate Court; we lose money if that is being done.

20  
21 Mayor Barraza stated she has responded to Mr. Taylor's emails which she can forward to her as well.  
22 There may be a couple of citations being sent to Magistrate Court but not very many.

23  
24 Trustee Garcia stated she understands officers decide who they want to send. They should be coming to  
25 the town since we have our own judge. We need to get together with the judge to see how many  
26 outstanding tickets are not getting paid; she can guarantee there are a lot. She does not believe anyone  
27 has addressed it with him. She will get with him on a Friday. There is money that needs to be collected  
28 for our town.

29  
30 Mayor Barraza stated we do not have any jurisdiction over the judicial; the information is provided in  
31 reports. We have discovered through research; the court does not share information with us. We have  
32 also discovered our Judge currently lets a lot of tickets go. There are three fees: judicial, education, court  
33 automation, that is mandated by the state for a total of \$29. That money is deposited and Ms. Maya makes  
34 a check out to the state which creates a washout.

35  
36 Trustee Garcia stated she had told the judge to do a round-up. He indicated he had done one which was  
37 successful in years past.

38  
39 Mayor Barraza stated they should keep a file on the people that they put on a payment plan. There are  
40 also people doing community service in lieu of paying the fine. It is up to the court to collect those fines.

41  
42 Trustee Garcia asked where the money that is collected goes.

43  
44 Mayor Barraza responded those monies go to the General Fund. He used to give us two reports, now he  
45 gives us one which shows the fines he imposes but not what was collected. We are trying to get a  
46 balance. As of now we have only received \$45,000 from the court. The Marshal's Department report  
47 shows the deputies are issuing citations.

48  
49 Trustee Garcia stated the City of Anthony purchased new vehicles for \$175,000. They were told that if  
50 they wanted those vehicles they need to issue and collect citations. They told her that from January to  
51 February they have collected \$40,000 in tickets. They are not allowed to send anyone to magistrate. Also  
52 they are not allowed to give out warnings.

1  
2 Mayor Barraza stated that is where we are at in trying to collect.  
3  
4 Trustee Garcia stated she can get with the judge; monies need to be collected.  
5  
6 Mayor Barraza thanked Trustee Garcia for following up on that. She will get with Lieutenant Salas to see  
7 about the stop on I-10. She and the Marshal have responded to Mr. Taylor's email. Marshal Alberg put  
8 the speed trailer on Calle Picacho for a while and Mr. Taylor was not pleased with that. He wants a  
9 deputy stationed there but that is not possible with limited staffing. She asked what day the stop on I-10  
10 was.  
11  
12 Trustee Garcia responded it was Thursday at 6:00 p.m.  
13  
14 Mayor Barraza stated she cannot respond to the FBI ratio.  
15  
16 Ms. Lujan stated she saw Deputy Azcarate at New Mexico State University (NMSU) Commencement.  
17  
18 Ms. Stoechner-Hernandez stated NMSU contracts out for special events. Officers receive overtime pay  
19 which is reimbursed by NMSU.  
20  
21 Mayor Barraza encouraged everyone to communicate with her so that she can address those concerns.  
22  
23 Mayor Pro Tem Caro stated he does not feel we need 24/7 coverage. Deputies could be on duty till 12:00  
24 midnight and then the county could pick up the coverage. He hopes the take home vehicles should be  
25 discussed during renegotiations. There should be two trustees instead of staff on the bargaining board.  
26  
27 Trustee Johnson-Burick stated she has concerns on not having coverage 24/7 coverage. We would be  
28 asking for liability issues. There is a State Statute on how much coverage a municipality can provide.  
29 DASO covers the entire county which makes it hard for them to cover a municipality as well. Reiterated  
30 there are so many liability issues that could happen.  
31  
32 Mayor Barraza stated DASO and the Las Cruces Police Department are short staffed as it is. Mesilla is  
33 not a priority for them.  
34  
35 Trustee Johnson-Burick asked if the School Resource Officer (SRO) is for just Rio Grande Prep or are we  
36 doing all three schools.  
37  
38 Mayor Barraza responded we currently have a SRO stationed at Rio Grande Prep and Zia Middle School.  
39 We put forth a proposal to LCPS. Zia Middle School wants a full time SRO. Mesilla cannot afford to  
40 provide a SRO with General Fund money. We told them if they want a full time one at Zia as well, we  
41 can provide the SRO at Rio Grande Prep. Meetings have been held with school staff to discuss security  
42 issues at the schools. The schools currently give us \$56,000; starting July 1<sup>st</sup> it would be \$57,000 and we  
43 have not heard back from the schools.  
44  
45 Trustee Johnson-Burick stated we would have to hire another officer.  
46  
47 Mayor Barraza responded yes, it is about jurisdiction because it is in Mesilla.  
48  
49 Mayor Pro Tem Caro inaudible  
50  
51 Trustee Garcia asked when we will know if they will pay for another officer.  
52  
53 Mayor Barraza stated she will share the information once when she finds out.  
54

1 Trustee Garcia asked if another officer needs to be added to the budget.

2

3 Mayor Barraza responded not until we know the Las Cruces Public Schools is committed to funding the  
4 position.

5

6 Ms. Stoeher-Hernandez stated that will be added to the final budget, if it is approved.

7

8 Mayor Barraza stated school safety is a big issue with the Las Cruces Public Schools. Our hands are tied.

9 Officers are monitoring and patrolling in the morning; motorists are speeding through the school zones.

10 Our officers are being vigilant. Our officers also do investigations. There is also an increase in drug  
11 arrests among our community, as well as all over the county.

12

13 Fire Chief Hoban stated each deputy specializes in an area; all wear several hats.

14

15 Mayor Barraza closed worksession 5:47 p.m.

16

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**BOARD OF TRUSTEES  
TOWN OF MESILLA  
REGULAR BOARD MEETING  
MONDAY, MAY 14, 2018  
6:00 P.M.  
BOARD ROOM**

9 **TRUSTEES:** Nora L. Barraza, Mayor  
10 Jesus Caro, Mayor Pro Tem  
11 Carlos Arzabal, Trustee  
12 Veronica S. Garcia, Trustee  
13 Stephanie Johnson-Burick, Trustee  
14

15 **STAFF:** Cynthia Stoechner-Hernandez, Town Clerk/Treasurer  
16 Kevin Hoban, Fire Chief  
17 Debbie Lujan, Public Works Director  
18 Larry Shannon, Community Development  
19 Gloria Maya, Recorder  
20

21 **PUBLIC:** Susan Krueger Rafael Morones  
22  
23  
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. PROCLAMATIONS:**

34 **A.** A Proclamation Declaring May 13 – May 19, 2018 as National Police Week in the Town  
35 of Mesilla. – **K.C. Alberg, Marshal.**

36 Fire Chief Hoban read proclamation declaring May 13 – May 19, 2018 as National Police Week in the  
37 Town of Mesilla.  
38

39 Mayor Barraza stated Deputy Marshal Philip Olivas and Sergeant Thomas Richmond were killed in the  
40 line of duty while employed by the Town of Mesilla. She asked Ms. Stoechner-Hernandez to do  
41 something special for our officers this week.  
42

43 Fire Chief Hoban stated the flags will be flown at half-staff tomorrow in recognition of National Police  
44 Day.  
45

46 **B.** A Proclamation Declaring May 20 – May 26, 2018 as Emergency Medical Services  
47 Week in the Town of Mesilla. – **Kevin Hoban, Fire Chief**

48 Fire Chief Hoban read proclamation declaring May 20-May 26, 2018 as Emergency Medical Services  
49 Week in the Town of Mesilla.  
50

51 Mayor Barraza stated she cannot say enough of our volunteer firefighters and police officers who have  
52 gone through the training of EMS service. We cannot thank you enough for what they do for the  
53 residents of Mesilla. We will do something special for our volunteers and for our law enforcement.  
54

1       **4. PUBLIC INPUT** – The public is invited to address the Board for up to 3 minutes.  
2 Ms. Kruger asked if the application for the PETCO Grant can be made available to the public. Her  
3 interest is, that she works with organizations that apply for other grants and would like to share the  
4 information with them.  
5

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

7 Trustee Arzabal requested placing item b and c on the consent agenda.  
8

9 **Motion: To approve agenda as amended, Moved by** Trustee Johnson-Burick, **Seconded by** Trustee  
10 Arzabal.

11  
12 **Roll Call Vote: Motion passed (summary: Yes = 4).**

13 **Mayor Pro Tem Caro Yes**

14 **Trustee Arzabal Yes**

15 **Trustee Garcia Yes**

16 **Trustee Johnson-Burick Yes**  
17

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

21 **Motion: To approve agenda as amended, Moved by** Mayor Pro Tem Caro, **Seconded by** Trustee  
22 Arzabal

23  
24 **Roll Call Vote: Motion passed (summary: Yes = 4).**

25 **Mayor Pro Tem Caro Yes**

26 **Trustee Arzabal Yes**

27 **Trustee Garcia Yes**

28 **Trustee Johnson-Burick Yes** *Recused herself from voting on item c*  
29

30       **A. \*BOT MINUTES** – Regular Meeting & Work Session of April 23, 2018. *Approved by*  
31 *consent agenda*

32 Trustee Johnson-Burick stated page 15, paragraph 4; line 8 – wanted to add “because she is not an  
33 employee of the town”.

34  
35 Mayor Barraza stated Ms. Carbajal is an employee of the town.  
36

37 Trustee Johnson-Burick stated we are doing things differently. She brought up the last time that the  
38 position is not following our policy and procedures; possible liability issues could arise.  
39

40 She would like to remove item c for a separate vote to avoid any perceived conflict of interest.  
41

42 Mayor Barraza stated that it does not have to be removed for a separate vote, and that she could just do a  
43 statement.  
44

45       **B. \*PZHAC Case 060722** – 2909A La Mesilla Circle, submitted by Rafael Morones, Jr., a  
46 request for a building permit to allow an existing carport to be converted into a garage on a  
47 dwelling at this address. Zoned: Historical Residential (HR). *Approved by consent agenda*

48       **C. \*PZHAC Case 060724 W/CONDITIONS** – 2490 Calle de Guadalupe, submitted by Artie  
49 Fountain; a request for a building permit to construct an awning over an exterior door on the

1 east side of a commercial building at this address. Zoned: Historical Commercial (HC).

2 *Approved by consent agenda*

- 3 D. \*PZHAC Case 060682 – 2417 and 2419 Calle de Parian, submitted by Davie and Kelly  
4 Salas; a request for a modification to a building permit to allow changes to plans for an adobe  
5 and latia wall across the front of two properties at these addresses. Zoned: Historical  
6 Residential (HR). *Approved by consent agenda*

7  
8 **7. NEW BUSINESS:**

9 **\*\* A public hearing must be held prior to action on Item a\*\***

10 **Motion: To close regular meeting and open public hearing, Moved by** Trustee Caro, **Seconded by**  
11 Mayor Pro Tem Arzabal

12  
13 **Roll Call Vote: Motion passed (summary: Yes = 4).**

14 **Mayor Pro Tem Caro Yes**

15 **Trustee Arzabal Yes**

16 **Trustee Garcia Yes**

17 **Trustee Johnson-Burick Yes**

18  
19 Mayor Barraza closed regular meeting and opened public hearing at 6:14 p.m.

20  
21 Mr. Shannon reviewed the proposed case.

- 22 - property occupied by a dwelling, with structure in the back (pool building)
- 23 - previously used as a commercial structure
- 24 - plans to renovate and use solely as a residence
- 25 - difficult to get financing as currently zoned commercial
- 26 - there was a small office, investment firm with no customers coming through
- 27 - bordered on the south-side residential zoning
- 28 - Post Office is west of the property
- 29 - across the street is the Community Center which is used as a public use building
- 30 - Community Center is not capable of being used for commercial use without renovation
- 31 - Planning and Zoning did not see major impacts
- 32 - benefit for residential since there is no parking for the commercial establishment
- 33 - residential parking will be located on the property

34  
35 Ms. Krueger asked and stated the following:

- 36 - if the access to the property will now be through the Post Office drive way and would the town  
37 benefit if they got a letter from the Post Office acknowledging this?
- 38 - during the discussion the pool house was identified as belonging to Robert and Amalia Garcia.
- 39 - the property proposed for re-zoning; what does it include and what bearing does it have on the  
40 rest of the properties that are included?
- 41 - can a Post Office be located on a property that is zoned residential?
- 42 - access question with the Post Office has to be clarified.
- 43 - page 50 of Board packet – belongs to the cell towers not to this
- 44 - taken off of the same information use for the Jurado property

- 1 - more discussion if compatible to the Comprehensive Plan; it recommends the opposite
- 2 - page 41 of the board packet – need to maintain commerce
- 3 - more discussion on the public benefit (parking)
- 4 - need for parking is a separate issue
- 5 - Planning and Zoning voted in favor with no discussion and no comment
- 6 - read resolution page 51 of the board packet
- 7 - reads 3 members were present; there were actually 4 present
- 8 - meeting of public hearing was changed from Monday to Wednesday
- 9 - public comments were not acknowledge
- 10 - Planning and Zoning did not discuss the benefit to the town
- 11 - page 51 of the Board packet reads voted 3 to 0 when it was 4 to 0
- 12 - does not believe this zone changed can be passed with extraordinary number of errors in
- 13 resolution and presentation
- 14 - why was this a rush job? When rushed errors multiply.
- 15 - zone change is a private benefit
- 16 - zone changed needed for a bank loan, what public benefit does this have?
- 17 - approving this will establish another criteria for a zone change
- 18 - requirement 18.90.070

19 The importance is what happens if you don't live in Mesilla or do live in Mesilla but are not in the inner  
 20 circle of Mesilleros. People that are not in the inner circle of Mesilleros are treated differently. When  
 21 staff does not follow the requirements of the code and Planning and Zoning, does not ask for them to  
 22 follow it there is a short circuit. The zone change decisions become arbitrary and capricious.

23  
 24 Ms. Sanchez stated the easement has been discussed and agreed upon with Federal Post Office. The  
 25 property does not belong to Robert and Amalia Garcia. The property has been used as residential since  
 26 her grandparents. This would be a fourth generation that will live on the property.

27  
 28 **Motion: To close public hearing and open regular meeting, Moved by** Trustee Arzabal, **Seconded by**  
 29 Mayor Pro Tem Caro.

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

32 **Mayor Pro Tem Caro Yes**

33 **Trustee Arzabal Yes**

34 **Trustee Garcia Yes**

35 **Trustee Johnson-Burick Yes**

36

37 Mayor Barraza closed public hearing and opened regular meeting at 6:33 p.m.

38

39 Mayor Barraza asked board for a five minute recess

40

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

1 Mayor Barraza requested postponing Case Z18-001 until next meeting.  
2  
3 Trustee Arzabal asked why we want to postpone.  
4  
5 Mayor Barraza responded we need to correct the resolution.  
6  
7 Trustee Arzabal asked why we are making the applicant wait two more weeks, because of typos.  
8  
9 Mayor Barraza asked what the board would like to do?  
10  
11 Trustee Garcia asked where the mistakes are.  
12  
13 Mayor Barraza stated she apologized for the typos; that will not occur again.  
14  
15 Ms. Stoechner-Hernandez reviewed the typos in the resolution.  
16 - May 7<sup>th</sup> changed to May 9<sup>th</sup>  
17 - address corrected to 2331  
18 - last whereas has three members present  
19 - May 7<sup>th</sup> changed to May 9<sup>th</sup>  
20 - Public Hearing – May 9<sup>th</sup> closed after taking public hearing  
21 - Change to May 9<sup>th</sup>  
22 - Resolve: requests for a zone change to Historic Residential with findings  
23  
24 Trustee Garcia asked if there were public comments at the Planning & Zoning Meeting.  
25  
26 Mayor Barraza stated she understood there were no negative or positive comments from surrounding  
27 residents that were notified of the zone change.  
28  
29 Mr. Shannon stated he stayed until 6:00 p.m. on Monday, May 7<sup>th</sup> to answer questions, because the  
30 meeting was postponed to May 9<sup>th</sup>.  
31  
32 Mayor Barraza asked Mr. Shannon if the meeting was cancelled since there was not a quorum?  
33  
34 Mr. Shannon stated there was not a quorum and he waited outside in case anyone showed up. Ms. Mary  
35 Helen Ratje showed up who was wondering about the zone change; she had no comments to make, just  
36 wanted to know about the case.  
37  
38 Mayor Barraza asked if there were public comments at the May 9<sup>th</sup> meeting?  
39  
40 Ms. Shannon stated Ms. Krueger made some comments. We discussed the benefits and that parking was  
41 no longer an issue.  
42  
43 Trustee Garcia stated it reads that Eric Sanchez is the owner or is it in a trust?  
44  
45 Ms. Sanchez responded as of now it is in a trust.



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Trustee Garcia asked who the owner of the property is.

Ms. Sanchez responded we are the trustees.

Trustee Garcia stated Mr. Sanchez is not the owner, he is part of the trust. We have to have it the same as Dona Ana County. Mr. Sanchez is a representative of the trust, not an owner. We need to fix these mistakes. She asked if a letter from the other members of the trust is needed to ensure they know what is happening.

Ms. Sanchez responded she and Mr. Sanchez are the only ones on the trust.

Trustee Garcia responded she would still like a letter.

Mayor Barraza stated it is the name of the applicant, the person who is applying for the zone change. She feels that would suffice.

Trustee Garcia stated under the name of property owner it reads Sanchez; application needs to be corrected.

Mr. Shannon stated we can ask the applicant to bring a letter stating that it is a trust.

Trustee Garcia stated the application needs to be corrected.

Trustee Johnson-Burick stated she felt it was misstated when Mr. Shannon said Ms. Krueger spoke on the benefits of the zone change, as Ms. Krueger was citing her concerns with the zone change. She would like clarification from Mr. Shannon and Ms. Krueger on the number of Planning and Zoning members present; were there three or four members present.

Mayor Barraza responded there were three members present.

Trustee Johnson-Burick stated Ms. Krueger is saying there were four members.

Mayor Barraza responded Mr. Shannon is the representative of the Planning and Zoning.

Mayor Barraza asked the board if they would like to postpone item until the next meeting.

Trustee Garcia asked if she could ask another question.

Mayor Barraza responded not if the item is postponed. Trustee Garcia can contact staff with any questions. Ms. Krueger is not the staff person here.

1 Trustee Arzabal agreed with Mayor Barraza.

2

3 Trustee Johnson-Burick stated she just wants to make sure we listen to everybody.

4

5 Mayor Pro Tem Caro asked to postpone item.

6

7 **Motion: To postpone Case Z18-001 – 2331 Calle de Parian, submitted by Eric Sanchez; a request**  
8 **for a Zone change from Historical Commercial (HC) to Historical Residential (HR) for a 0.2 acre**  
9 **parcel containing a residence at this address, Moved by Mayor Pro Tem Caro, Seconded by Trustee**  
10 **Garcia.**

11

12 Mayor Barraza asked the trustees to contact Mr. Shannon with questions or concerns prior to the next  
13 meeting.

14

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

16 **Trustee Arzabal No**

17 **Mayor Pro Tem Caro Yes**

18 **Trustee Garcia Yes**

19 **Trustee Johnson-Burick No**

20 **Mayor Barraza Yes**

21

22 **B. For approval: the Town of Mesilla Preliminary Budget for FY 2018/2019. – Cynthia**  
23 **Stoehner-Hernandez, Clerk/Treasurer. *Approved by consent agenda***

24

25 **C. For approval: Agreement MES2017-06 between the Town of Mesilla and Dona Ana**  
26 **Community College for Clinical Experience – Fire Science Program. – Kevin Hoban, Fire**  
27 **Chief. *Approved by consent agenda***

28 **D. For Acceptance: a grant from PETCO Foundation in the amount of \$5,000 for support of the**  
29 **Town of Mesilla State Farm Arson Dog. – K.C. Alberg, Marshal.**

30

31 Detective Cortez gave a presentation on the PETCO Foundation.

32

33 **Motion: To accept a grant from PETCO Foundation in the amount of \$5,000 for support of the**  
34 **Town of Mesilla State Farm Arson Dog, Moved by Trustee Arzabal, Seconded by Trustee Johnson-**  
35 **Burick.**

36

37 Trustee Garcia asked if they had already been approved and funds are in their account.

38

39 Detective Cortez responded he did not know.

40

41 Ms. Stoehner-Hernandez responded we have to accept the grant first in order to receive the funds.

42

43 Trustee Garcia stated you have to log in as there are guidelines, not just for vet bills.

44

45 Detective Cortez responded once you log in the guidelines read as to what you can and cannot do.

46

47 Trustee Garcia stated reports are required.

48

49 Mayor Barraza responded she believes there are quarterly reports needed to be done.

50

51 Trustee Garcia asked if we will receive a report with our monthly reports.

1  
2 Detective Cortez stated if that is the wishes of the Board of Trustees, then we can do that.

3  
4 Mayor Pro Tem Caro asked who is in charge of the dog? The dog is not for the Marshal's Department, it  
5 is for the Fire Department?

6  
7 Fire Chief Hoban responded Aspen is assigned to the Fire Department and the money is with the Fire  
8 Department. Marshal Alberg is still Aspen's certified handler. State Farm pays for recertification for five  
9 years, travel, classes for the canine and its handler. The initial grant for Aspen was \$30,000. Training  
10 costs varies from year to year depending on location. Marshal Alberg pays for all of Aspen's care out of  
11 his own pocket. We are not expending Fire Funds, Marshal Department or Town funds. The grant will  
12 help defray some of the cost that he incurs while taking care of Aspen.

13  
14 Mayor Pro Tem Caro stated he sees a conflict of interest, something is not right; the dog should be  
15 transferred back to the Fire Department. The marshal has his own duties and that takes him away from  
16 his job. Personnel from the Fire Department can do the investigations. He reiterated it is a conflict of  
17 interest. People may have questions about that. Aspen should go back to the people that got the grant.

18  
19 Fire Chief Hoban stated Mr. Alberg is an experienced K9 handler. It would be an undertaking at no small  
20 cost to change the handler at this point. Marshal Alberg is volunteering his time with the Fire  
21 Department, as well as other deputies, to provide service to the Fire Department outside the scope of duty  
22 with the Marshal Department. He is an arson investigator and he relies on him to assist the Fire  
23 Department with investigations. He is not sure what the conflict of interest may be. He appreciates that  
24 we always have to look out for the best interest of the town when they may be a conflict. He can assure  
25 him that as far as State Fire Marshal and State Farm is concerned there is no conflict of interest. We work  
26 hand and hand with the Marshal Department every day in cooperation with another as we cannot do it all  
27 ourselves. We have a symbiotic relationship. He does not see a conflict of interest from his point of  
28 view.

29  
30 Mayor Pro Tem Caro stated in his opinion Marshal Alberg needs to step down and we need a new  
31 marshal who will be there 100% for the Marshal's Department.

32  
33 Fire Chief Hoban stated that is a personnel matter, and he will not discuss it any open forum.

34  
35 Trustee Arzabal stated this is free money that the Marshal acquired. He called for the question.

36  
37 **Motion: Call for the question, Moved by** Trustee Arzabal, **Second by** Trustee Johnson-Burick.

38  
39 **Roll Call Vote: Motion passed (summary: Yes= 3; No=2)**

40 **Mayor Pro Tem Caro No**

41 **Trustee Arzabal Yes**

42 **Trustee Garcia No**

43 **Trustee Johnson-Burick Yes**

44 **Mayor Barraza Yes**

45  
46 **Roll Call Vote on approving grant: Motion passed (summary: Yes = 3; No=2).**

47 **Mayor Pro Tem Caro No**

48 **Trustee Arzabal Yes**

49 **Trustee Garcia No**

50 **Trustee Johnson-Burick Yes**

51 **Mayor Barraza Yes**

1 E. For approval: the Town of Mesilla's participation in the Federal 1033 program for  
2 miscellaneous equipment to support the Marshal's Department. – **K.C. Alberg, Marshal.**  
3

4 Detective Cortez stated this is free equipment, not free money. Federal government opens up  
5 discontinued miscellaneous equipment to local police departments for their use. Items must be kept on  
6 the local Police Department's books as assets the required time based on length of service of the  
7 equipment.  
8

9 Mayor Barraza asked if there is a process to apply for the equipment.  
10

11 Detective Cortez responded the State Police oversees the process in the State of New Mexico. We can  
12 obtain items through the website. There is no cost to the town.  
13

14 **Motion: To approve the Town of Mesilla's participation in the Federal 1033 program for**  
15 **miscellaneous equipment to support the Marshal's Department, Moved by** Trustee Arzabal,  
16 **Seconded by** Trustee Johnson-Burick.  
17

18 Mayor Pro Tem Caro stated he hopes the department will not get equipment such as ARs, Bazookas or  
19 overkill things they do not need. Some people want to become more military.  
20

21 Detective Cortez stated there is a lot of things that we can use and some that we cannot purchase due to  
22 our limited budget.  
23

24 Mayor Pro Tem Caro asked them to come to the board before they purchase anything.  
25

26 Detective Cortez responded it is not purchased; if it is available through the website we can obtain it.  
27

28 Mayor Pro Tem Caro stated so it is like a donation.  
29

30 Trustee Garcia asked if there is a list of what is available.  
31

32 Detective Cortez responded the list is huge from large to small equipment.  
33

34 Trustee Garcia stated it is nice to get something for free, but it will also need to be maintained. She  
35 asked for a list of how much it will cost to maintain the equipment. Everything has a number to be  
36 maintained.  
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 **8. \*STAFF REPORTS:**

45 Community Development

46 Community Programs

47 Finance Department

48 Fire Department

49 Marshal's Department

50 Public Works Department  
51

52 **9. BOARD OF TRUSTEE COMMITTEE REPORTS**  
53

54 Mayor Pro Tem Caro stated no one has called him on any meetings.

1 Trustee Johnson-Burick stated she attended the MPO meeting. On the TIP 2018-2023, the design in front  
2 of Zia Middle School is on the list which is such a safety hazard will begin with construction beginning in  
3 2022. Design should begin in 2019.

4  
5 Trustee Garcia attended the RTD meeting. They are reviewing the budget and changing some of the  
6 bylaws.

7  
8 Mayor Barraza stated she attended the first Outdoors Economic Conference which was very informative  
9 and well attended. The consensus of participants was at looking at creating a Department of Outdoor  
10 Recreation at the State level as it is one of our economic drivers in New Mexico.

11  
12 She also stated that there was a push to promote the White Sands National Park. Senator Heinrich  
13 introduced the establishment act and it was well received by both parties as well at the federal level. She  
14 sat on a panel to discuss the economic benefit in designating it a national park instead of a national  
15 monument. Numbers show that by having a park versus a monument it will attract more visitors.  
16 She will attend the Military Civilian Forum in Alamogordo this week.

#### 17 18 **10. BOARD OF TRUSTEE/STAFF COMMENTS**

19 Mayor Pro Tem Caro stated the corner near Andele's is very dark and dangerous. He recommends  
20 putting a light in that area. He has turned there at night and it's hard to see people on the street there.

21  
22 Trustee Johnson-Burick stated we did not get the word out on the Southern New Mexico Fallen Peace  
23 Officer Memorial as we have done in the past. She neglected to notify everyone. We had the vigil last  
24 week followed by the memorial. A special thanks to Fire Chief Hoban for his participation at this  
25 wonderful event. She purchased her Experience Mesilla glass. The fiesta was fabulous. Ms. Lujan and  
26 staff and everybody; it was a team effort. Trustee Arzabal and I attended both days. She was upset on  
27 Sunday as Trustee Arzabal asked her if she would present the award to Mr. Tena. She told him she had  
28 some obligations but would rework her schedule. He asked her to come back at 1:30 p.m. When she  
29 arrived at 1:30 p.m. the presentation had already been done. She was upset to say the least. She does not  
30 know if it was already assigned to someone else. She was furious. To rework her schedule to do all this;  
31 if I was needed or planned in advance she would have just stayed there to help. She understands  
32 emergencies happen. If we know when we are having fiesta she asks that they let town staff know so this  
33 does not happen, and she does not miss out on family gatherings.

34  
35 She asked if we can ask our attorney where we are on the lending library, it has been over three months.  
36 Documentation submitted said there was no liability to the town.

37  
38 Ms. Stohner-Hernandez responded it was sent to Mr. Cervantes' office and she has not received anything  
39 as of yet.

40  
41 Trustee Johnson-Burick asked her to follow up on it.

42  
43 Trustee Arzabal stated Mayor Barraza asked him to do the presentation at the Fiesta on Sunday and he  
44 was trying to spread the wealth. The fiesta was good. He recommended that a trustee be in the  
45 renegotiations since we are the ones that vote on the union agreement.

46  
47 Trustee Garcia stated in March we approved an auction for Public Works to get stuff.

48  
49 Ms. Lujan responded the auction is in August 1<sup>st</sup> in Santa Fe. She stated the town received a Hardship  
50 Grant of \$25,000 for equipment. We are only allowed one grant; she will pick the higher one. She will  
51 be checking to make sure it does not affect road projects.

1 Mayor Barraza stated we received an invitation to the Fallen Police Officer event late.

2  
3 Trustee Johnson-Burick stated the event was May 7<sup>th</sup> and 8<sup>th</sup>.

4  
5 Mayor Barraza stated she was out of town. We did not know it would be Mr. Tena's last performance.  
6 Ms. Parra mentioned that she wanted to do something for Mr. Tena at one of our Board Meetings. She  
7 apologized for what happened. The fiesta was great on Saturday. She thanked Ms. Parra for her  
8 planning. She will ask Mr. Russell Hernandez to speak on Experience Mesilla. She will follow up with  
9 Mr. Cervantes with regards to the lending library. Offices will be closed from 1:00 p.m. – 2:30 p.m.  
10 tomorrow so staff may attend an Active Shooter Training. Marshal Alberg will have a Community  
11 Meeting tomorrow at 5:00 p.m. at the Community Center regarding education on cat and dog program.

12  
13 Ms. Stoechner-Hernandez stated he will also take recommendations on the animal control ordinance.

14  
15 Trustee Johnson-Burick asked why they did not receive more advance notice.

16  
17 Mayor Barraza responded she mentioned it at the last meeting.

18  
19 Ms. Stoechner-Hernandez responded the marshal had mentioned it at the last meeting.

20  
21 Trustee Garcia stated the meeting ended really quickly; he did not mention it. This is the first time we've  
22 heard about it. There is no advertising on this at all. She goes to the Post Office every morning at 7:30  
23 a.m.

24  
25 Trustee Johnson-Burick stated she is very disappointed.

26  
27 Mayor Barraza stated she asked the marshal and he said he had posted it. She stated it is posted at Town  
28 Hall, Community Center, and Public Safety Building. She will look at the minutes because she is sure  
29 she mentioned it. She also asked the marshal to be sure to post the notice.

30  
31 Trustee Johnson-Burick stated some of the stakeholders will not be able to attend with such short notice.

32  
33 Mayor Barraza stated the Ride of Silence will be on the 16<sup>th</sup> at 6:00 p.m. She will not be able to attend  
34 and asked for the trustees to participate. Offices will be closed on Monday, May 28<sup>th</sup> for Memorial Day.  
35 The Board of Trustees meeting will be held on Tuesday, May 29<sup>th</sup>. She will be attending the Military  
36 Luncheon in Alamogordo tomorrow. Trustee Garcia will attend MOLI training this week.

37  
38 Trustee Garcia thanked Ms. Stoechner-Hernandez for taking time to assist her with the budget. She asked  
39 if the marshal can postpone tomorrow's meeting.

40  
41 Mayor Barraza responded she does not think so since it has been posted on our website and Facebook.

42  
43 Ms. Stoechner-Hernandez stated we can recommend that he schedule another meeting. She is sure this is  
44 the first of other meetings that will be held.

45  
46 Trustee Garcia stated she did not see it on the web page.

47  
48 **11. ADJOURNMENT**

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

50  
51 **MEETING ADJOURNED AT 7:37 P.M.**

52  
53 **APPROVED THIS 29<sup>TH</sup> DAY OF MAY, 2018.**

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Nora L. Barraza  
Mayor

**ATTEST:**

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Cynthia Stoechner-Hernandez  
Town Clerk/Treasurer

Draft

# TOWN OF MESILLA

## BOARD ACTION FORM

**ITEM:**

Approval of recommendation to hire Gloria Garza as part-time temporary Recreation Supervisor (Lead), and Matthew Rivera and Angelica Rivera as part-time temporary Recreation Supervisors for Mesilla Summer Recreation Program made possible by a donation from El Paso Electric.

**BACKGROUND:**

The Recreation Supervisors will oversee over 40 children ages 6-to-12 as part of the Town of Mesilla 7-week Summer Recreation Program June 4-July 20, 2018 at Mesilla Community Center. All three Recreation Supervisors will be responsible for planning and implementing various activities for the participants. The Recreation Supervisor (Lead) will also serve as the on-site supervisor and decision-maker.

**SUPPORT INFORMATION:**

None

**BOARD OPTIONS:**

1. Approve
2. Modify
3. Reject

---

**SUBMITTED BY:** Irene E. Pana  
**BOT MEETING DATE:** 5/31/18

**DEPARTMENT:** Community Activities

*J*



## BOARD ACTION FORM

### ITEM:

**Resolution:** For Approval to Participate in the **Match Waivers** for FY 2018-2019 Local Government Road Fund Program Administered by New Mexico Department of Transportation - on Calle Primera Phase II and Calle de Parian.

**BACKGROUND:** The scope of work is engineering, survey and design to construct roadway by removing and replacing the existing deteriorated sub-grade and installing a new 2-inch asphalt surface, concrete curb and utility adjustments and storm drain improvements on Calle Primera - Phase 2 - "from Calle de Colon to Baseball Field Station 10+16.50 to Station 12+80- AND - new 3" asphalt surface, concrete curb, utility adjustments and storm drain improvements on Calle de Parian – from the intersections of Calle Picacho to Calle Principal Station 10+00 to Station 17+70.

### SUPPORTING INFORMATION:

Letters from NMDOT awarding the Local Government Road Fund Program funding to the Town of Mesilla.

The total cost of the project will be \$134,993.00 to be funded in proportional share by the parties hereto as follows:

- a. New Mexico Department of Transportation's share shall be 75% or \$101,245.00
- b. Town of Mesilla's proportional matching share shall be 25% or \$33,748.00.

Resolution

### BOT OPTIONS:

1. Approve the application.
2. Modify the application with conditions.
3. Reject the application.

**RESOLUTION NO. 2018-07**  
**TOWN OF MESILLA**

**PARTICIPATION IN LOCAL GOVERNMENT ROAD FUND PROGRAM AND REQUEST FOR MATCH  
WAIVER ADMINISTERED  
BY NEW MEXICO DEPARTMENT OF TRANSPORTATION**

WHEREAS, the **Town of Mesilla** and the New Mexico Department of Transportation enter into a Cooperative Agreement.

WHEREAS, the total cost of the project will be **\$134,993.00** to be funded in proportional share by the parties hereto as follows:

- a. New Mexico Department of Transportation's share shall be 75% or **\$101,245.00**  
and
- b. **Town of Mesilla's** proportional matching share shall be 25% or **\$33,748.00** if Hardship for Match Waiver is not deemed to be present by Department of Finance and Administration and the Department of Transportation

TOTAL PROJECT COST IS **\$134,993.00**

**Town of Mesilla** shall pay all costs, which exceed the total amount of **\$134,993.00**.

WHEREAS, the **Town of Mesilla** has a limited tax base, which limits the funding for meeting the proportional matching share; and, a fund exists in the NMDOT appropriated by the New Mexico State Legislature for Public Entities in need of "hardship" match money and **Town of Mesilla** requests participation in this Match Waiver Program in the amount of **\$33,748.00**.

Now therefore, be it resolved in official session that **Town of Mesilla** determines, resolves, and orders as follows:

That the project for this Cooperative Agreement is adopted and has a priority standing.

The agreement terminates on **December 31, 2019** and the **Town of Mesilla** incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement.

NOW therefore, be it resolved by the **Town of Mesilla** to enter into Cooperative Agreement Project Number **SP-1-19 (966)**, Control Number **HW2 L100366** with the New Mexico Department of Transportation for LGRF Project for year 2018-2019 to **Engineer, survey and design to construct roadway by removing and replacing the existing deteriorated sub-grade and installing a new 2-inch asphalt surface, concrete curb and utility adjustments and storm drain improvements on Calle Primera - Phase 2 - "from Calle de Colon to Baseball Field (Station 10+16.50 to Station 12+80) - AND - new 3" asphalt surface, concrete curb, utility adjustments and storm drain improvements on Calle de Parian - from the intersections of Calle Picacho to Calle Principal (Station 10+00 to Station 17+70** within the control of the **Town of Mesilla** in **Mesilla**, New Mexico.

PASSED AND APPROVED this 29th day of May, 2018.

**BOARD OF TRUSTEES**

\_\_\_\_\_  
Nora Barraza, Mayor

ATTESTED:

\_\_\_\_\_  
Cynthia Stoechner-Hernandez  
Town Clerk/Treasurer



New Mexico DEPARTMENT OF  
**TRANSPORTATION**  
MOBILITY FOR EVERYONE

May 17, 2018

Debra Lujan, Public Works Director  
Town of Mesilla  
P.O. Box 10  
Mesilla, NM 88046

Re: 2018 - 2019 Local Government Road Fund Program

Dear Ms. Lujan:

The State Transportation Commission approved the above program during their May 17<sup>th</sup> meeting.

A resolution passed by the governing body or agency head respectively adopting the project and verifying its priority standing with the Public Entity is the next item needed. The resolution should contain the scope of work and monetary amounts as submitted to the Transportation Commission and shown on the preliminary offer letter forwarded to your office on April 13, 2018. Additional information to be included in the resolution is the termini, project number SP-1-19 (966) and control number HW2 L100366.

A sample resolution is included for your convenience.\*\*

**\*\*There are two sample resolutions included with this notification.** If you are asking for match waiver this year, please submit the "match waiver sample resolution" along with the "letter of intent to apply for a hardship waiver" (samples attached). If you will not be asking for match waiver then submit the normal resolution included in your samples.

**Please submit the resolution no later than June 30th.** This will allow the time needed to have the agreement fully executed by the October 31<sup>st</sup> deadline. **Any agreement not fully executed by this deadline could result in the loss of your funding.**

Agreements will be forwarded for signature upon receipt of the resolution in our office. Please remember that **NO** aspect of the project can begin prior to the execution of the agreement.

We appreciate your assistance and please email [debraa.hudson@state.nm.us](mailto:debraa.hudson@state.nm.us), fax 575-544-7380 or call 575-640-2779 if you should have any questions or need further assistance.

Sincerely,

Debbie Hudson  
District One LGRF Coordinator

Enclosures

Susana Martinez  
Governor

Tom Church  
Cabinet Secretary

**Commissioners**

Ronald Schmeits  
Chairman  
District 4

Butch Mathews  
Vice Chairman  
District 5

Dr. Kenneth White  
Secretary  
District 1

David Sepich  
Commissioner  
District 2

Keith Mortensen  
Commissioner  
District 3

Billy Moore  
Commissioner  
District 6



New Mexico DEPARTMENT OF  
**TRANSPORTATION**  
MOBILITY FOR EVERYONE

May 17, 2018

Debra Lujan, Public Works Director  
Town of Mesilla  
P.O. Box 10  
Mesilla, NM 88045

Re: Match Waivers for FY 19 Local Government Road Fund Program

Dear Ms. Lujan:

For fiscal year 2019, counties and municipalities participating in the Local Government Road Fund Program may request waivers of their required match funding for their individual projects. The requests will be reviewed by the Department of Finance and Administration (DFA) to determine whether you are eligible for the match waiver based on financial hardship.

In general, DFA will determine if you have sufficient non-earmarked balances in your funds to cover the required twenty-five percent (25%) match of your proposed projects. For municipalities DFA will analyze your general, street, and water/sewer funds and for counties will analyze your general and road funds.

The attached New Mexico Administrative Code 18 NMAC 27.3.8 is still in effect for the Match Waiver Program and may be used as a guideline for you to determine whether you will be requesting any waivers.

If your county or municipality is interested in applying for a match waiver based on the above DFA criteria and the attached Administrative Code, please provide a written response (see sample letter of request and sample resolution for match waiver), including all project details to our office by **June 30, 2018**.

If you have any questions feel free to contact me at (575) 640-2779.

Sincerely,

Debbie Hudson - District One LGRF Coordinator

Susana Martinez  
Governor

Tom Church  
Cabinet Secretary

**Commissioners**

Ronald Schmeits  
Chairman  
District 4

Butch Mathews  
Vice Chairman  
District 5

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David Sepich  
Commissioner  
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Keith Mortensen  
Commissioner  
District 3

Billy Moore  
Commissioner  
District 6



**ZONE CHANGE**

**A PUBLIC HEARING MUST BE HELD PRIOR TO ACTION ON THE FOLLOWING ITEM.**

**Z18-001** – 2331 Calle de Parian, submitted by Eric Sanchez; a request for a Zone change from Historical Commercial (HC) to Historical Residential (HR) for a 0.2 acre parcel containing a residence at this address.

**ZONE CHANGE REQUEST Z18-001**  
**[PZHAC REVIEW – 5/9/18]**  
**STAFF ANALYSIS**

**A PUBLIC HEARING MUST BE HELD PRIOR TO ACTION ON THE FOLLOWING ITEM.**

**Item:**

**Z18-001** – 2331 Calle de Parian, submitted by Eric Sanchez; a request for a Zone change from Historical Commercial (HC) to Historical Residential (HR) for a 0.2 acre parcel containing a residence at this address.

**Description of Request:**

The applicant is requesting this zone change in order to bring the zoning of the property into conformity with the current use of the property, which is residential according to the applicants. Additionally, in order for the applicants to obtain a mortgage on the property for the dwelling, their bank is requiring that the zoning of the property be residential. Although the property has been used for residential and commercial in the past (it was a market at one time -“the Freitz Store”), it will now be used solely as a residence.

The property is listed in the Historic Register for the Town (see attached) and the existing dwelling is considered one of the most historically significant buildings in Town. According to the description of the property in the Register, the structure was built in the 1850’s and was once used to garrison Mexican troops. Much of that historical flavor is still retained today. The property also contains a concrete block structure that appears to have been built in the 1960’s as a pool house. This structure is currently being converted into a garage and storage building. The proposed zone change will not effect on the use or character of the structure, which has been used as a residence for the past several years. The store portion of the structure (the old “Reynolds Store”) has been used recently as a small office for a real estate management operation, but will be used as part of the residence in the future, according to the applicant.

The property is bordered to the north by the Town Community Center. Although zoned Historical Commercial (HC), the Community Center is not used as or considered a true commercial structure. Property to the north of the community center is zoned Historical Residential, and is occupied by a Town Park. The property is bordered to the east by the Acequia Madre, which is bordered further to the east by property zoned Historical Commercial containing small shops and a restaurant. To the south are properties zoned Historical Residential (HR) that are occupied by pecan trees. These properties are owned by the applicant. Immediately to the west of the subject property is the Town post office. Property further to the west is Historic Residential, and is occupied by a number of dwellings.

Staff has not received any positive or negative comments from notified property owners.

**Consistency with the Code:**

The PZHAC will need to determine why the proposed zone change will not be “spot zoning”, and that commercial zoning in this location will be compatible with the Mesilla Comprehensive Plan.

**The PZHAC will need to make the following Findings for approval:**

- The PZHAC has jurisdiction to review this request.
- The zoning code allows this type of zone change request.
- The application meets the requirements of the Code for a zone change.
- The requested zone change would not be out of character with the zoning on other properties in the area, nor will it constitute “spot zoning”.
- The commercial zoning requested will be compatible with the Comprehensive Plan for the area.
- The proposed zoning, as requested, or amended with conditions; will be beneficial to the Town.
- The proposed zone change meets all other applicable Code requirements.

**PZHAC ACTION:**

*The PZHAC voted 3 – 0 to recommend approval of this zone change to the BOT.*

**BOT OPTIONS:**

1. **Approve the requested zone change**
2. **Approve the requested zone change with conditions (Conditional Zoning)**
3. **Deny the requested zone change**

**BOT ACTION:**

**PLANNING ZONING HISTORICAL APPROPRIATENESS COMMISSION  
(PZHAC)**

**RESOLUTION 2018-03**

**WHEREAS**, the PZHAC convened on May 9, 2018 at a Public Hearing and Regular Meeting; to hear the case regarding a Zone Change request (Z18-001) from Historical Commercial (HC) to Historical Residential (HR) for a property at 2331 Calle de Parian; and

**WHEREAS**, the Zone Change was requested by Eric Sanchez, Trustee of the property; and

**WHEREAS**, three of the current members of the PZHAC were present; and

**WHEREAS**, the application for a Zone Change was filed on April 16, 2018; and

**WHEREAS**, neighboring property owners within 100 feet of the subject property were notified of the proposed zone change by certified mail as per MTC 18.90.060 and the property was posted giving notice of proposed hearing; and

**WHEREAS**, all of the surrounding properties in the area around the subject property are zoned Historical Commercial (HC) or Historical Residential (HR); and

**WHEREAS**, a public hearing was held by the Planning, Zoning, and Historical Appropriateness Commission on May 9, 2018, according to the requirements of MTC 18.90, during their regular meeting; and

**WHEREAS**, a resident of the Town stated that changing a zoning classification for economic reasons was not a sufficient reason for a zone change, and

**WHEREAS**, the same resident stated that the zone change would result in negative benefits for the Town because the zone change is not in compliance with the 2017 Comprehensive Plan, and

**WHEREAS**, there were no negative responses from notified property owners surrounding the property; and

**WHEREAS**, the Public Hearing of May 9, 2018 was closed after taking public comments; and

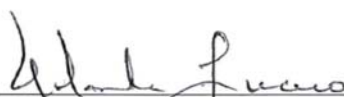
**WHEREAS**, at the May 9, 2018 PZHAC meeting the PZHAC determined that the proposed Historical Residential (HR) zoning will benefit the general well being of the Town; and

**WHEREAS**, the PZHAC voted 3 – 0 to recommend the zone change for approval to the Board of Trustees; and

**NOW, THEREFORE, BE IT RESOLVED THAT:**

The Planning, Zoning and Historical Appropriateness Commission of the Town of Mesilla recommends approval of the request for a Zone Change to Historical Residential (HR), with findings for said approval as stated in “Attachment A” attached to this resolution.

**RESOLVED** on this 9th day of May, 2018.

  
\_\_\_\_\_  
Yolanda Lucero  
PZHAC Chairman (acting)



## **ATTACHMENT A**

### **RESOLUTION 18-03 (ZONE CHANGE Z18-001)**

#### **PZHAC FINDINGS:**

- The PZHAC has jurisdiction to review this request.
- The zoning code allows this type of zone change request.
- The application meets the requirements of the Code for a zone change.
- The requested zone change would not be out of character with the zoning on other properties in the area, nor will it constitute “spot zoning” since it is on the edge of the HC zone and is bordered by HR zoning.
- The PZHAC determined that the requested HR zoning will be beneficial to the Town in that it will place less of a burden on parking in the area than the original HC zoning of the parcel.
- The proposed zone change meets all other applicable Code requirements.

# Doña Ana County, NM

General Reference Maps

Map Help

Doña Ana County

2014 Aerial

Addresses

County Address Points

Select Search Type:

Account Number

Enter Value:

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: [R0400299](#)

Parcel Number: 4006137219509

Owner: SANCHEZ ERIC L TRUSTEE

Mail Address: PO BOX 358

Subdivision:

Property Address: 2331 CALLE DE  
PARIAN

Acres: 0.2



**PHOTO OF THE PROPERTY SHOWING NOTIFICATION SIGN  
(FROM CALLE DE PARIAN)**



**PHOTO OF THE PROPERTY FROM THE NORTH  
(FROM CALLE DE PARIAN)**



**PHOTO OF THE PROPERTY FROM THE EAST  
(FROM CALLE DE PARIAN)**



**PHOTO OF PROPERTIES TO THE EAST  
(FROM CALLE DE PARIAN)**



**PHOTO OF PROPERTY AND POST OFFICE  
(FROM CALLE DE PICACHO)**



**PHOTO OF PROPERTY TO THE WEST OF THE POST OFFICE  
(FROM CALLE DE PICACHO)**



**ZONE CHANGE 18-001  
NOTIFIED PROPERTY OWNERS**

Eric L. Sanchez (\*, 6)  
PO Box 358  
Mesilla Park, NM 88047

J. Paul Taylor (1)  
PO Box 133  
Mesilla, NM 88046

Tiburcio R. Freitze LLC (2)  
PO Box 358  
Mesilla Park, NM 88047

Mary Helen & James Paul Ratje (3)  
PO Box 707  
Mesilla, NM 88046

Lowell B. Catlett (4, 18)  
PO Box 842  
Mesilla, NM 88046

Cheryll A. Blevins (5)  
PO Box 96  
Mesilla, NM 88046-0096

Felix M and Guadalupe R Armijo (7)  
2004 W. Union Avenue  
Las Cruces, NM 88005

Erlinda Lujan, A. L. Saenz, S. L. Soto and I. Lujan (8, 9)  
PO Box 31  
Mesilla, NM 88046

Teresa Sanchez (10, 11, 12, 13, 15)  
PO Box 32  
Mesilla, NM 88047

Teresa Sanchez & Eliza Freitze (14)  
PO Box 358  
Mesilla Park, NM 88047

Sarah Ellen Smith (16)  
PO Box 387  
Mesilla Park, NM 88047

Roberto E. & Amalia G. Garcia (17)  
PO Box 1033  
Mesilla, NM 88046-1033

Beatrice G. Howell (19, 20)  
PO Box 183  
Mesilla, NM 88046-0183

Town of Mesilla (21)  
PO Box 10  
Mesilla, NM 88046



# Town of Mesilla, New Mexico

DATE: April 20, 2018

Dear Property Owner:

In accordance with the Town of Mesilla regulations regarding variances, we are notifying you as a neighboring property owner within a hundred foot radius of the subject property that the **Town of Mesilla PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC)** will be holding a Public Hearing on:

**Monday, May 7, 2018 at 6:00 PM**  
at: **Town of Mesilla**  
**Town Hall**  
**2231 Avenida de Mesilla**  
**Mesilla, NM 88046**

**To obtain input on an application for a Zone Change from Historical Commercial (HC) to Historical Residential (HR) for a property located at 2331 Calle de Parian, just east of the Post Office, in order to bring the zoning of the subject property into conformity with the planned use of the property.**

Anyone who is concerned with this matter may address the PZHAC at the Public Hearing, or write to them at:

**TOWN OF MESILLA**  
**Community Development Department**  
**PO Box 10**  
**Mesilla, NM 88046.**

Letters must be received before the Public Hearing. In addition to mailing the letter, a copy may be faxed to Larry Shannon at 575-541-6327 to ensure timely receipt, or you may also contact Larry by e-mail at [larrys@mesillanm.gov](mailto:larrys@mesillanm.gov).

Sincerely,



Larry Shannon  
Town Community Development Coordinator  
Town of Mesilla  
Office: (575) 524-3262 ext. 104  
Fax: (575) 541-6327



**THIS PUBLIC HEARING WAS POSTPONED TO WEDNESDAY, MAY 9, 2018  
AT 6:00 PM**

The Town of Mesilla PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) will be holding a Public Hearing on:

**Monday, May 7, 2018 at 6:00 PM  
at: Town of Mesilla  
Town Hall  
2231 Avenida de Mesilla  
Mesilla, NM 88046**

**To obtain input on an application for a Zone Change from Historical Commercial (HC) to Historical Residential (HR) for a property located at 2331 Calle de Parian, just east of the Post Office, in order to bring the zoning of the subject property into conformity with the planned use of the property.**

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Community Development Department  
PO Box 10  
Mesilla, NM 88046.**

Letters must be received before the Public Hearing. In addition to mailing the letter, a copy may be faxed to Larry Shannon at 575-541-6327 to ensure timely receipt, or you may also contact Larry by e-mail at [larrys@mesillanm.gov](mailto:larrys@mesillanm.gov).

POSTED: ~~April 20, 2018~~ May 7, 2018





# Town of Mesilla, New Mexico

Phone (575) 524-3262

P.O. Box 10

2231 Avenida de Mesilla, Mesilla, NM 88046



## Application Form For Zone Change

Case # 060714 Date Submitted 4/16/18

Discussed by: L. SHANNON Date (s) 4/16/18

### Section 1:

Name (s) of Property Owner (s) SANCHEZ

Address P.O. BOX 32 MESILLA, N.M. 88046 Phone 915 355-1954

Name of Applicant (s) SANCHEZ

Address P.O. BOX 32 MESILLA, N.M. 88046 Phone 915 313-1973

### Section 2:

Property Description: Address 2331 CALLE DE PARIAN

Legal Description Lot (s) S36T 23SR 1E BRM 11A Block \_\_\_\_\_

Subdivision PART OF TR 100

If legal description is in metes and bound; is it attached to the application? Yes \_\_\_\_\_ No \_\_\_\_\_

Survey Plat attached: Yes  No \_\_\_\_\_

Area (sq. ft. or acres) \_\_\_\_\_ Present Zone MC Present Land Use RESIDENTIAL DWELLING

Proposed Land Use:

RESIDENTIAL DWELLING

**Section 3:**

Why is this change of zoning status being requested?

PROPERTY WILL BE USED FOR STRICTLY RESIDENTIAL  
AND BANK REQUIREMENT

Signatures: Property Owner \_\_\_\_\_

Applicant \_\_\_\_\_

**NOTICE: NO APPLICATION WILL BE ACCEPTED WITHOUT THE SIGNATURE OF THE OWNER (S) OF RECORD OF THE ABOVE DESCRIBED PROPERTY. IF MORE THAN ONE, ALL OWNERS OF OR THEIR AGENTS MUST SIGN.**

Fee Paid : Yes \_\_\_\_\_ No \_\_\_\_\_ Affidavit : Yes \_\_\_\_\_ No \_\_\_\_\_

Received by: \_\_\_\_\_ Receipt #: \_\_\_\_\_ Amount: \_\_\_\_\_

# 2331 Calle de Parian



ACCOUNTNUMBER:	R0400299	PARCELNUMBER:	4006137219509
OWNERNAME:	SANCHEZ ERIC L TRUSTEE	MAILADDR1:	PO BOX 358
CITY:	MESILLA PARK	STATE:	NM
ZIP:	88047	LOT:	
BLOCK:		SUBNAME:	
TRS:	T23S R1E S36	SITUSADDRS:	2331 CALLE DE PARIAN
TOTALACRES:	0.2		

Eric and Teresa Sanchez  
PO Box 32  
Mesilla NM 88046  
May 17, 2018

Dear Town of Mesilla Board of Trustees:

We are writing as requested on the May 14, 2018 Board meeting. This is in regard to the PZHAC Case Z18-001- 2231 Calle de Parian. We are both trustees of **The Eric L. Sanchez and Teresa V.F. Sanchez 2017 Living Trust** and how the property is currently deeded.

We both are requesting a zoning change from Historical Commercial to Historical Residential. The request is for our desire to move and make this generational home our permanent residence after 31 years of military service and with retirement in the very near future.

Enclosed are copies of the Special Warranty Deed, Property Survey, 2017 Tax Bill and notification from EBID for a Right of Use Permit of the Mesilla Lateral as a temporary driveway at station # 286+56-287+33.

It was brought to your attention that an easement was established with the connecting property which currently is in use by the Mesilla Post Office. This easement was required due to the fact that we can no longer use the Mesilla Lateral as our driveway. This was brought to our attention when EBID and the Town of Mesilla repaired the culvert adjacent to the 2231 Calle de Parian property in November 2017. This change restricted the ability to enter the residential portion of the building and property, thus requiring alternate entrances to be established (vehicle parking garage and future street access to the residence).

Any other questions or concerns please contact us at 915-313-1973.

Thank you for your assistance and consideration,

  
Eric L Sanchez

  
Teresa V-F Sanchez

SPECIAL WARRANTY DEED

STATE OF NEW MEXICO

§  
§  
§

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF DOÑA ANA

THAT TERESA V. SANCHEZ, a married woman dealing in her sole and separate estate ("Grantor"), for the consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration herein stated, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto ERIC L. SANCHEZ and TERESA V.F. SANCHEZ, and their successors, as Co-Trustees of THE ERIC L. SANCHEZ AND TERESA V.F. SANCHEZ 2017 LIVING TRUST, dated August 25, 2017, as amended ("Grantee"), all of Grantor's interest in that certain real property, together with all improvements thereon situated, lying and being situated in Doña Ana County, New Mexico (the "Property"), and more particularly described as follows:

See attached Exhibit "A" attached hereto.

SUBJECT TO reservations, restrictions and easements of record;

with special warranty covenants.

WITNESS THE EXECUTION HEREOF as of the 25<sup>th</sup> day of August, 2017.

GRANTOR:

  
TERESA V. SANCHEZ



COUNTY OF DONA ANA ) SPECIAL WARRANTY DEED  
STATE OF NEW MEXICO ) 88 PAGES: 4

I Hereby Certify That This Instrument Was Filed for  
Record On AUG 31, 2017 03:02:07 PM  
And Was Duly Recorded as Instrument # 1720534  
Of The Records Of Dona Ana County



Witness My Hand And Seal Of Office,  
Scott Krahlng, County Clerk, Dona Ana, NM

Deputy Gerardo Barrera





# MOY SURVEYING INC.

414 N. DOWNTOWN MALL, LAS CRUCES, N.M. 88001  
PHONE: (575) 525-9683 - FAX: (575) 524-3238

MARCH 26, 2013

## DESCRIPTION OF A 0.4770 ACRE TRACT

### TRACT C

A tract of land situate in the Town of Mesilla, Dona Ana County, New Mexico, in Section 25, T.23S., R.1E., N.M.P.M. of the U.S.R.S. Surveys, being part of U.S.R.S. Tract 11A-100, and more particularly described as follows, to wit:

Beginning at a ½" iron rod set on the South line of Calle De Parian for the Northwest corner of the tract herein described; whence a ½" iron rod set at the Northwest corner of U.S.R.S. Tract 11A-123, bears: S.17°37'40"W., 113.89 feet;

Thence from the point of beginning and along the South line of Calle De Parian the following two courses and distances: N.17°37'40"E., 21.71 feet ½" iron rod found for an angle point of this tract;

Thence N.38°49'45"E., 84.25 feet to a mag nail set on the West line of the Mesilla Lateral for the Northeast corner of this tract;

Thence leaving the South line of Calle De Parian and along the West line of the Mesilla Lateral, the following four courses and distances: S.74°11'35"E., 72.99 feet to a ½" iron rod set for an angle point;

Thence N.65°24'10"E., 15.03 feet to a ½" iron rod set for an angle point;

Thence S.69°49'35"E., 77.00 feet to a ½" iron rod found for an angle point;

Thence S.28°52'20"E., 13.00 feet to a ½" iron rod found for the Southeast corner of this tract;

Thence leaving the West line of the Mesilla Lateral, S.33°45'50"W., 131.72 feet to a ½" iron rod found for the Southwest corner of this tract;

Thence N.63°18'25"W., 166.38 feet to the point of beginning, containing 0.4770 acres of land, more or less. Subject to any easements and restrictions of record.

Information in the preparation of this description derives from Deed filed December 11, 2000, in Book 246, Pages 346-353, Dona Ana County records. A plat was prepared under Job #13-0138. Field Notes by Moy Surveying, Inc., License No. 18078.

Job #13-0138M



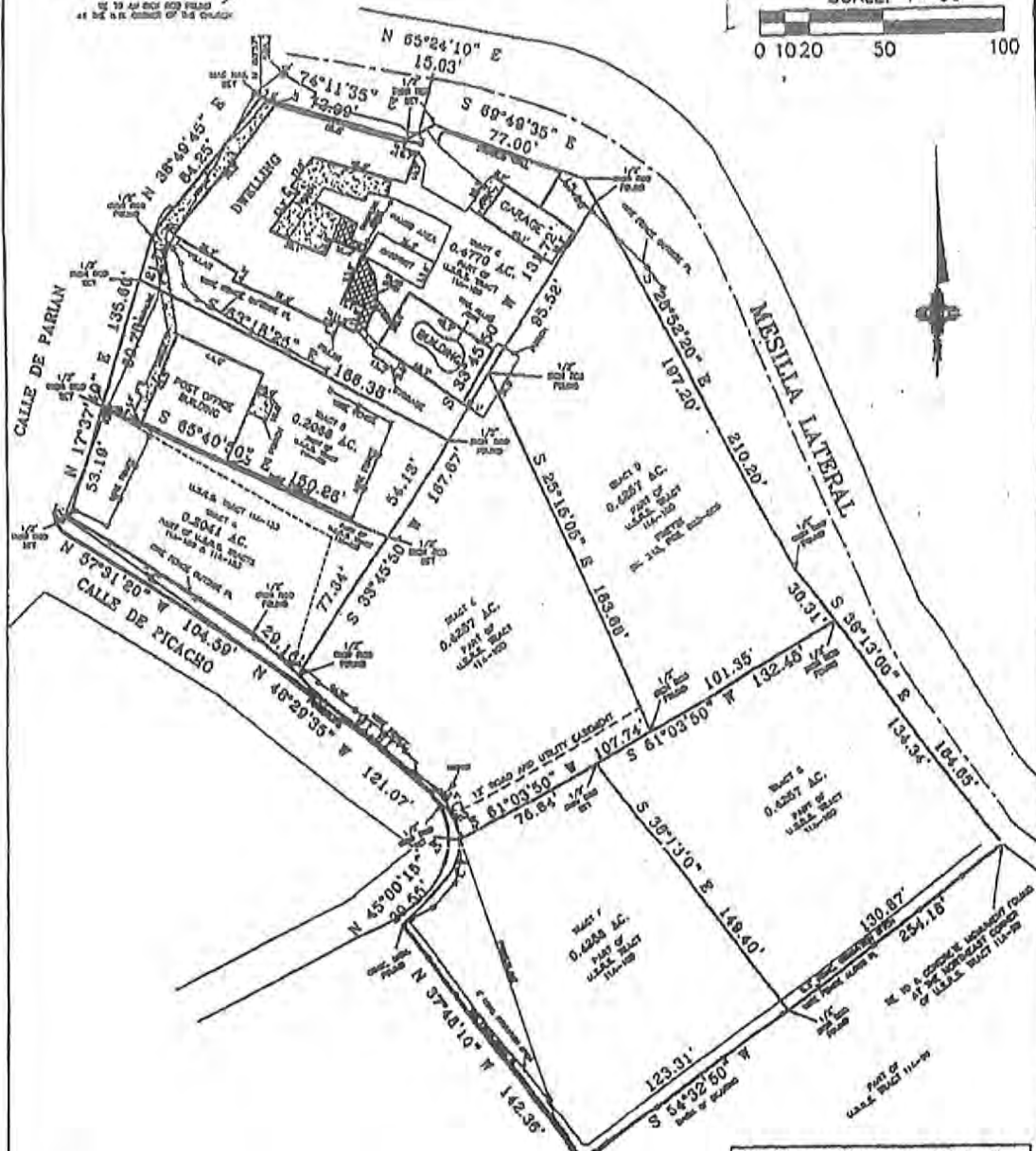
EXHIBIT "A"



AS TO ALL THE RECORDS FILED AT THE U.S. OFFICE OF THE SURVEYOR

SCALE: 1"=50'

0 10 20 50 100



**NOTES:**

FLOOD ZONE "X": AREAS DETERMINED TO BE OUTSIDE 300-YEAR FLOOD PLAIN, IN MAP NO. 35013C0600 E, EFFECTIVE SEPTEMBER 27, 1991.

THIS SURVEY MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.E.M.A. AGENT SHOULD BE CONTACTED FOR VERIFICATION.

INFORMATION IN THE PREPARATION OF THIS PLAT DERIVES FROM WARRANTY DEED FILED DECEMBER 11, 2000, IN BOOK 246, PAGES 346-353 DONA ANA COUNTY RECORDS.

"INDEXING INFORMATION FOR COUNTY CLERK"  
 PROPERTY OWNER: ELIJA F. FINEZZE TRUSTEE  
 PROPERTY LOCATION: TOWN OF MESILLA  
 PARCEL ID. # 04-00278, 04-00284, 04-00299  
 04-00303, 04-00308, 04-00304, & 04-00313

CURVE TABLE (COMPILED)					
CHORD	LENGTH	INSIDE RADIUS	TANGENT	CHORD BEARING	CHORD BEARING
51	33.07	30.81	30.81	S 89°49'35" E	77.00'
52	33.07	30.81	30.81	S 61°03'50" W	107.74'

CURVE TABLE (PLAT)					
CHORD	LENGTH	INSIDE RADIUS	TANGENT	CHORD BEARING	CHORD BEARING
51	33.07	30.81	30.81	S 89°49'35" E	77.00'
52	33.07	30.81	30.81	S 61°03'50" W	107.74'



**PLAT OF SURVEY**  
 SHOWING THE LOCATION OF IMPROVEMENTS  
 ON A 0.2043 AC., A 0.2062 AC., AND A  
 0.4239 AC., TRACTS  
 IN SECTION 28, T.23S., R.1E., N.M.P.M.  
 OF THE U.S.R.S. SURVEYS  
 BEING PART OF U.S.R.S. TRACTS  
 11A-123 AND 11A-100  
 TOWN OF MESILLA  
 DONA ANA COUNTY, NEW MEXICO

I, HENRY MAGALLANES, A NEW MEXICO PROFESSIONAL SURVEYOR, CERTIFY THAT I CONDUCTED THIS SURVEY AND/OR WAS DONE UNDER MY DIRECTION, AND THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.

*Henry Magallanes* 18078  
 HENRY MAGALLANES S.U.P.S. 18078

**MOY SURVEYING INC.**  
 614 N. DOWNTOWN HALL  
 LAS CRUCES, NEW MEXICO  
 88001  
 PHONE: (575) 525-9883  
 FAX: (575) 524-3238

JOB NO. 13-0138RCOUNOP  
 DRAWN BY JUAN GARCIA  
 FIELD BY KENNY VICTOR  
 DATE 3/26/13 SCALE: 1"=50'

FOR THE PAYMENT OF PROPERTY TAXES THAT ARE DELINQUENT  
 PENALTY AND INTEREST ON THE DELINQUENT TAXES (STATUTE 7-38-47)  
 TAXES ON REAL PROPERTY ARE A LIEN AGAINST THE REAL PROPERTY FROM WHICH  
 THEY ARE DEDUCTIBLE  
 A CLAIM AGAINST THE OWNER'S PERSONAL PROPERTY (STATUTE 7-38-47)  
 ASSET OF 7-38-50 WHICH ARE IMPROVED (STATUTE 7-38-47)  
 WHICH THE TAXES ON REAL PROPERTY ARE A LIEN AGAINST THE REAL PROPERTY FROM WHICH  
 THEY ARE DEDUCTIBLE  
 THE ASSESSOR'S OFFICE IS RESPONSIBLE FOR PREPARING THE TAX ROLL EVERY YEAR, THEREFORE, CHANGES OF ADDRESS, OWNERSHIP, OR ANY ASSESSMENTS MUST BE REPORTED TO THAT OFFICE.

**TAX BILL**

**ERIC L. RODRIGUEZ**  
 Doña Ana County Treasurer  
 845 N. Motel Blvd.  
 Las Cruces, NM 88007  
 or  
 P.O. Box 1179  
 Las Cruces, NM 88004-1179  
 (575) 647-7433  
 Toll Free # 1-877-827-7200  
 Ext. 7433

Parcel #: 4006137219509  
 Account#: R0400299

PROPERTY ORIGINATOR AND/OR TRUSTEE  
 S: 36 T: 23S R: 1E BRM 11A PF OF TR  
 100 2331 CALLE DE PARIAN Mesilla  
*Orderly House*  
*PD 12/10/17*  
*OK # 2298*

SANCHEZ ERIC L TRUSTEE  
 PO BOX 358  
 MESILLA PARK, NM 88047

IF YOUR TAX PAYMENTS ARE ESCROWED THROUGH A MORTGAGE COMPANY IT IS YOUR RESPONSIBILITY AS PROPERTY OWNER TO FORWARD THIS BILL FOR PAYMENT.

The Assessor's Office is responsible for preparing the tax roll every year, therefore, changes of address, ownership, or any assessments must be reported to that office.

PROPERTY	AGG. VALUE	TAXABLE VALUE	DISTRIBUTION	TAX RATE	AMOUNT DUE
RESIDENTIAL	40,400	13,467	STATE DEBT SERVI	1.360	114.34
RESIDENTIAL	109,300	36,433	COUNTY OPERATION	11.850	404.88
NON-RESIDEN	60,600	20,200	COUNTY OPERATION	9.055	451.83
NON-RESIDEN	41,900	13,967	COUNTY DEBT SERV	0.108	9.08
			MESILLA MUNICIPA	1.036	51.70
			MESILLA MUNICIPA	2.340	79.95
			LAS CRUCES SCH.	0.337	16.82
			LAS CRUCES SCH.	0.500	17.08
			LAS CRUCES SCH.	4.609	229.99
			LAS CRUCES SCH.	4.609	157.47
			LAS CRUCES SCH.	2.000	99.80
			LAS CRUCES SCH.	2.000	68.33
			DONA ANA BR. COL	1.250	42.71
			DONA ANA BR. COL	1.250	62.38
			OTHER	13.86	662.72
<b>TOTAL NET TAXABLE VALUE:</b>		<b>84,067</b>	<b>TOTAL 2017 TAX DUE</b>		<b>2,188.84</b>



In accordance with New Mexico Statute 7-38-49 and 7-38-50, interest and penalty will be added to this account every month until it is paid in full.



Elephant Butte Irrigation District  
 530 South Melendres Street  
 Las Cruces, NM 88005  
 575-526-6671

**RIGHT OF USE PERMIT**

Special Use  Limited Use

Engineering Job Number: 2017-257  
 License Number: 2017-T-010  
 Exhibits Attached: A, B  
*(Place License Number on all exhibits)*

Term  
 From NOVEMBER 27, 2017  
 To NOVEMBER 26, 2018

Administrative Fee \$  
 Land Use Fee \$  
 Total Assessment \$ FEES WAIVED

Licensee *(Name and address)*

TERESA SANCHEZ  
 12508 ROCK ISLAND AVE.  
 WHITE SANDS MISSILE RANGE, NM 88002

Purpose *(Specify use requested: what, quantities, dimensions, etc.)*

TO OPERATE AND MAINTAIN A PORTION OF THE MESILLA LATERAL AS A TEMPORARY DRIVEWAY AT STATION # 286+56 – 287+33 AS SHOWN IN EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

Description of Premises Fee  Easement  *(Specify legal description of land and major features such as reservoir, canal, etc.)*  
 LOCATED IN THE SE ¼ OF THE SE ¼ OF THE SW ¼ OF SECTION 25, TOWNSHIP 23 SOUTH, RANGE 1 EAST, NMPM, USRS SURVEYS DOCUMENTED UNDER QUITCLAIM DEED, RECORDED IN DONA ANA COUNTY, NEW MEXICO, AS SHOWN IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Special Conditions *(Where the property that is the subject of this Permit is held by the District other than as a fee simple estate, the Licensee shall be solely responsible for ascertaining whether the installation will encroach upon property belonging to entities or persons other than the District and for obtaining any additional permission or licenses that may be required from property owners other than the District. The Licensee shall obtain the requisite permission prior to the use of or encroachment upon the property.)*

1. LEGAL ACCESS MUST BE ESTABLISHED WITHIN THE TERM OF THIS PERMIT. THIS REQUEST WILL NOT BE RENEWED OR REISSUED
2. ALL MAINTENANCE AND LIABILITY ASSOCIATED WITH THIS USE ARE THE RESPONSIBILITY OF THE PERMITTEE
3. PERMITTEE MAY NOT ALLOW FOR FURTHER USE BEYOND THE EXTENTS OF THIS PERMIT

The Licensee has read and reviewed the language contained on the reverse side of the Permit application, and hereby accepts this Permit subject to the terms and conditions expressed or implied herein. The Licensee also understands the rules and regulations of the Elephant Butte Irrigation District and agrees to abide by same during the term of this Permit.

*Sign names as written in body of permit, for partnership, licensees should sign as "members of partnership", for corporation, the officer authorized to execute contracts, etc. should sign, with title, the sufficiency of such signature being attested by the Secretary, with corporate seal.*

ASSIGN/MANAGING AGENCY

LICENSEE

AGENCY ELEPHANT BUTTE IRRIGATION DISTRICT

SIGNATURE [Signature]  
 TITLE TREASURER-MANAGER  
 ATTEST [Signature]  
 DATE 11/27/17

SIGNATURE [Signature]  
 TITLE \_\_\_\_\_  
 ATTEST \_\_\_\_\_  
 DATE \_\_\_\_\_

**\*\*PERMIT IS NOT VALID UNLESS SIGNED BY BOTH THE EBID AND THE LICENSEE\*\***

DATE: NOVEMBER 27, 2017  
 Approved by EBID Treasurer-Manager

SIGNATURE/DATE: [Signature] 11/27/17  
 Approved by EBID Engineering



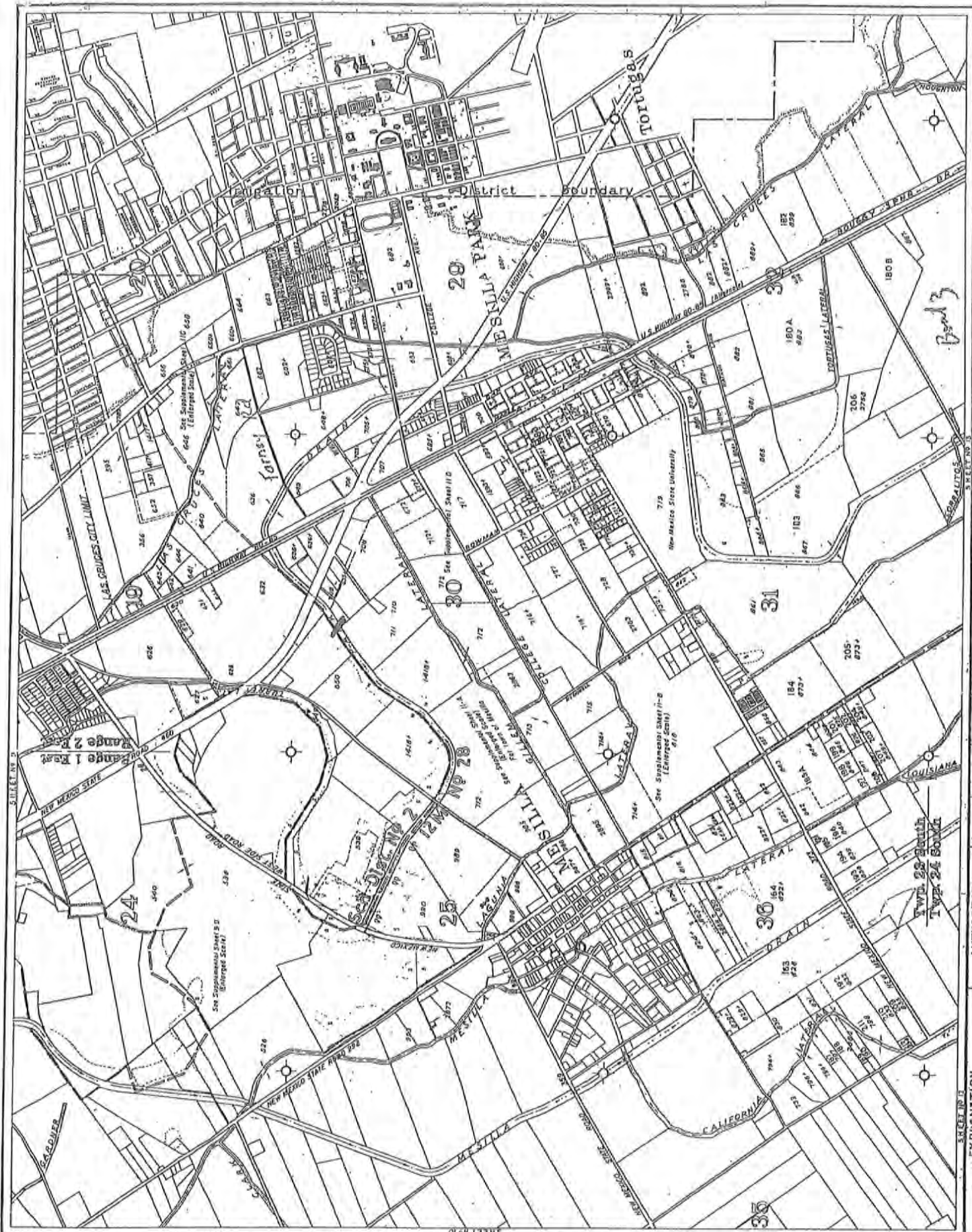
Exhibit "B" 2017-T-010

Using the right bank of the  
Mesilla Lateral as a temporary  
driveway at Sta # 286+56-287+33



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





MESILLA VALLEY  
SHEET — 11  
MESILLA PARK

**BUREAU OF RECLAMATION RIO GRANDE PROJECT  
IRRIGABLE AREA AND PROPERTY MAP  
ELEPHANT BUTTE IRRIGATION DISTRICT**

**PROPERTY NUMBERS**  
 Project Number: 100-1000-1000  
 Sheet Number: 11  
 Date of Issue: 1925  
 Date of Revision: 1925

**SCALE**  
 1" = 200' (1:200)  
 T. 23 S. R. 10 E.  
 DATE: 1925

**AUTHORITIES**  
 Compiled from field notes and  
 maps of the Bureau of Reclamation  
 and the United States Geological  
 Survey. The maps of the  
 United States Geological Survey  
 are published under authority of  
 the War Department.

**EXPLANATION**  
 Canals  
 Streets  
 Lateral  
 Right-of-Way  
 Irrigable Area  
 Non-Irrigable Area  
 Valley Land  
 Other Land

SHEET NO. 11

Exhibit "A"  
 LO17-T-010

SE 1/4, SE 1/4, SW 1/4  
 Sec. 25 T23S  
 R1E

# MESILLA FIRE DEPARTMENT

P.O. Box 10  
Mesilla, NM 88046  
Ph: 575.523.1311  
FAX : 575.652-3776



## MEMORANDUM

Date: May 23, 2018

TO: Nora Barraza, Mayor

FROM: Kevin Hoban, Chief

SUBJECT: Drought restrictions for fireworks

I have conducted a review of current drought indexes from the National Weather Service and Southwest Coordinating Center for fire danger due to drought in our area. After careful consideration I feel the current conditions, although dry, would not support restricting fireworks sales in Mesilla.

As per normal procedure and preparation for the 4<sup>th</sup> of July season we will maintain a heightened vigilance for fire danger and enforcement issues.

Please contact me should you have any questions or concerns.

Cc: Greg Whited, Captain, FMO  
Chad Zecha, Deputy Chief, Fire Operations  
K.C. Alberg, Marshal



*"Protecting your history, today."*



# Fuels and Fire Behavior Advisory

## Eastern New Mexico, Western Texas, Western Oklahoma, Southeastern Colorado and Western Kansas

*Date Advisory takes affect – April 4, 2018*

**Subject:** Exceptional fine fuel loading and persisting drought have combined to create dangerous fire behavior conditions across eastern New Mexico, western Texas, western Oklahoma, southeastern Colorado, and western Kansas. Extreme fire behavior has been observed under moderate fire weather conditions, and fires have shown a complete resistance to control during critical fire weather events.

**Discussion:** Above normal rainfall during the 2017 growing season has produced an abundance of fine fuel loading across the grass dominant fuelscape of the southern Plains. This exceptional crop of grass is supporting above normal significant fire occurrence and fires that are highly resistant to control. The current fire effective weather pattern has produced drying that has pushed ERC values above the 90<sup>th</sup> percentile. This same fire effective weather pattern produces frequent critical and at times extreme fire weather in the pre frontal and post frontal environments. The fire environment described here can produce fast moving fires that quickly out pace suppression efforts and are capable of threatening communities.

**Difference from normal conditions:** Fine fuels loadings are 130-150%+ of normal, with 2-4 foot tall grass observed in some areas. The above normal grass loading can effectively lower fire weather and fuel dryness thresholds for significant fire occurrence or fires highly resistant to control. These grass fuel beds will support rate of spread from 2-4 mph with critical fire weather present. Extreme fire weather will produce rate of spread up to 6-7 mph. Portions of the advisory area have received less than 25% of normal precipitation over the past 90 days. The March 15th County Line Fire north of Amarillo Texas produced rate of spread up to 6 mph in heavy load range grasses. The March 15th Gravel Pit fire shown here produced 15 foot flame heights in heavy load range grass.



### Concerns to Firefighters and the Public:

- Extreme to unprecedented fire growth and intensity is to be expected with any new or ongoing fires, especially under critical fire weather conditions. This is to be expected on all areas of fire perimeters, including the normally less active flanks and heel.
- Typical barriers to fire spread and behavior cannot be depended on, including roadways and areas burned earlier in the year.
- Fire spread and behavior may not abate substantially during cooler, more humid periods as they typically do...including the overnight hours.
- The public will need to be advised to avoid areas in the vicinity of ongoing fires, monitor the media, and heed evacuation notices should fires occur near their homes or places of employment.

### Mitigation Measures:

- Fire managers should be prepared to support periods of more frequent fire occurrence as well as complex, longer duration wildfire incidents; Firefighters should expect to construct wider control lines than typical in all fuel types; Dozers and maintainers will be best utilized in tandem; Wet-lines in fine fuels will require frequent patrol and intensive mop-up; Contained fires will require longer periods of patrol to prevent escape.

**Area of Concern:** Eastern New Mexico, western Texas, western Oklahoma, southeastern Colorado and western Kansas.

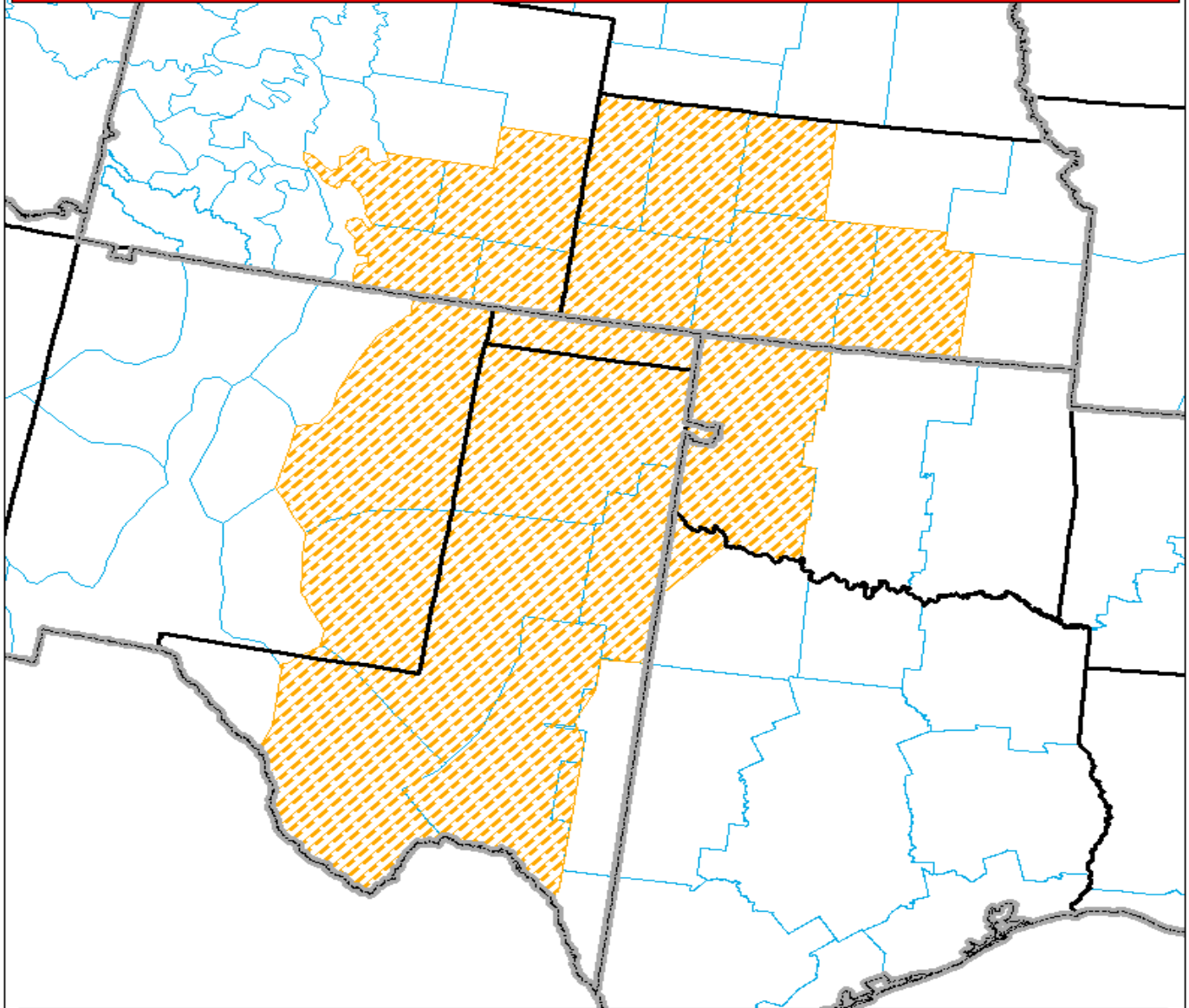
**Issued By:** Allan Hepworth, R8 USFS, with all-hands interagency coordination between wildland fire experts from the SW, RM, and SA Geographic Areas.


# Fuels and Fire Behavior Advisory


Eastern New Mexico, Western Texas, Western Oklahoma,  
Southeastern Colorado and Western Kansas


*Date Advisory takes affect – April 4, 2018*

## Fuels and Fire Behavior Advisory - April 4, 2018



 Geographic Areas

 Fuels and Fire Behavior Advisory Area

 Predictive Service Areas

0 60 120 240 360 480 Miles



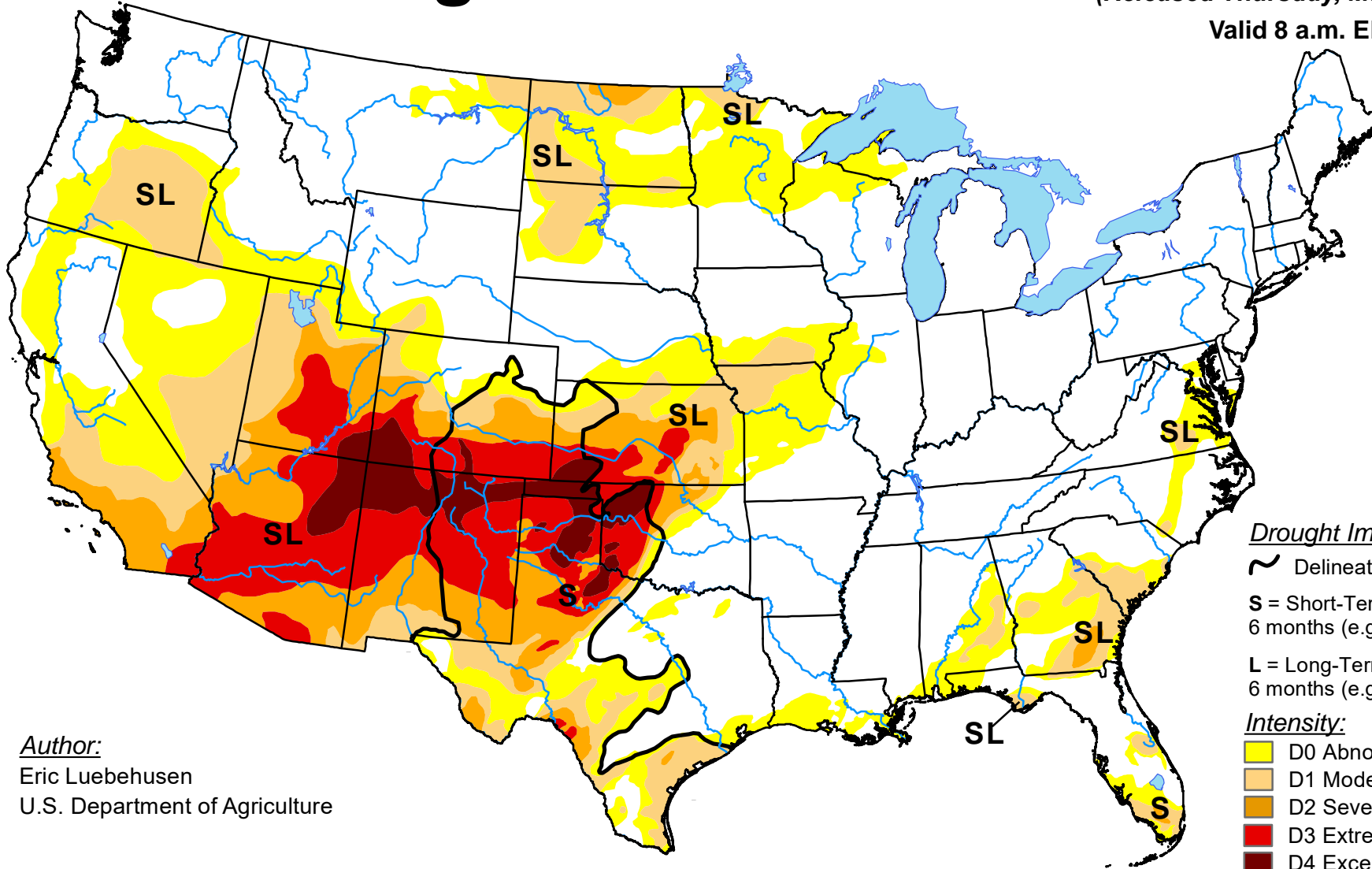


# U.S. Drought Monitor


May 15, 2018

(Released Thursday, May. 17, 2018)






Valid 8 a.m. EDT



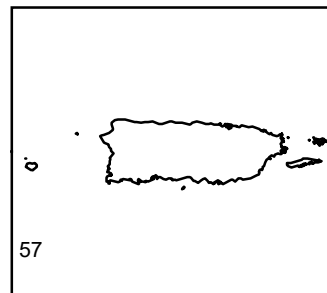
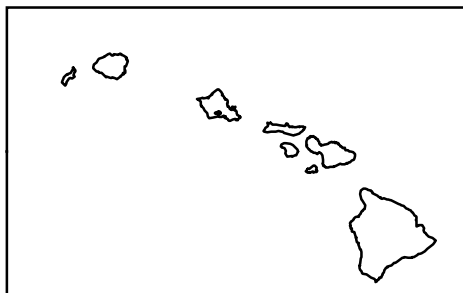
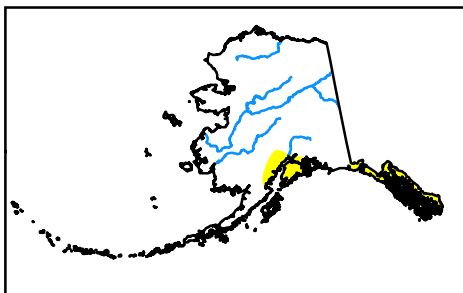
### Drought Impact Types:

-  Delineates dominant impacts
- S** = Short-Term, typically less than 6 months (e.g. agriculture, grasslands)
- L** = Long-Term, typically greater than 6 months (e.g. hydrology, ecology)

### Intensity:

-  D0 Abnormally Dry
-  D1 Moderate Drought
-  D2 Severe Drought
-  D3 Extreme Drought
-  D4 Exceptional Drought

Author:  
Eric Luebehusen  
U.S. Department of Agriculture



The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. See accompanying text summary for forecast statements.

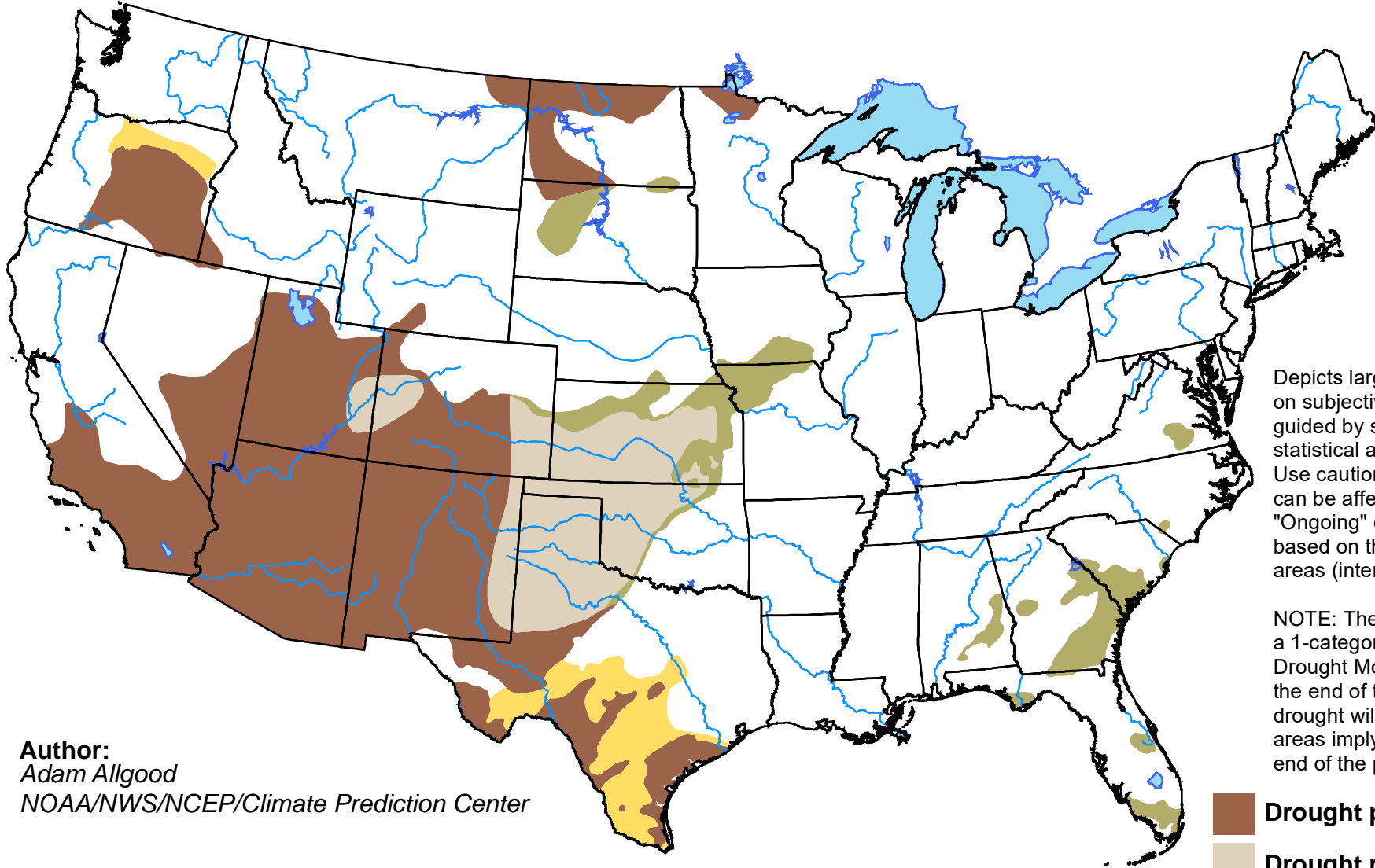


<http://droughtmonitor.unl.edu/>

# U.S. Seasonal Drought Outlook

## Drought Tendency During the Valid Period





Valid for May 17 - August 31, 2018  
Released May 17, 2018

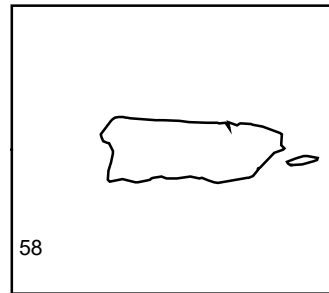
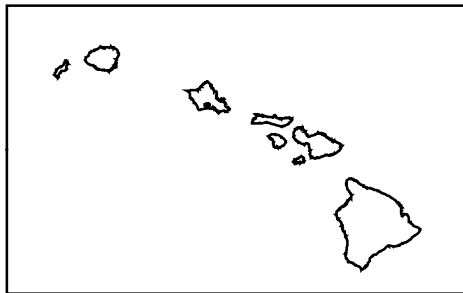
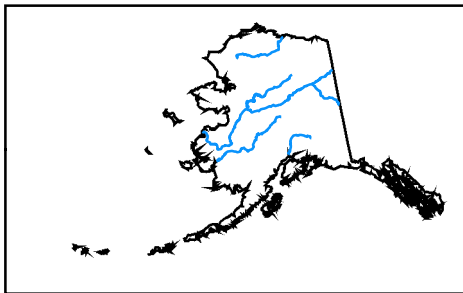


Depicts large-scale trends based on subjectively derived probabilities guided by short- and long-range statistical and dynamical forecasts. Use caution for applications that can be affected by short lived events. "Ongoing" drought areas are based on the U.S. Drought Monitor areas (intensities of D1 to D4).

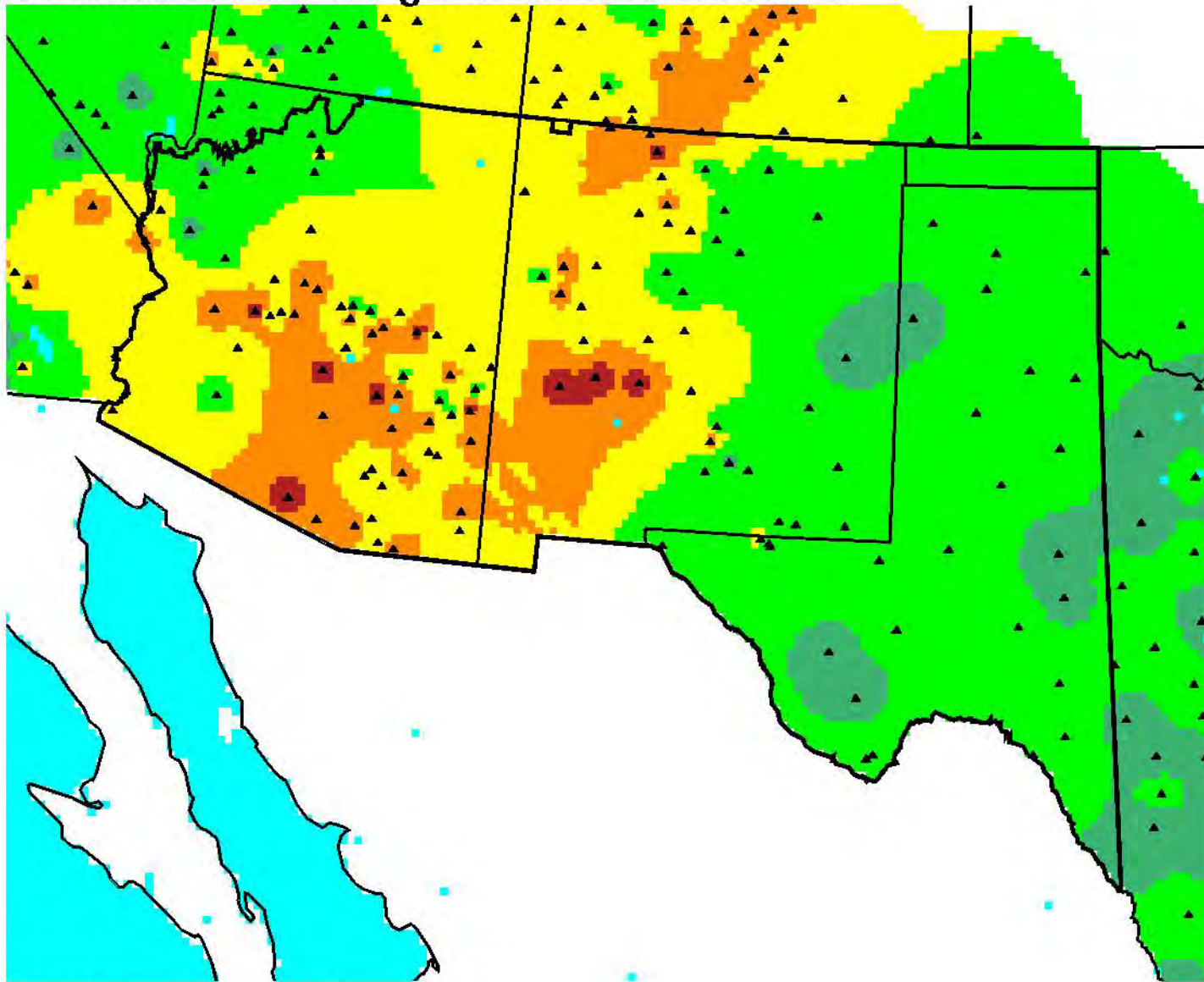
NOTE: The tan areas imply at least a 1-category improvement in the Drought Monitor intensity levels by the end of the period, although drought will remain. The green areas imply drought removal by the end of the period (D0 or none).

**Author:**  
Adam Allgood  
NOAA/NWS/NCEP/Climate Prediction Center

-  Drought persists
-  Drought remains but improves
-  Drought removal likely
-  Drought development likely



# Southwest Forecast Fire Danger Class: 23-MAY-18



## LEGEND

- |  |   |
|--|---|
|  Low       |  Extreme |
|  Moderate  |  Water   |
|  High      |   |
|  Very High |   |

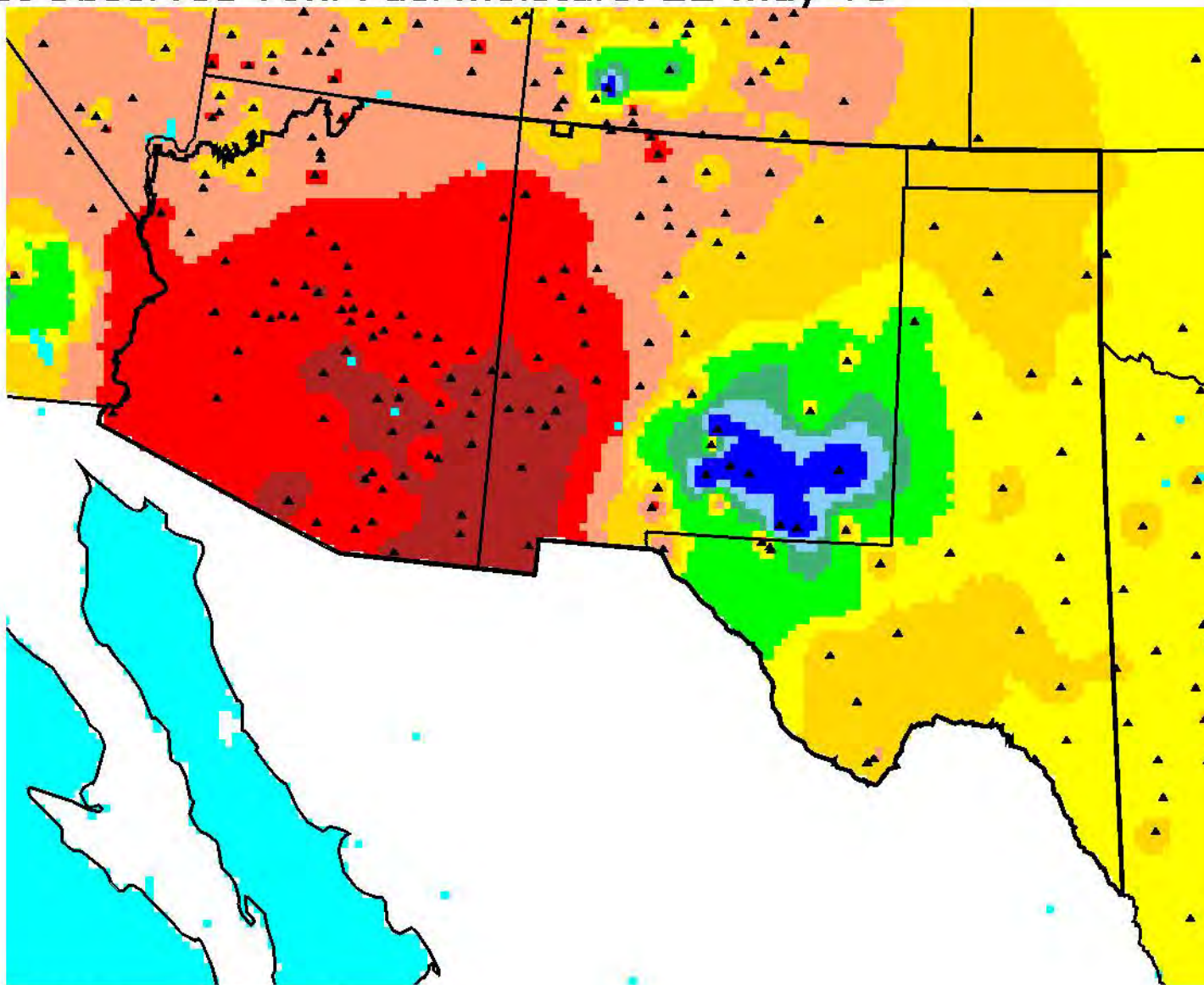
**FireLab**  
MISSOULA, MONTANA



WFAS-MAPS National Interagency Fire Center



# Southwest Observed 10hr Fuel Moisture: 22-May-18



## LEGEND

1-2%	9-10%	> 25%
3-4%	11-15%	Water
5-6%	16-20%	
7-8%	21-25%	

**FireLab**  
MISSOULA, MONTANA



WFAS-MAPS National Interagency Fire Center



