

THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILL HOLD A <u>WORK SESSION</u> ON MONDAY, APRIL 9, 2018 AT 5:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL.

 Discussion of the Town of Mesilla Preliminary Budget for FY 2018/2019. – Cynthia Stoehner-Hernandez, Clerk/Treasurer.

THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILL HOLD A <u>REGULAR BOARD MEETING</u> ON MONDAY, APRIL 9, 2018 AT 6:00 P.M. IN THE BOARD ROOM OF THE MESILLA TOWN HALL.

- 1. PLEDGE OF ALLEGIANCE
- 2. ROLL CALL & DETERMINATION OF A QUORUM
- CLOSED SESSION pursuant to NMSA 1978 Chapter 10-15-1(H)(2): discussion of limited personnel matters for the hiring of an employee in the Public Works Department. Nora L. Barraza, Mayor. (added 12:51 pm 4/5/18)
- **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 of March 26, 2018.
  - **B.** \*PZHAC \*Case 060704 2551 Calle de Colon, submitted by Edna Bustamante; a request for a building permit to allow the installation of a wrought iron security door over the door to the dwelling at this address. Zoned: Historical Residential (HR)
  - **C.** \*PZHAC SUP18-001 w/conditions Submitted by Leila Gomez, a request for a Special Use Permit to operate a small church in a 3600 square foot metal building adjacent to a dwelling at 320 W. University Ave. Zoned: Rural Farm (RF).

#### 7. NEW BUSINESS:

- A. For approval: the hiring of a Maintenance/Water Operator I Worker. **Debbie Lujan, Public Works Director.** (added 12:51 pm 4/5/18)
- **B.** For discussion: cell towers on the property of an approved Commercial property at 1971 Union Avenue. A request by Mayor Pro-Tem Caro and Trustee Garcia.
- **C.** For discussion/possible approval: a request by Judge Frietze for a \$1,000 increase to his current year budget.
- D. <u>Resolution 2018-04</u>: A Resolution providing for determination of reasonable notice of meetings of the Board of Trustees pursuant to the Open Meetings Act. – Cynthia Stoehner-Hernandez, Clerk/Treasurer.

#### 8. \*STAFF REPORTS:

Community Development

Community Programs

Finance Department

Fire Department

Marshal's Department

**Public Works Department** 

- 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 this agenda can be found online at <a href="www.mesillanm.gov">www.mesillanm.gov</a>. You may request to be added to the Mesilla Agenda E-Mailing list by calling or e-mailing Cynthia Stoehner-Hernandez, Clerk/Treasurer, at 524-3262 or cynthias-h@mesillanm.gov.

Posted 4/4/18 Revised and reposed at 12:51 pm on 4/5/18 at the following locations: Town Clerk's Office 2231 Avenida de Mesilla, Public Safety Building 2670 Calle de Parian, Mesilla Community Center 2251 Calle de Santiago, Shorty's Food Mart 2290 Avenida de Mesilla, Ristramnn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.

#### APRIL 2, 2018 PZHAC CASES TO THE BOT

- 1. \*Case 060704 2551 Calle de Colon, submitted by Edna Bustamante; a request for a building permit to allow the installation of a wrought iron security door over the door to the dwelling at this address. Zoned: Historical Residential (HR)
- 2. \*SUP18-001 w/conditions Submitted by Leila Gomez, a request for a Special Use Permit to operate a small church in a 3600 square foot metal building adjacent to a dwelling at 320 W. University Ave. Zoned: Rural Farm (RF).

#### **Conditions:**

- a. The applicant needs to get approval from the New Mexico Department of Transportation (NMDOT) to use the entrance to the property from West University Avenue as access to the property for church usage.
- b. The applicant will need to obtain permits and inspections from Consumer Industries Division (CID) for any work done on the building used for the church.
- c. Any changes to the church structure or the property, or expansion of the occupancy load determined by the Mesilla Fire Department, will require an amendment to the SUP and review by the PZHAC.

#### **BOT ACTION FORM**

## BUILDING PERMIT REQUEST CASE 060704 [PZHAC REVIEW – 4/2/18] STAFF ANALYSIS

#### Item:

**Case 060704 -** 2551 Calle de Colon, submitted by Edna Bustamante; a request for a building permit to allow the installation of a wrought iron security door over the door to the dwelling at this address. Zoned: Historical Residential (HR).

#### **Description of Work to be Done:**

The applicant would like to install a wrought iron security door (see attached diagram) in front of the front door to a dwelling at this location. The reason for this addition is to add security to the front door. The door will not be out of character with other doors that have been added to other dwellings in the area. The requested door and associated grillwork will fit across the outside entrance to the dwelling.

**Estimated Cost: @ \$ 275.00** 

#### **Consistency with the Code:**

The requested door is similar to storm doors allowed by Section 18.33.080 of the MTC that states:

18.33.080 Historical appropriateness permit.

D. Exemptions. Work in any of the following categories shall be exempt from obtaining a certificate of historical appropriateness permit:

3. Installation of storm windows or storm doors, with or without screens, painted or unpainted; provided, however, that no such windows or doors shall have any ornamental feature such as grilles, monograms, etc. This provision shall not be construed to prohibit the installation of plain bars on the inside of such windows or doors for protection of the screens or glass. If a study indicates that storm windows are necessary, the use of interior storm windows is preferred, and interior storm windows are also exempt from obtaining a certificate.

The request is consistent with the all other sections of the **Building and Zoning Codes** that may be applied to this project.

#### **Findings:**

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of installing a wrought iron security door at the front entrance to the dwelling on this property.
- The proposed installation will have little or no negative historical or architectural impact on the overall appearance of the structure.
- The proposed work meets all applicable Code requirements.

#### **PZHAC ACTION:**

The PZHAC determined that the proposed security door would be similar in appearance to the type of storm door that is allowed by the Code and voted 3-0 to recommend APPROVAL of this request to the BOT.

#### **BOT OPTIONS:**

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

#### **BOT ACTION:**

#### Doña Ana County, NM

General Reference Maps

2014 Aerial Addresses

County Address Points

Select S

#### 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: R0400493 Parcel Number: 4006138146081 Owner: BUSTAMANTE ALCARIO L &

EDNA S

Mail Address: PO BOX 494

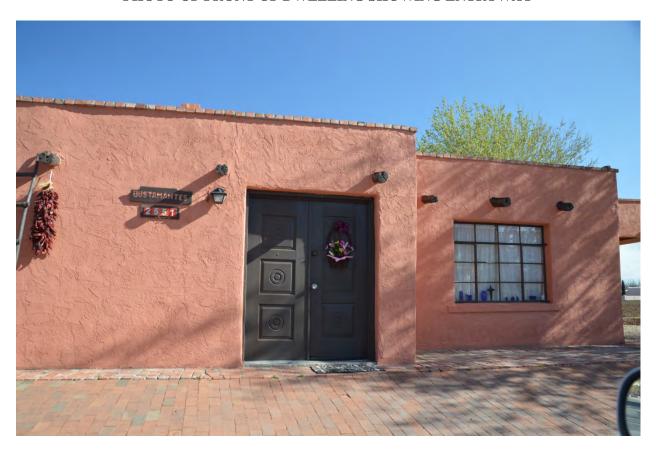
Subdivision:

Property Address: 2551 CALLE DE

COLON Acres: 0.15



#### PHOTO OF FRONT OF DWELLING SHOWING ENTRYWAY



#### TOWN OF MESILLA

PERMISSION TO CONDUCT WORK

Case # 060704
Fee \$ %5.00

OR
OBTAIN A COMMERCIAL/RESIDENTIAL BUILDING PERMIT

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Name of App		8-11-0		oplicant's Telephone	
Applicant's/O	wner's Mailing Address	City		State	Zip Code
P.O.B	4P4 X03	Mesi	110	nim	58046
Applicant's/O	wner's E-mail Address				
Ocatacatada N	None				
Julia	Name & Address (If non	e, indicate Self)	o Pard	0	100 10170 11h
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			OFFICIAL USE		
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# PZHAC OLD BUSINESS APRIL 2, 2018

## PZHAC DECISIONS SPECIAL USE PERMIT

#### **BOT ACTION FORM**

#### **SPECIAL USE PERMIT 18-001** [PZHAC REVIEW - 4/2/18] STAFF ANALYSIS

#### Item:

SUP18-001 – Submitted by Leila Gomez, a request for a Special Use Permit to operate a small church in a 3600 square foot metal building adjacent to a dwelling at 320 W. University Ave. Zoned: Rural Farm (RF).

#### **Background:**

The applicant is requesting this Special Use Permit in order to operate a small (50 – 65 members) non-profit church in a 3600 square foot metal building located on this property. The property also contains a dwelling occupied by the applicant. (The metal building has been used to house a food packaging operation in the past, and a Special Use Permit (SUP15-003) was obtained, but never used, to allow this building to be used for a carpet cleaning operation. The property, which is 6.29 acres in size, contains a two story dwelling, the 3600 square foot metal building that is the subject of this request, and a pecan grove. The applicant intends to live in the dwelling with his family while maintaining and operating the church. According to the applicant, there will be no church activities held in the dwelling. The property is owned by Craig Stockton, who has given the applicant permission for this application. The applicant has stated an intention to eventually purchase this property.

In a statement provided with the application, as well as in meetings with staff, the applicant has stated the following:

The church, known as the "Power of Praise Fellowship", was established in January 2005 as a 501(c) nonprofit organization that met at other locations. The congregation consists of 50 - 65 members that meet on a regular basis.

The congregation would like to use the metal building on the property for religious gatherings such as: bible study, worship, and community events. Typically, the structure would be used twice a week for Sunday service (10:00 am) and Wednesday Bible Study (7:00 – 8:00 pm). Sunday services would meet in a 2400 square foot area of the building. This area is one story in height. The remainder of the structure, which contains a kitchen and is two stories high inside the building, will be used for bible study, religious education (Sunday school), and other church activities and community events. It is anticipated by the applicant that any future expansion can be accomplished within the existing structure and will not require or entail any additions to the exterior of the structure or any other changes to the property other than the possible addition of a driveway and added parking spaces if needed. The applicant was informed that any substantial changes to the size of the church, or any changes to the property could require amendments to the SUP.

The proposed church appears to meet the requirements for parking. Section 18.60.170-Parking requirements and fees of the Code requires:

Churches and One parking space for each six seats, or if there are no fixed seats, then one parking space for each 100 square feet of floor space used for assembly accessory uses purposes.

Since the portion of the metal building used for church services will be 2400 square feet in area, the required number of spaces is 24. According to the applicant, there will be at least 24 parking spaces available.

The proposed use appears to meet the requirements of all other elements of the Code that might be applicable, including Chapter 18.50 – Outdoor Lighting. (The only lighting to be added will be by the front door of the church, and will be required to comply with the Outdoor lighting Code.)

#### **Consistency with the Code:**

The use is allowed in the RF district as a Cottage Industry, as per Section 18.20.030 (Uses requiring special use permits) of the Code. Additionally, the applicant has been informed that she will need to meet any applicable conditions listed in this section. The PZHAC will need to determine if traffic impacts resulting from the use will have substantial negative impacts on the Town.

The PZHAC has jurisdiction to recommend approval of this Special Use Permit to the Board of Trustees under Section 18.20.030.

Showings of hardship by the applicant are not required, according to Section 18.85.100 (Showing for special use permit not required) of the Code.

Also, according to Section **18.85.100**, the PZHAC may recommend conditions and limitations to be applied to the Special Use Permit as might be appropriate to mitigate any impacts that the proposed use might create.

#### Issues brought up during the Work Session included:

- 1. There was a question as to whether the styles of the structures would be changed to accommodate the church. It was determined that since the church would use an existing metal building on the property, and since there were not going to be any changes to the outside of the structure, there would be no changes to the style or architecture of the buildings on the property resulting from the church.
- 2. Whether there be a religious school on the property, and how will such a school affect traffic? According to the applicant, there will not be a religious school on the property, therefore traffic will only be limited to one Sunday service and the Wednesday Bible study.
- 3. Traffic. Traffic flow ill be limited to entering the property from West University Avenue and exiting onto Stanford Street.
- 4. Signage will be addressed when a sign permit is requested.
- 5. Changes to structure or property, or increases to size of church. These would require an amendment to the SUP and review by the PZHAC.

#### **PZHAC FINDINGS:**

- The PZHAC has jurisdiction to review and recommend approval this request to the BOT.
- Impacts created by the proposed use at this location will be outweighed by the benefits of the use to the Town.
- The proposed church meets the requirements of the Code for a Special Use Permit in the RF zoning district.
- The proposed business meets all other applicable Code requirements.

## The PZHAC determined that the current plans meet the Code, and voted 3-0 to recommend APPROVAL of this request to the BOT with the following CONDITIONS:

- 1. The applicant needs to get approval from the New Mexico Department of Transportation (NMDOT) to use the entrance to the property from West University Avenue as access to the property for church usage.
- 2. The applicant will need to obtain permits and inspections from Consumer Industries Division (CID) for any work done on the building used for the church.
- 3. Any changes to the church structure or the property, or expansion of the occupancy load determined by the Mesilla Fire Department, will require an amendment to the SUP and review by the PZHAC.

#### **BOT OPTIONS:**

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

#### **BOT ACTION:**

#### APPLICABLE CODES

#### Chapter 18.55 UNCLASSIFIED AND SPECIAL USES

#### 18.55.010 Land uses.

All of the following uses are of such special form as to make impractical their automatic inclusion in any class of use as set forth in the various zones and shall be subject to the issuance of a special use permit; provided, that special use permits may not be granted in a zone from which it is specifically excluded by the provisions of this chapter. Before any special use permit shall be granted, facts shall be shown that:

A. The proposed use is essential or desirable to the public convenience or welfare.

B. The proposed use will not be materially detrimental to the public welfare or injurious to other property or improvement in the same zone or vicinity.

C. The proposed use will not adversely affect the official comprehensive plan.

#### 18.55.020 Special uses may be permitted in any zone.

The following uses are special uses and may be authorized in any zone:

B. Churches.

#### 18.55.030 Yard, height, area, off-street parking requirements.

The provisions for front, rear and side yards, for height and area, and for off-street parking facilities applicable to the particular zone in which any use specified in this chapter is proposed to be located shall prevail unless, in the special use permit authorizing such use specific exemptions are made. [Ord. 94-06 § 1; prior code § 11-2-4.3]

The use, as proposed, meets the zoning provisions of the RF zone.

## Chapter 18.85 VARIANCES AND SPECIAL USE PERMITS

#### **Article II. Special Use Permits**

#### 18.85.080 Town planning commission may recommend approval of special use permits.

Permits for special uses specifically listed in MTC <u>18.55.010</u> and <u>18.55.020</u> (see above), and for other uses which the planning commission finds impractical or impossible to classify specifically, may be granted by the board of trustees under these procedures. [Ord. 94-06 § 1; prior code § 11-2-8.1]

#### 18.85.090 Granting of some special use permits not permitted.

The planning, zoning and historical appropriateness commission shall recommend or disapprove any special use permits for any use which:

A. Is specifically permitted by this title in a zone which is less restrictive than the zone where the property is located

B. Is specifically prohibited, by the provisions of this title, in the zone where the property is located.

C. Can be specifically classified as a residential, commercial or industrial use. [Ord. 2004-01 § 4; Ord. 94-06 § 1; prior code § 11-2-8.2]

#### 18.85.100 Showing for special permit not required.

The procedure for all applications for special use permits is set forth in Article I of this chapter for variances excepting that such action will be recommended by the planning commission and final action by the board of trustees. Showings required in MTC 18.85.040(A) and (B) are not needed. For special uses, public benefit resulting from the proposed facility shall exceed any detriment to the public health, safety and general welfare or injury to property or improvements in the area. Special use permits may be granted with conditions and limitations by the board of trustees as appropriate. [Ord. 94-06 § 1; prior code § 11-2-8.3]

#### Article III. General Procedure Provisions - Variances and Permits

#### 18.85.110 Applications for variances and special use permits.

The board of adjustment, for variances, and the board of trustees, for special use permits, shall prescribe the form in which applications shall be made and the type of information to be submitted by the applicant. Applications shall not be accepted unless they comply with requirements. [Ord. 94-06 § 1; prior code § 11-2-9.1]

#### 18.85.120 Petitioners statement of justification.

Each application for a variance or special use permit shall have a written statement of facts by the petitioner showing why the granting of the request is needed in order that the provisions of MTC <u>18.85.040</u> may be met (see attached). When the appropriate board believes the justifications are not within the scope of the variance or special procedure, the applicant shall be so informed. Filing of an application shall not constitute any indication of approval. [Ord. 94-06 § 1; prior code § 11-2-9.2]

#### 18.85.130 Supplementary information.

An application for a variance or special use permit shall also include two sets of a description of the property and plans for the proposed use. The plans shall be drawn to scale and shall show the location of structures and other features on the site. [Ord. 94-06 § 1; prior code § 11-2-9.3]

#### 18.85.140 Filing fee for variance and special use permit.

A. A filing fee of \$310.00 shall be paid to the town of Mesilla upon filing each application for a variance or special use permit. The fee shall be for the purpose of defraying the expense of postage, posting, advertising and other incidental costs of the proceedings. Payment of the filing fee shall not be construed to be approval of the proposed variance or special use permit. The filing fee is nonrefundable.

B. Where additional review by the town of Mesilla is required above and beyond normal review requirements due to complex, unforeseen, or unique circumstances such as consultant fees for engineering or legal services, then the town may charge an additional review fee to defray the cost of such review. Review fees shall be only for professional services rendered to the town, to assist them in reviewing the application for a variance or special use permit. When an additional fee is deemed necessary, the fee shall be determined between the town clerk-treasurer and applicant. [Ord. 2004-03 § 6; Ord. 94-06 § 1; prior code § 11-2-9.4]

#### 18.85.150 Setting hearings.

All applications for variances, or special use permits as provided in this title, shall be set for public hearing by the planning commission or board of adjustment. The date of the first hearing shall be not less than 30 days nor more than 45 days from the time of filing the application. [Ord. 94-06 § 1; prior code § 11-2-9.5]

#### 18.85.160 Notices.

Notice of time and place of public hearings for variance or special use permit may be given by posting one sign in front of the property and posting additional signs at 300-foot intervals for large properties with 600 feet or more frontage. The posted notice shall contain the heading "Notice of Proposed Variance," "Special Permit" or "Notice of Proposed Special Permit," in letters at least one inch in height. The notice shall also contain information about the location of the property, the proposed use and the time and place at which the public hearing will be held. All owners of property located within 100 feet radius of the external boundaries of the property shall be notified by registered mail. [Ord. 94-06 § 1; prior code § 11-2-9.6]

#### 18.85.170 Investigations.

The board of adjustment or planning commission or board of trustees shall require its own members, or its staff, to investigate the facts about an application set for hearing, including an analysis of precedent cases to provide all necessary information on each case. [Ord. 94-06 § 1; prior code § 11-2-9.7]

#### 18.85.180 Hearings may be continued without public notice.

If testimony at a hearing cannot be completed on the day set for the hearing, the chair may, before recess, publicly announce the time and place of the continued hearing and no further notice shall be required. [Ord. 94-06 § 1; prior code § 11-2-9.8]

#### 18.85.190 Action on variance or special use permit.

Not more than 40 days following completion of its hearing on the application for a variance or special use permit, the board of adjustment or planning commission or board of trustees, by adoption of a resolution shall:

A. Grant or deny the variance or special use permit subject to specified conditions; and

B. Adopt written findings which specify all facts relied upon by the reviewing body in rendering its decision, stating that these facts fulfill or fail to fulfill the requirements of this title, and stating the reasons for any conditions imposed. Resolutions shall be numbered consecutively in the order of their filing and shall become a part of the permanent records of the reviewing body. Failure of the reviewing body to act on any variance or use permit application within 40 days after the hearing shall be deemed to be approval of the application by the board. [Ord. 94-06 § 1; prior code § 11-2-9.9]

#### 18.85.200 Files shall include testimony.

A summary of all pertinent testimony offered at public hearings about the filed application and the names and addresses of persons testifying at all public hearings before the reviewing body shall be recorded and made a part of the permanent files of the case. [Ord. 94-06 § 1; prior code § 11-2-9.10]

#### 18.85.210 Notice of decision.

Not later than 10 days following the decision that a variance or special use permit be granted or denied, a copy of the resolution shall be mailed to the applicant at the address shown on the application. [Ord. 94-06 § 1; prior code § 11-2-9.11]

#### 18.85.220 Effective date – Time for appeal.

The decision of the reviewing body other than the board of trustees shall become final and effective 10 days after adopting the resolution granting or denying the variance or special use permit unless within 10 days after mailing the resolutions an appeal in writing is filed with the board of trustees. The filing of an appeal within the time limit shall stay the effective date of the order until the board of trustees has acted on the appeal. [Ord. 94-06 § 1; prior code § 11-2-9.12]

#### 18.85.230 Transmission of records to board of trustees.

Upon filing of a written appeal to the board of trustees, the town clerk-treasurer shall transmit to the board of trustees certified copies of all pertinent material in the board or planning commission files. [Ord. 94-06 § 1; prior code § 11-2-9.13]

#### 18.85.240 Board of trustees to hold public hearing.

Within 30 days following the receipt of the written appeal the board of trustees shall conduct a public hearing, notice of which shall be given as provided in MTC 18.85.160. The hearing before the board of trustees shall be a hearing de novo and all interested persons may appear and present evidence. [Ord. 94-06 § 1; prior code § 11-2-9.14]

#### 18.85.250 Board of trustees resolution on findings and decision.

The board of trustees shall announce its findings and decision by resolution not more than 20 days following the hearing, which shall state the facts and reasons which, in the opinion of the board of trustees, make the granting or denial of the variance or special use permit necessary to carry out the general purpose of this title. [Ord. 94-06 § 1; prior code § 11-2-9.15]

#### 18.85.260 Decision of board of trustees to be final.

The decision of the board of trustees shall be final on an appeal; provided, that where the board of adjustment's action has been a denial of a variance, the board of trustees shall not grant a variance or eliminate or modify any condition imposed by the board except by two-thirds vote of all members. [Ord. 94-06 § 1; prior code § 11-2-9.16]

#### 18.85.270 Notice of board of trustees decision.

Not later than 10 days following the adoption of a resolution ordering that a variance or special use permit be granted or denied, a copy of the resolution shall be mailed to the appellant and to the board of adjustment for a variance and planning commission for a special use permit. [Ord. 94-06 § 1; prior code § 11-2-9.17]

#### 18.85.280 Re-application.

No re-application for a variance or special use permit which has been denied shall be filed earlier than one year after a denial unless specific authority to do so has been granted by the board of adjustment or by the board of trustees. Any re-application for a variance or special use permit shall be considered as a new application, including the payment of a new filing fee. [Ord. 94-06 § 1; prior code § 11-2-9.18]

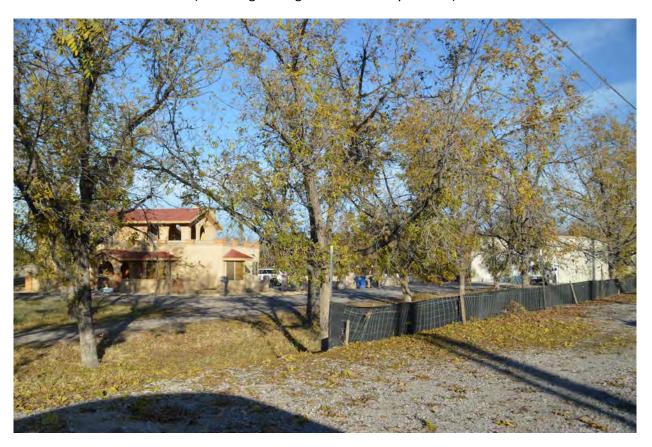
## VIEW OF SUP NOTICE SIGNS POSTED ON THE PROPERTY (FROM NEIGHBORING LOT ON UNIVERSITY AVENUE)



(FROM STANFORD STREET)



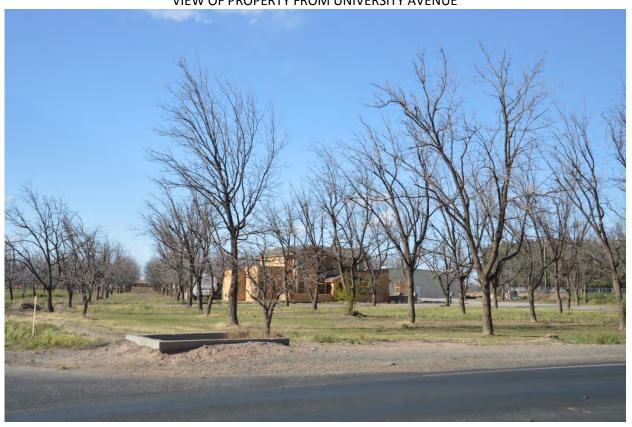
## VIEW OF DWELLING AND METAL BUILDING (from neighboring lot on University Avenue)



VIEW OF METAL BUILDING (from neighboring lot on University Avenue)



VIEW OF PROPERTY FROM UNIVERSITY AVENUE



VIEW OF METAL BUILDING FROM UNIVERSITY AVENUE



VIEW OF DRIVEWAY LEADING FROM UNIVERSITY AVENUE



VIEW OF DRIVEWAY LEADING FROM STANFORD STREET



VIEW OF STANFORD STREET LOOKING SOUTH TO UNIVERSITY AVENUE



VIEW OF UNIVERSITY AVENUE LOOKING EAST ACROSS FRONT OF PROPERTY



Power of Praise Fellowship PO Box 13427 Las Cruces, NM 88013 (575) 639-3161

#### Description of Use:

Property located at 320 W. University, sitting borderline of Las Cruces and the Town of Mesilla, is owned by Craig Stockton. We, the congregation of Power of Praise Fellowship, desire to use this location for religious gatherings such as: bible study, worship and free community events. We are currently leasing the property with the intent to buy. As of this date, besides the monthly lease, we have invested over \$20,000 in HVAC and gas lines.

We are a non-profit 501(c), established since January of 2000. We have always been an asset to the community through volunteerism and by providing a moral compass for families, youth and children. We strongly believe that all churches serve as a barrier to neighborhood crime, since the attraction is to people who strive for a higher moral and ethical standard.

Membership of Power of Praise Fellowship runs approximately 50-65 in attendance. We host Sunday service at 10 am and Wednesday Bible Study from 7-8 pm. Our congregation is diverse in nationality as well as socioeconomic status. Our attendees are blue collar workers, business owners, licensed skilled labor, undergraduates and graduates. We are confident that we will represent the Spirit of the Town of Mesilla as we become a part of your community.

University Ave.

※     ※     ※     ※     ※	Building
PROPOSED DRIVEWAY TO STANFORD ST.	50'X 70
(TO BE INSTALLED IF NEEDED) (CRAVEL)	(@ 2400 SO ET TO BE USED FOR SERVICES)
	COMMETE
House	CRAVEL
GRAVEL	PARKING
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MORE SPACES CAN BE THISTALLED AS NEEDED.	
MORE SPACES CAM BE HISTALLED AS NEEDED.	*
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7,	/



OFFICIAL USE ONLY:
Case # 460698
Fee \$ 310,00

CASE NO. 0606	98	ZONE: RF	SUBMIT	TED DATE:	2/23/18
Leila Go	mez		5	75-63	9-3161
Name of Applicant	A.4	A T F I as	Applic	ant's Telephor	ne/Cell Number
320 W. U	hiversite	1 Las G	-vces,	UM	88005
Mailing & Physical Add	ress	City		State	Zip Code
Craig S	tock tol		218-9	732)	
Property Owner(s) Nan		1			Adda-Ornáli
320 W.		ry Las C	ruces	NM	88005
Mailing & Physical Add	ress	City		State	Zip Code
Description of Special I					
Non-4	profit re	ligious 9	atheri	nas:	
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	day 7.				
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-					
			of the owner(	s) of record o	f the above described property
If more than one, all o	wners of or their a	gents must sign.	1	1	
- Married & Branch & Street & Street			1 X	John	7
Property Owner Signatu	re (if different than	Applicant) A	pplicant Signal	ture	
		FOR OFFICAL	USE ONLY	7	
PZHAC . A	dministrative Approv	ral (N/Ā)	BOT	☐ Approve	d Date:
□ A <sub>I</sub>	pproved Date:			☐ Disappro	oved Date:
□ Di	sapproved Date:			☐ Approve	d with Conditions
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CONDITIONS:	The state of the s				
lectiv	D BY:		CHE DATE:		
12201	D DY.		SUE DATE:		

Community Development Department 2231 Avenida de Mesilla, P.O. Box 10, Mesilla, NM 88046 (575) 524-3262 ext. 104 www.mesilla-nm.gov

# Town of Mesilla, New Mexico

March 16, 2018

Dear Property Owner:

In accordance with the Town of Mesilla regulations regarding special use permits, we are notifying you as a neighboring property owner that the Town of Mesilla Planning, Zoning and Historical Appropriateness Commission (PZHAC) will be holding a Public Hearing on:

Monday <u>April 2, 2018</u> at <u>6:00</u> PM at: Town of Mesilla 2231 Avenida de Mesilla Mesilla, NM 88046

regarding an Application for Special Use Permit (SUP18-001) for a Church to be located at: 320 West University Avenue, Mesilla, NM.

The request is to allow the applicant to operate a small church with up to 65 parishioners in a metal building that exists on the property. (The proposed Special Use Permit will not change the residential/agricultural use of the property, or change the existing pecan grove that is on the property.) The property is zoned Rural Farm (RF).

Anyone who is concerned with this matter or has any questions contact me, or may address the PZHAC at the Public Hearing, or send a written response to:

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. You may also contact me at larrys@mesillanm.gov.

Sincerely,

Larry Shannon

Mesilla Community Development Coordinator

Town of Mesilla

Office: (575) 524-3262 ext. 104

Fax: (575) 541-6327

E-mail: larrys@mesillanm.gov



#### SUP18-001

New Mexico State University Director of Real Estate-MSC ORE PO Box 30001 Las Cruces, NM 88003-8001 1,2

Cale Robertsoon 2900 Bowman Street Las Cruces, NM 88005 3

Geraldine Bustos PO Box 1058 Mesilla Park, NM 88047 4

Howard Raley 45357 N. Genoa Lancaster, CA 95354 5

Paul and/or Patricia Ferrell 2255 Pleasant Greenhill Rd. Crofton, KY 42217 6

Dartmouth Street Condo Association 439 Dartmouth Ave. Las Cruces, NM 88005

Hubert E and/or Barbara A Houseknecth 160 Pecan Drive Las Cruces, NM 88001 8

Scott Wayne and/or Cheryallee Wallis (Wallis Family Rev. Trus) 4325 Real del Sur Las Cruces, NM 88011 9

Brooks and/or Tani L. Hindes 1885 Myrtle Ave. Las Cruces, NM 88001 10 Sam T. and/or Beatrice G. Bernal PO Box 56 Mesilla, NM 88046 11

High Desert Land Development LLC 5310 Superstition Las Cruces, NM 88011 12

## PLANNING ZONING HISTORICAL APPROPRIATENESS COMMISSION (PZHAC)

#### **RESOLUTION 2018-02**

**WHEREAS,** the PZHAC convened on April 4, 2018 at a Public Hearing and Regular Meeting; to hear the case regarding a Special Use Permit request a carpet cleaning business in an RF zone,; and

**WHEREAS,** the Special Use Permit was requested by Leila Gomez for "Power of Praise Fellowship", a small church of 50 – 65 members; and

WHEREAS, three current members of the PZHAC were present (a quorum); and

WHEREAS, the application for a special use permit was filed on February 23, 2018; and

WHEREAS, the subject property is located at the eastern edge of the Town; and

**WHEREAS,** all of the surrounding properties are either within Mesilla Town limits and zoned Rural Farm (RF), or are located in the City of Las Cruces; and

**WHEREAS**, neighboring property owners within 100 feet of the subject property were notified of the proposed special use permit by certified mail as per MTC 18.85.160 and the property was posted giving notice of proposed hearing; and

WHEREAS, there were no responses from notified property owners; and

**WHEREAS,** a public hearing was held by the Planning, Zoning, and Historical Appropriateness Commission on April 4, 2018, according to the requirements of MTC 18.85.150, during their regular meeting; and

WHEREAS, the Public Hearing of April 4, 2018 was closed after taking public comments; and

**WHEREAS**, the case was considered at the regular meeting following the Public Hearing; at which meeting the PZHAC determined that the proposed use as requested (minimal traffic impacts, no customers on the property, five employees or less, three small vehicles, no external signs) is similar to and not more objectionable than the uses already listed and allowed as Home Occupations with Special Use Permits in the RF district; and

**WHEREAS**, the PZHAC determined the proposed use is allowed by a Special Use Permit in the RF zoning district and meets all the applicable requirements of the Code; and

**WHEREAS,** the PZHAC determined that the negative impacts generated by the use would be negligible to the area and to the Town, and the overall benefits to the Town outweighed the potential negative impacts to the local community; and

**WHEREAS**, the PZHAC voted 3 - 0 to recommend the case for approval with the recommendation to the Board of Trustees that the use as requested be approved as a Home Occupation; and

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

The Planning, Zoning and Historical Appropriateness Commission of the Town of Mesilla recommends the request for a special use permit, with findings for said approval as stated in "Attachment A" attached to this resolution.

**RESOLVED** on this 4th day of April, 2018.

#### **ATTACHMENT A**

#### **SUP18-001**

#### **PZHAC FINDINGS:**

- The PZHAC has jurisdiction to review and recommend approval this request to the BOT.
- Impacts created by the proposed use at this location will be outweighed by the benefits of the use to the Town.
- The proposed church meets the requirements of the Code for a Special Use Permit in the RF zoning district.
- The proposed business meets all other applicable Code requirements.

Mayor Barraza:

I would like to have added to the agenda for April 9, 2018:

Discussion and approval: regarding PZHAC Case Z17-001, that both Town Code 18.54.060 prohibiting cell towers in the commercial zone and what was stated by Mayor Barraza at the previous Board of Trustee meeting on March 26, if the zone was changed to commercial the cell towers must be removed, apply to the property at 1971 Union Ave.

Signed,

Trustee Garcia

Mayor Pro Tempore Caro

Michael Cadena Mayor

Cesario Alvillar, Jr. Mayor Pro Tem

## Town of Mesilla, New Mexico

Wesley Dixon Trustee

> Paul Pirtle Trustee

Jesus Caro, Jr. Trustee

March 19, 2004

Dear Property Owner,

Arturo and Pedro Jurado have applied to the Town of Mesilla for a special use permit to locate a second wireless telecommunications facility (WTF), on their property known as the cotton gin, located at the corner of Avenida de Mesilla/Hwy 28 and Union Ave. and addressed as 3385 Avenida de Mesilla/Hwy 28 (aka 1974 Union Ave.). They are also applying for two variances. Since you live within 1500 feet of this site, you are being notified by mail of the three public hearings that will be held in April regarding the special use permit and the variances. The proposed facility includes a 65 foot monopole and an equipment building to be enclosed with a wrought iron fence and screened with landscaping. One of the variances is for the setback from Highway 28, which is designated as a scenic byway; and the second is a variance for the distance between the existing 75' tower and the proposed 65' tower. Additional information regarding the special use permit and the variances will be available at the public hearings.

I have enclosed copies of the applications and a notice of the three public hearings that will be held in April. If you have questions or need more information, please don't hesitate to call me at 524-3262.

Sincerely,

Susan Krueger, Deputy Town Clerk

Michael Cadena Mayor

Cesario Alvillar, Jr. Mayor Pro Tem

## Town of Mesilla, New Mexico

Wesley Dixon Trustee

> Paul Pirtle Trustee

Jesus Caro, Jr. Trustee

## NOTICE OF THREE PUBLIC HEARINGS REGARDING A WIRELESS TELECOMMUNICATIONS FACILITY TO BE LOCATED IN THE TOWN OF MESILLA.

The Planning, Zoning and Historical Appropriateness Commission (PZHAC) of the Town of Mesilla will hold a public hearing on a request for a special use permit to construct a wireless telecommunications facility (WTF), including but not limited to a 65 foot antenna pole, at 1974 Union Ave. (aka 3385 Avenida de Mesilla/Hwy28). The hearing will be held on Monday, April 5, 2004, at 7:00 p.m. in the conference room of the Mesilla Town Hall, 2670 Calle de Santiago. The property owners are Arturo and Pedro Jurado and the business applicant is Las Cruces Cellular Telephone Co., dba Alltel.

The second hearing on this proposed WTF will be held by the Board of Adjustment of the Town of Mesilla on Thursday, April 15, 2004, at 5:30 p.m. in the conference room of the Mesilla Town Hall, 2670 Calle de Santiago. This hearing is on a request for two variances, one relating to the distance between an existing cell tower and the proposed cell tower and the other relating to the setback of the proposed cell tower from Avendia de Mesilla /Hwy 28, which is a designated view corridor.

The third hearing on this proposed WTF will be held by the Board of Trustees of the Town of Mesilla on Monday, April 26, 2004, at 7:00 p.m. in the conference room of the Mesilla Town Hall, 2670 Calle de Santiago, to take public comment on the special use permit.

If you have any questions or would like more information, please contact Susan Krueger at 524-3262.

Posted this 18<sup>th</sup> day of March, 2004 at the following locations: Town Clerk's Office 2670 Calle de Parian; Town Hall Conference Room/Courtroom 2670 Calle de Santiago; Mesilla Community Center 2251 Calle de Santiago; Mesilla Visitors' Center 2340 Avenida de Mesilla; Ristramnn Chile Co. 2531 Avendia de Mesilla; and the U.S. Post Office 2253 Calle de Parian.



### APPLICATION FORM FOR CHANGE

SPECIAL USE PERMIT

Area (square feet or acres)  Present Zone  Present Zone  Requesting (please check one): N/A  INITIAL ZONING TO	
ADDRESS  I. A. Property Description: Address	COTTON GIN
A. Property Description: Address3385 AVENIDA DE MESILLA (1974 W. Union)  1) Legal Description Lot(s)ATTACHED	COTTON GIN
1) Legal Description Lot(s) ATTACHED Block  Subdivision  2) If legal description is in metes and bounds; attached to the application?  YES XXXX NO  3) Survey Plat attached? YES XXX NO  B. 7.144 RURAL FARM Present Zone Pr  C. Requesting (please check one): N/A ZONE CHANGE TO TOTAL PROTURE.  INITIAL ZONING TO YES YES YES	COTTON GIN
2) If legal description is in metes and bounds; attached to the application?  YES XXXX NO	
YES   XXXX	
3) Survey Plat attached? YES XXX NO	
B. 7.144 RURAL FARM  Area (square feet or acres) Present Zone Pr  C. Requesting (please check one): N/A ZONE CHANGE TO XXXMMFRCHAL  INITIAL ZONING TO	
Area (square feet or acres)  Present Zone  Present Zone  Requesting (please check one): N/A  INITIAL ZONING TO  FOR  YEA	
C. Requesting (please check one); N/A ZONE CHANGE TO	resent Land Use
INITIAL ZONING TOYEA	
FORYE	
D. Proposed Land Use:COTTON GIN AND TELE-COMMUNICATION TOWERS	EARS
. Why is this change of zoning status being requested?	
11/14	
-1/110000000000000000000000000000000000	2 N/
Signatures: The form for the State State of the state of	Lesto Vin
Applycant Applycant	
CE: NO APPLICATION VILL BE ACCEPTED WITHOUT THE SIGNATURE OF THE OWNER(S) OF RECORD OF THE ABOVE D MORE THAN ONE, ALL OWNERS OR THEIR AGENTS MUST SIGN.	
T 1. Future Land Use Plan Classification:	DESCRIBED PROPERTY
	DESCRIBED PROPERTY
P 2. Fee paid: Yes: No: Affidavit: Yes:	DESCRIBED PROPERTY

Michael Cadena Mayor

Carlos Castaneda Mayor Pro Tem

P.O. Box 10

## Town of Mesilla, New Mexico

3262 Fax 541-6327 Mesilla, NM 88046

Cesario Alvillar, Jr. Trustee

Nora L. Barraza
Trustee

Jesus Caro, Jr.
Trustee

#### APPLICATION FORM FOR VARIANCE

Case	e #	04-035 Date Submitted March 10, 2004
Disc	cussed	by: To go before the BOA 4/15/04 Date(s)
ı	Α.	Name(s) of Property Owner(s) Notes Shrada  Address 300 S. Motes Rhol. L.C., N. mr. Phone 526-497)
	В.	Name of Applicant(s)
		AddressPhone
II	A.	Property Description: Address 1974 W. Union/aka 3385 Avenida de Mesilla/Hwy 28
		1. Legal Description Lot(s) Attached Block
		Subdivision
		2. If legal description is in metes and bounds; attached to the application? Yes No
		3. Survey Plat attached: Yes X No
	в.	7.144 acres Rural Farm cotton gin and cell tower Area (sq. ft. or acres) Present Zone Present Land Use
	c.	Proposed Land Use: Cell Jove (additional) proposed to be set back
		337' from Highway 28/Avenida de Mesilla; requirement is 660' from a designated
III	for t	view corridor.  s this variance being requested? This a request for a variance of 323 feet the setback of a monopole from Avenida de Mesilla/Highway 28, designated as part of al Camino Real Scenic Byway. There is already a 75' monopole that violates this rement; it is set back from the view corridor only 247' and it may be that the r together the poles are the less visually obtrusive or noticeable they are.
V		atures:
	Signo	Property Owner Applicant
OPI	F	O APPLICATION WILL BE ACCEPTED WITHOUT THE SIGNATURE OF THE OWNER(S) OF RECORD OF THE ABOVE DESCRIBED PROPERTY. IF MORE THAN ONE, ALL OWNERS OR THEIR AGENTS MUST SIGN.
	paid: ived b	11/4 DD14-035 503 SYNN

Michael Cadena Mayor

Carlos Castaneda Mayor Pro Tem

P.O. Box 10

## Town of Mesilla, New Mexico

Mesilla, NM 88046

Cesario Alvillar, Jr. Trustee

> Nora L. Barraza Trustee

> > Jesus Caro, Jr.
> > Trustee

#### APPLICATION FORM FOR VARIANCE

Cas	e#_	2004-036	Date Submitted	Manh 10, 2004
		d by: To go before the BOA 4/15/04	Date(s)	
I	Α.	Name(s) of Property Owner(s) Address 300 S. Matl	,	n. my Phone 52 6-497)
	в.	Name of Applicant(s)	1	
		Address		Phone
II	A.	Property Description: Address	1974 W. Union Ave.,	/aka 3385 Avenida de Mesilla/Hv
		1. Legal Description Lot(s)	Attached	Block
		Subdivision		
		<ol><li>If legal description is application?</li></ol>	in metes and bou	
		3. Survey Plat attached:	Yes X	No
	В.	7.144 acres Area (sq. ft. or acres)		Present Land Use
	c.	from the existing 75' antenna pole of the combined height of the exis distance of 140'. The variance r	(T-Mobile) 90'. The ting and proposed to	l) proposed to be set back e ordinance requires a set back wers, which would be a
III	Why	is this variance being requeste	d? Mr. Romano, Allte	el's representative expressed
		his opinion that with a 90 foot di		The property of profession and place at the first of the state of september 200.
		the other tower and therefore any that it is common to see telecommu- are well constructed, may be prefe	nications towers grow	uped together, which, if they
IV	Sign	natures: Many de prese	Lable to having them	
	1000	Property Owner	Applica	nt
NOT		NO APPLICATION WILL BE ACCEPTE RECORD OF THE ABOVE DESCRIBED THEIR AGENTS MUST SIGN.		ENATURE OF THE OWNER(S) OF E THAN ONE, ALL OWNERS OR
Fee	paid:	Yes Affi	idavit: Yes \frac{1}{2} \text{33} \text{2} \text{2} \text{33} \text{4:7} \text{7} \t	No No
Rece	eived	by: Rece	33 #: 72 7004 - 6 36	Soy Amount: W

#### Romano & Associates, LLC

4520 Montgomery Blvd NE, Ste 5, Albuquerque, NM 87109 Tel: (505) 255-4500 Fee: (505) 872-9252

March 23, 2004

Town of La Mesilla PO Box 10 Las Mesilla, NM 88046

RE:

Variance Justification for Alltel Antenna Facility
General Location: Cotton Gin at 3385 Avenida De Mesilla (Hwy 28)

Dear Planning & Zoning Dept:

Background: Alltel originally applied for zoning approval for the construction of a new antenna pole on the above-referenced property in August of 2002. The Town of La Mesilla subsequently discovered inconsistencies within their zone code, such conflict being that the code allowed Alltel's tower use permissively in the RF zone, but at the same time prohibited commercial uses in the same zone. The Town of Mesilla acknowledged the inconsistency and placed an "unofficial" moratorium on new wireless tower applications until a new ordinance was rewritten and adopted. The new Wireless Telecommunications Facility Ordinance was just adopted recently in October of 2003:

#### Variances Requested:

 Per section 18d of the new ordinance, a separation distance of 140' is required from tower to tower. Alltel's separation distance is 90' from the existing T-Mobile tower.

Per section 4p of the new ordinance, a separation of 660' is required from the Alltel's
pole to the nearest view corridor (Hwy 28). Alltel's proposed tower is 337' away from
Hwy 28.

Per Section 18.85.040 (A through D) under Variances and Special Use Permits, below is an explanation for the required showings for granting a Variance:

A. The subject property is 7.144 acres in size and the primary use on the property is a cotton gin. Additionally, T-Mobile has located a 75' tower on the property as well. Given the nature of the commercial and industrial uses already present on the property, this subject property probably offers the most suitable location within the Town of La Mesilla for the location of an additional 65' tower. The property is also large enough in size to allow for compliance with all required setbacks from property lines. Alltel's tower will be situated near other existing physical structures already on the property so as to minimize sprawl and keep structures more tightly condensed/contained within the property.

B. Numerous other properties within the Town of La Mesilla contain locations that are not located within 660' from a designated view corridor and could accommodate Alltel's tower without the need for a Variance to this setback.

- Additionally, the subject property I believe is the only property within the Town of La Mesilla that contains an existing tower; therefore it is the only property that falls under the tower-to-tower setback requirement. Any other properties within the Town of La Mesilla would not have this setback requirement.
- C. An existing, taller, 75' tower owned by T-Mobile is already located less than 660' from Hwy 28, the nearest designated view corridor. The addition of a second tower within the 660' setback does not appear to be materially detrimental to the public or injurious to the area from a visibility standpoint (see photo simulation). Additionally, the 90' separation distance between towers also does not appear to be materially detrimental to the public or injurious to the property or vicinity. Tower drawings are designed, stamped, and sealed by licensed structural engineers whom are regulated and governed by the State of New Mexico. Towers in turn are constructed by licensed general contractors, whom are also regulated and governed by the State of New Mexico. No requirements exist from any regulatory agencies that mandate any particular separation between towers for safety reasons.

D. Not applicable.

Should you have any questions, please do not hesitate to contact me at (505) 255-4500.

Alex Romano

Sincerely,

Acquisition Consultant to Alltel Communications

#### TOWN OF MESILLA

#### APPLICATION FOR RESIDENTIAL BUILDING PERMIT

2231 Avenida de Mesilla, P.O. Box 10, Mesilla, NM 88046 (505)524-3262 extension 109

CASE NO.2005 - 209 ZONE: RF CODE: APPLICATION DATE: 11-29-05
ALASKA NATIVE BRIMIBAND
CRICKET COMMUNICATIONS 505-710-2079
Name of Applicant Telephone Number
1155 WESTMUNIAND, STE ZUE, ELPASO, TX 79925
Street Address City State Zip Code
BROKEN ANDOW COMMUNICATION, ZOG RESSMOON SW. ALBUGUE/QUE, NIM
Contractor Name and Address 201 285 290 ATTEN: SEAN BASS. SIS &
Contractor Telephone Number Contractor Tax I.D. Number Contractor License #
ALL APPLICATIONS FOR ELECTRICAL, MECHANICAL & PLUMBING INSTALLATIONS
ARE MADE AT THE CONSTRUCTION INDUSTRIES DIVISION
LOCATION & DESCRIPTION OF PROPOSED WORK: 4 PTS GIN HMY 28 & UMUN AND 1 PHYSISS TO CO-LOCATE (ADS ANTENNAS) TO THE EXISTING T- WOBILE STRUCTURE (A) 60
V.
Estimated Cost:  Material: 10,000 ICBO Valuation:  Labor: 15,000 Date:  Signature of Applicant Communication  THERE IS A TEN (10) DAY MINIMUM REVIEW PERIOD ON ALL APPLICATIONS (with the exception
of administrative approvals)  Recorded proof of ownership with legal description of property (deed or current tax bill)  Plans sheets are to be no larger than 14 x 18 inches.
STAFF REVIEW: CDC: Comments:
DPW: Comments:
PZHAC Approved BOT Approved Disapproved Disapproved Approved with conditions Approved with condition
CONDITIONS:
FEE: REVIEW: RECEIPT #: ISSUE DATE:
PERMIT: ISSUE DATE:

2105

White: File

Yellow: DPW

Pink: Customer

This Application includes:

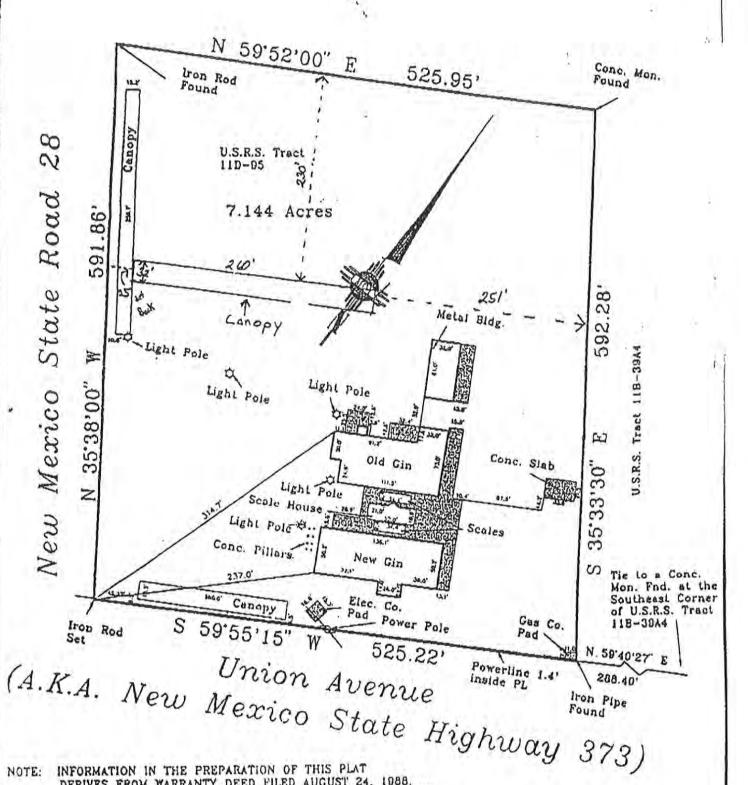
- 1. Plot plan with legal description to show existing structures, adjoining streets, driveway(s), improvements & setbacks.
- 2. Foundation Plan with details
- 3. Floor Plans showing rooms, their uses and dimensions
- 4. Cross Sections of walls.
- 5. Roof and floor framing plan. (If manufactured trusses, submit layout of trusses and stamped engineer design plan.)
- 6. Drainage plan.
- 7. Architectural style and color scheme (Historical and commercial zones only.)
- 8. Proof of sewer service or a copy of septic tank permit; proof of water service (well permit or statement from Public Utility providing water service.)

### Town of Mesilla

### Application for Building Permit (505)524-3262

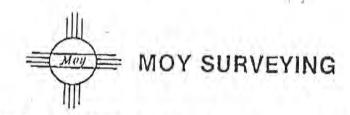
Astura & Pedro -	Turado (505) 526-4971
Name of Applicant	Telephone Number
300 S. Mot D B	lat. Los Cures, New Merks 88007
Street Address	City State Zip Code
Proposed Use or Occupancy <u>u</u>	FACILITY Zone: R-F
TO BE DETERMINED	
Contractor Name and Address	
TO BE PROVIDED -	<b>&gt;</b>
Contractor Telephone No.	Contractor Tax I.D. Number Contractor License No.
	Antifering and American
This application includes:  1. Plot plan with legal descript:	ion to show existing structures, adjoining streets, driveway(s),
improvements, and setbacks	8.
	ooms, their uses, and dimensions.
<ol><li>Floor Plans showing rooms,</li></ol>	their uses, and dimensions.
A Cross Sections of walls	
	(If manufactured trusses, submit layout of trusses and stamped
	(If manufactured trusses, submit layout of trusses and stamped
engineer design plan.)  6. Drainage Plan.	
<ul><li>5. Roof and floor framing plan. engineer design plan.)</li><li>6. Drainage Plan.</li><li>7. Architectural style and color</li></ul>	r scheme. (Historical and Commercial zones only)
<ol> <li>Roof and floor framing plan. engineer design plan.)</li> <li>Drainage Plan.</li> <li>Architectural style and color</li> <li>Proof of sewer service or cop</li> </ol>	r scheme. (Historical and Commercial zones only) py of septic tank permit; proof of water service (well permit or
<ol> <li>Roof and floor framing plan. engineer design plan.)</li> <li>Drainage Plan.</li> <li>Architectural style and color</li> <li>Proof of sewer service or copstatement from Public Utility</li> </ol>	r scheme. (Historical and Commercial zones only) py of septic tank permit; proof of water service (well permit or providing water service.)
<ol> <li>Roof and floor framing plan. engineer design plan.)</li> <li>Drainage Plan.</li> <li>Architectural style and color</li> <li>Proof of sewer service or copstatement from Public Utility</li> </ol>	r scheme. (Historical and Commercial zones only) py of septic tank permit; proof of water service (well permit or
<ol> <li>Roof and floor framing plan. engineer design plan.)</li> <li>Drainage Plan.</li> <li>Architectural style and color</li> <li>Proof of sewer service or copstatement from Public Utility</li> <li>Recorded proof of ownership</li> </ol>	r scheme. (Historical and Commercial zones only) py of septic tank permit; proof of water service (well permit or providing water service.) p with legal description of property (deed or current tax bill.)  MECHANICAL/PLUMBING installations are made at the
<ol> <li>Roof and floor framing plan. engineer design plan.)</li> <li>Drainage Plan.</li> <li>Architectural style and color</li> <li>Proof of sewer service or copstatement from Public Utility</li> <li>Recorded proof of ownership</li> </ol>	r scheme. (Historical and Commercial zones only) py of septic tank permit; proof of water service (well permit or providing water service.) p with legal description of property (deed or current tax bill.)  MECHANICAL/PLUMBING installations are made at the
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2004-087



NOTE: INFORMATION IN THE PREPARATION OF THIS PLAT
DERIVES FROM WARRANTY DEED FILED AUGUST 24. 1988,
IN BOOK 325, PAGES 315-316, DONA ANA COUNTY RECORDS.
A DESCRIPTION WAS PREPARED UNDER JOB NO. 93-126.





414 N. DOWNTOWN MALL . LAS CRUCES, N.M. 88001 . PHONE (505) 525-9683 . FAX (505) 524-3238

### FEBRUARY 16, 1993

### DESCRIPTION OF A 7.144 ACRE TRACT

A tract of land situated Southeast of Mesilla, Dona Ana County, New Mexico, in Section 36, T.23S., R.1E., and Section 31, T.23S., R.2E., N.M.P.M. of the U.S.R.S. Surveys, being U.S.R.S. Tract 11D-95 (formerly U.S.R.S. Tracts 11-131A2 and 11-131B) and more particularly described as follows, to wit:

Beginning at a iron pipe found on the North line of Union Avenue (A.K.A. New Mexico State Highway 373) for the Southeast corner of the tract herein described, whence a concrete monument found on the Southeast corner of U.S.R.S. Tract 11B-39A4, bears N.59°40'27"E., a distance of 288.40 feet;

THENCE from the point of beginning and along the North line of Union Avenue, S.59°55'15"W., 525.22 feet to an iron rod set on the East line of New Mexico State Road 28, for the Southwest corner of this tract;

THENCE along the East line of said New Mexico State Road 28, N.35°38'00"W., 591.86 feet to an iron rod found for the Northwest corner of this tract;

THENCE leaving said road, N.59°52'00"E., 525.95 feet to a concrete monument found for the Northeast corner of this tract;

THENCE 5.35°33'30"E., 592.28 feet to the point of beginning, containing 7.144 acre of land, more or less. Subject to any easements and restrictions of record.

Information in the preparation of this description derives from Warranty Deed filed August 24, 1988, in Deed Book 325, Pages 315-316, Dona Ana County records. A plat was prepared under Job #93-126. Field notes by MOY SURVEYING CO. License #5939.

Job #93-126

SPRIE MOY N.E.A.G. (5939) out

\* NO MORTERGES EXIST ON PROPERTY

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PROPERTY DESCRIPTION	CRIPTION	FULL VALUE   ASSD VALUE	SSD VALUE
04-00872 NBRHD - R1   BK 368 PGS 397-398   BK 368 PGS 395-396   31-23S-2E MAP 11D TH   UNION AVE   7.05 PA COM ACREAGE   7.05 PA TO'   NON-RESIDENTIAL BUI   TOTAL BUILDINGS   TOTAL TAXABLE VA   TOTAL NET TAXABLE	04-00872 NBRHD - R11 BK 368 PGS 397-398 BK 368 PGS 395-396 S1-23S-2E MAP 11D TR 95 UNION AVE 7.05 PA COM ACREAGE 7.05 PA TOTAL LAND APPRAISAL NON-RESIDENTIAL BUILDING(S) TOTAL BUILDINGS TOTAL TAXABLE VALUE TOTAL NET TAXABLE VALUE	98,700	32, 900  32, 900  32, 900  29, 833  62, 733  62, 733
ACCT: 88348	JURADO ARTURO & PEDRO D	FULL VALUE	188,2001
0	LAS CRUCES, NM 88005-4005	PRINT DATE	03-13-02
1	124 104		

574. 753 rell 1349-1658 DAVID GUTIERREZ

Doña Ana County Treasurer Room 101 County Courthouse 251 W. Amador Avenue Las Cruces, NM 88005-2800 (505) 647-7433

2002 TAX BILL

Property ID # 04-00872

BIII # 000200229214

PROPERTY DESCRIPTION AND/OR CODE NUMBER

PC 04-00872 ACCT 58348

MC 4-007-138-006-218 FOLDER 30171 BK 368 PGS 397-398 BK 368 PGS 395-3 31-23S-2E MAP 11D TR 95 7.05 PA COM ACREAGE

NON-RESIDENTIAL BUILDING(S) LOWER RIO GRANDE FLOOD LEVY "TAXES ARE FOR 2002 PROPERTY ASSE

JURADO ARTURO & PEDRO D 300 S MOTEL BLVD LAS CRUCES NM 88007-4005

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

Tax Rales Are Expressed in Dollars per Thousand. Taxable Value is 33 1/3% of Full Value.

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.

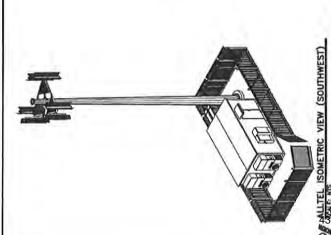
DISTRIBUTION	TAX RATES	AMOUNT DUE
STATE COUNTY CITY SCHOOL BRANCH COLLEGE DEBT SERVICE FLOOD LEVY	.001123 .012184 .002080 .009976 .001000 .001000	70.45 764.34 130.48 625.82 62.74 62.73 65.81
TOTAL 2002 TA	AX DUE >	1,782.37

NON-RES	FULL VALUE	TAXABLE VALUE
IMPROVEMENTS	98700 89500	32900 29833
RESIDENTIAL	FULL VALUE	GOTER TAXABLE VALUE
TOTAL NET TAX	ABLE VALUE:	62733

PRIOR TAXES, IF ANY MUST BE PAID BEFORE **ACCEPTING CURRENT** YEAR PAYMENT.

YEAR/BILL NO.	TAX	PENALTY	INTEREST	AMOUNT DUE
				1
		1		

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.

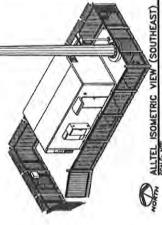


# SILLE SILLE

**ALLTEL PROJECT# 725221016 PICACHO** 



RAWLAND COMMUNICATION SITE 65' MONOPOLE





# SB25 EAST WAN STREET - FARM

DEVELOPMENT AND USE OF THIS SITE WILL CONFORM TO ALL APPLICABLE CODES AND ORDINANCES.

1 NO HAZARDOUS OR COMBUSTIBLE MATERIAL WILL BE STORED WITHIN THE FACILITY.

GENERAL COMPLIANCE

4520 Montgomery BNG, NE - Abbuquerque, NM 97109 Tel: 505-232-4854 Fox 505-232-4898 alor were TOWEREON TOWNS ILE

THIS FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. LANDINGS AND EXTS SHALL COUPLY WITH ALL APPLICABLE BUILDINGS CODES.

ADA COMPLIANCE

PICACHO
ALLTEL PROJ# 725221016
65' MONOPOLE

3385 AVENIDA DE MESILLA (HWY 28)

M 88005 COUNTY	SHEET .
MESILLA, N DONA ANA	TITLE S
	SE TON

10 APRIOCED FOR CONSTRUCTION 59/04/20/ 11 RENEED POLE HEIGHT TO 65-0" 04/28/04/ DATE		Š	MOLESCE30	200	12
1 PENSED PRE HEIGHT TO 65"-0" D4/28/04		0	APPROVED FOR CONSTRUCTION	09/04/02	3
DATE		-	REMSED POLE HEIGHT TO 65'-O"	04/28/04	3
	DATE				ы
					Ш

# SHEET INDEX

PROJECT INDEX
APPLICANT:
ALLTE COMMUNICATIONS
2125 EAST ADMS ST.
PHOENIX, AZ 85034 PHONE: 502-302-9563

ENGINEERS/DESIGNERS

CONTACT: JASON DICKMAN, PE PHONE: 505-232-4884 TOWERCOM TECHNOLOGIES LLC 4520 MONTCOMERY BLVD. NE SUITE #5 ALBUQUERQUE, NM 67109

SURVEYOR: PASO DEL NORTE SURVEYING INC. 6130 MONTANA ANE. STE. 211 EL PASO, TEXAS 70825

PANEL SCHENZE & SINCE LINE DIAGRAM CROWING PLAN & DEINIS

PHONE: 815-771-0247

NETWORK OPERATIONS MANAGER

**SJAVOR49** 

OWINGTOR SAUL PROTECT ALL EXEMING MARCHELENTS AND FINISHES THAT ARE TO REJAIN.
CONFINCTION SHALL REPRESENTANCE THAT MAY OCCUR DURING THE CONSTRUCTION TO THE
SASTISACION OF AN ALL'EL REPRESENTANCE.

THE CONTRACTOR IS RESPONSIBLE FOR RED-LINING THE CONSTRUCTION PLANS TO ILLUSTRATE THE SECULL CONDITION OF THE SITE. FOLLOWING THE RAD, RESPECTION OF ALLTS, THE CONTRACTOR SEALL PROMISE. STALLTS, WITH ONE COPY OF ALL RED-LINED DOWNING.

VERIEY ALL FINAL EQUIPADRY WITH AN ALITE, REPRESENTATIVE. ALL EQUIPADRY LAYOUT, SPECS, PERFORMANCE INSTALLATION NOT THE RIPAL LOCATION NOT TO BE APPROVED BY ALLIEL. THE CONTINUTION SHALL BE RESPONSIBLE FOR COORDINATION HIS/HER WORK WITH THE WORK AND CLEARANCES REQUIRED BY OTHERS RELATED TO SAID INSTALLATIONS.

FIRE COMPLIANCE

PADATION FROM THIS FACILITY WILL NOT INTERFERE WITH OPERATION OF OTHER COMMUNICATION DEVICES.

FCC COMPLIANCE

NOTRY ALTEL IN WATHING, OF ANY MACIE DISCREPANCIES RECHRONG THE CONTRACT DOCUMENTS, BISTING CONDITIONS, AND DESIGN NITER. THE CONTRACTOR SHALL BE RESPONSELE POR DETWIND CAMPITATION FROM M ALLTE. REPRESENTAINE, MO AUDICING THE 80 ADDICATION CH.

CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES OF THE WORK UNDER THE CONTRACT.

ALL PIELD MOGRICATIONS BEFORE, DURING, OR AFTER CONSTRUCTION SHALL BE APPROVED IN WRITING BY AN ALITEL REPRESENTATIVE.

NSTALL ALL EQUIPMENT AND MATERIALS PER THE MANUFACTURER'S RECOMMENDATIONS, UNLESS NOTCATED OTHERWISE.

CONTRACTOR SAUL VERIEY ALL FIELD CONCIDENS AND DANENSIONS OF THE JOH SUITE AND CONFIRM THAT HOW KE MICHAEL ON THESE CONSTRUCTION DOCUMENTS ON HE ACCOUNTISHED AS SHOWN PROBE TO COMMISCENERY OF ANY WORK.

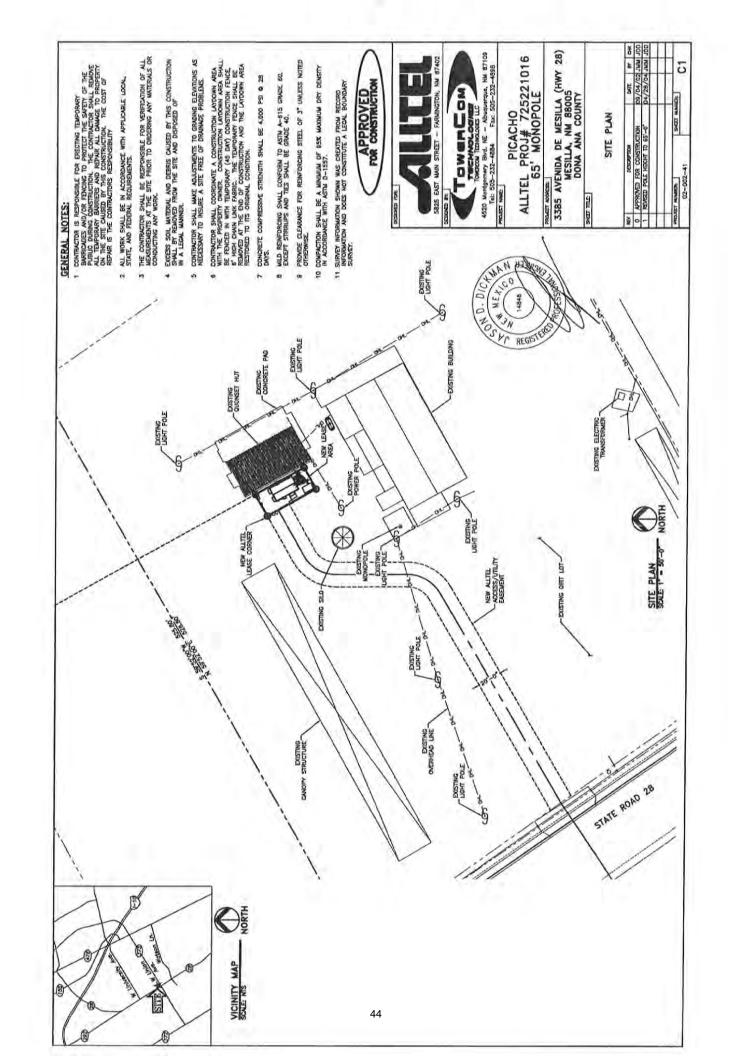
PRIOR TO SUBUITING A BID, THE CONTRACTOR SHALL FAMILWRIZE HIMSELF/HERSELF WITH THE SCOPE OF WORK AND ALL CONDITIONS AFFECTING THE PROPOSED PROJECT.

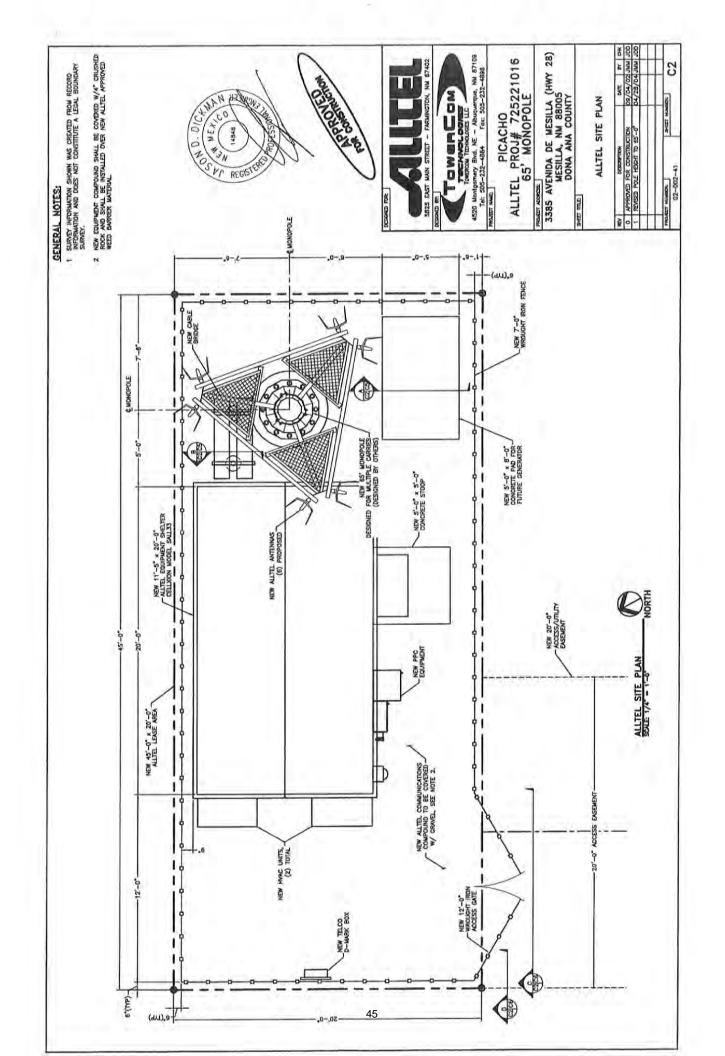
GENERAL PROJECT NOTES

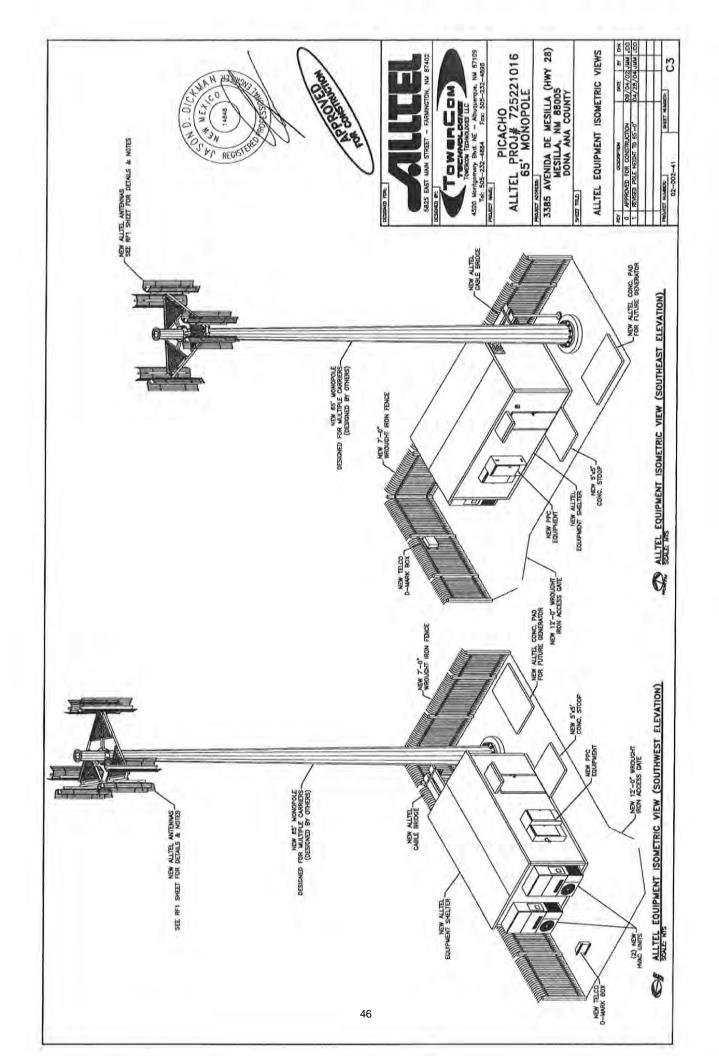
CONTRACTOR TO PROMDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF 24—10BC OR BETTER.

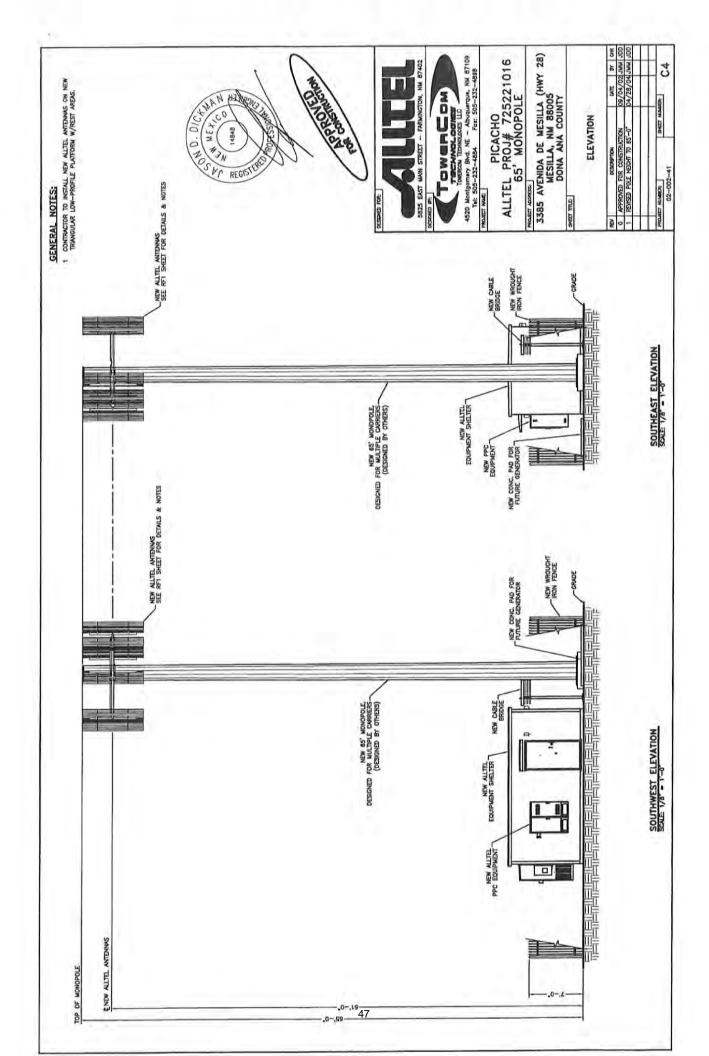
CONTRACTOR TO INSTALL FIRE DEPARTMENT APPROVED YOUNG BOX" PSR DEPARTMENT REQS.

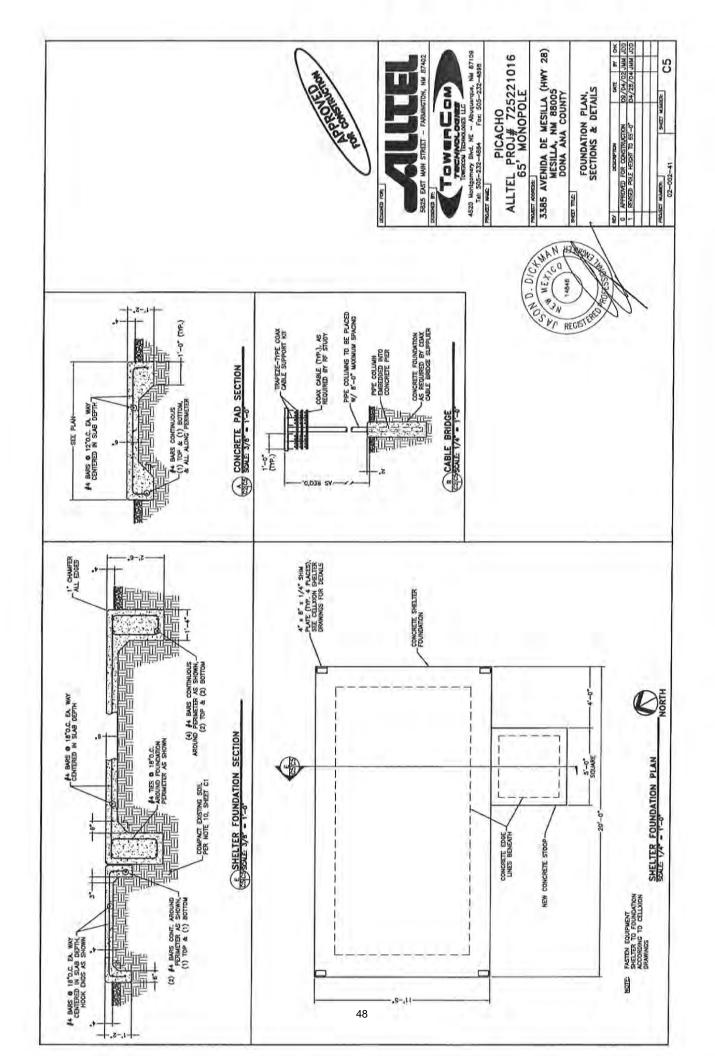
DATE INTERCONNECT ENGINEER

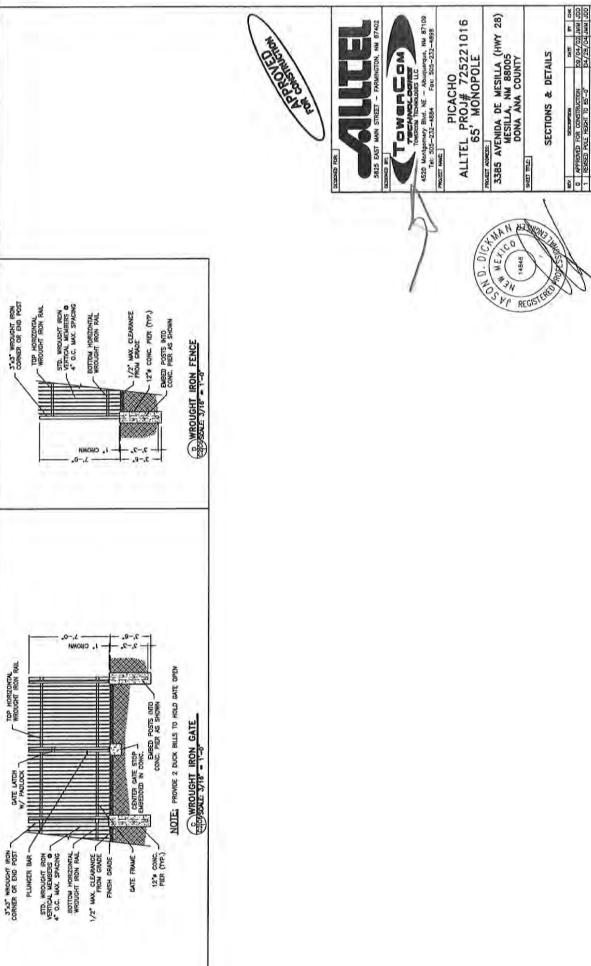








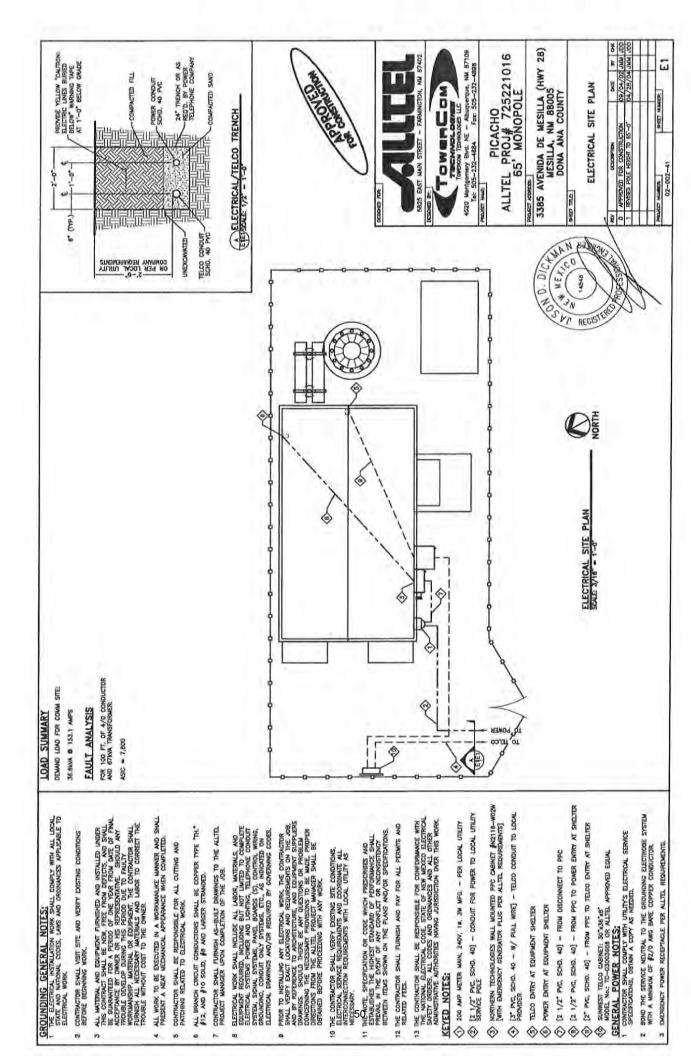


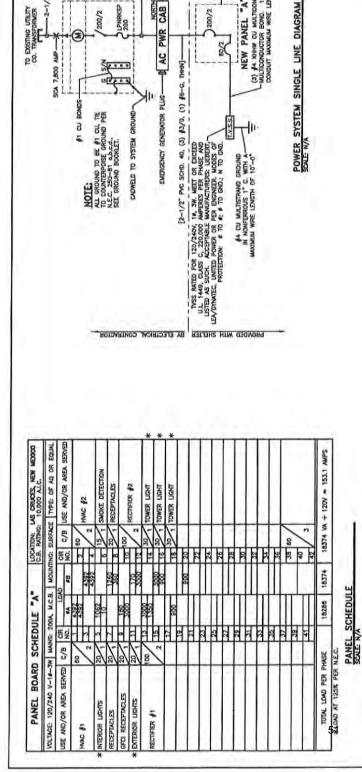


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SHEET HANDS

990AET NUMBER 02-502-41







CHOCH CONTRACT OF THE CONTRACT

#2 CU, SOLID TINNED COPPER TIED TO GROUND AND ENCLOSURE TO COUNTERPOISE

2" C., TELCO

200/2

\$

TELCO CONDUIT, (SEE SHEET E1)

3 64/0 XHHW CU,

LPNRKS2 200

الم الم

20072

200A METBY/JAN AT SHELTER 120/240Y, 14, 3W, NEJA 3R, RATED AT 22/AJC ACCEPTABLE TO UTILITY COMPANY

-2-1/2" C. W/ CONDUCTORS, BY UTILITY

TO EXISTING UTILITY CO. TRANSFORMER

SCA 7,800 AMP.

-TO TELCO

A AC PWR CAB HTELCO CABINET



PICACHO
ALLTEL PROJ# 725221016
65' MONOPOLE

3385 AVENIDA DE MESILLA (HWY 28) MESILLA, NM 88005 DONA ANA COUNTY

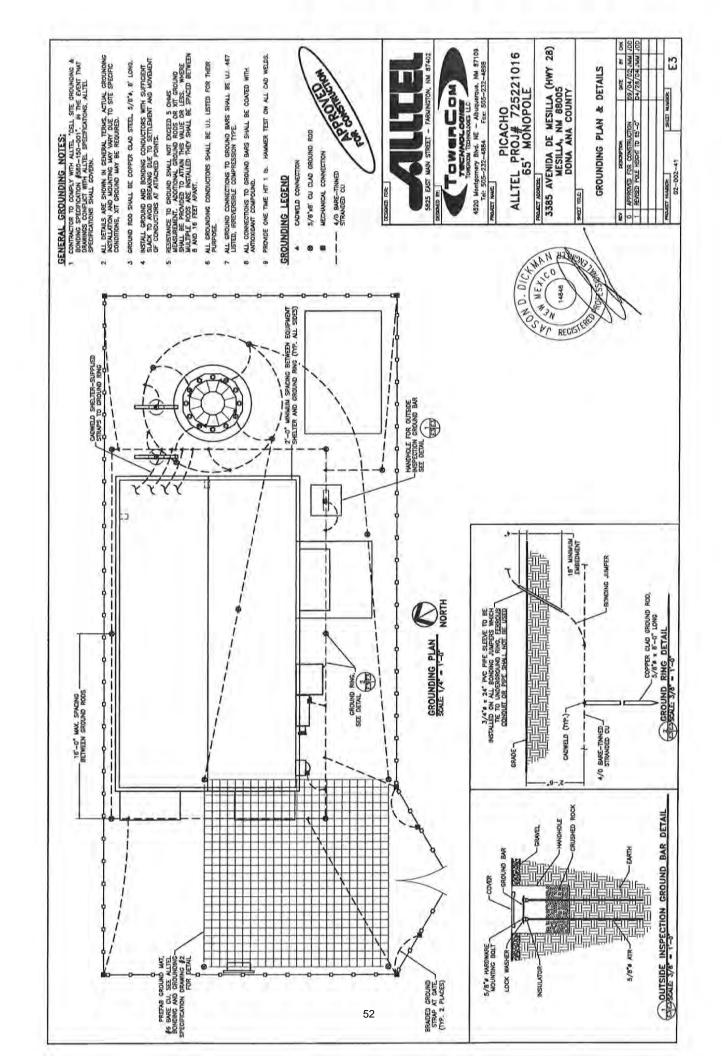
PANEL SCHEDULE & SINGLE LINE DIAGRAM

0 APPROVED FOR CONSTRUCTION 59/04/02 JAMA JO 1 REVISED FOLE HEIDER TO 65"-4" D4/26/04/JAM JU	è	MOLENCES	2000	à	ð
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70.	.19	2	WIEL LPD-4019-EDIN	7	2	3/2	.85,	10-0-
190	.18	2	ANTEL UPD-5516-EDIN	ь	2	3/1	.82,	10-01

- GENERAL ANTENNA NOTES:

  1. ALTEL WILL PROVIDE CONTRACTOR WITH ANTENNAS AND MAIN COAK ONLY.
- CONTRACTOR TO PROVIDE ALL JUMPERS, INSTALLATION PREDIMARE AND ANY DIRES MESCALINEDORS TRUES REDEED FOR THE COUPLETE INSTALLATION OF THE ALITEL SUPPLIED ARTENIAS AND MAIN COAX.
  - DUAL POLAR ANTENNAS REQUIRE TWO RUNS OF COAK PER ANTENNA.
    - LENGTHS GAZIN ON THIS CHART ARE ESTIMATED FROM AMALABLE. INFORMATION.
- THES AND SIZES OF THE MYTENN CABLES ARE BASED ON THE ESTIMATED MECHANIC CONTINUED TO VERBY ALL ACTION. LENGTHS IN THE PERD ENONEST FOR VERBYCATORY OF DISCUSS FOR VERBYCATORY OF SIZES OF CABLES.
- CONTRACTOR TO PROVIDE AS-BULTS FOR THE LENGTH OF CABLES UPON COMPLETION OF INSTALLATION.
- 7 CONTRACTOR TO PROVIDE FINAL CABLE LENGTHS AND RETURN LOSSES FOR ALL CABLES.
  - ALL AZMUTHS REFERENCE TRUE NORTH. CONSULT REQUIRED QUADRANGLE MAP FOR NECESSARY MECHANICAL DECLINATION.





TECHNIC GETTE ON TRECON TRENDED TO THE TOWN TO THE TOWN TO THE TOWN THE TOW

PICACHO ALLTEL PROJ# 725221016 65' MONOPOLE

5385 AVENIDA DE MESILLA (HWY 28)
MESILLA, NM 88005
DONA ANA COUNTY

ANTENNA SCHEDULE, ANTENNA ORIENTATION, & DETAILS

	DESCRIPTION	H	k	~
AP.	PROVED FOR CONSTRUCTION	09/04/02	MAIL	2
8	ASD POLE HEIGHT TO 65'-0"	04/28/04	3	-

4/0 BARE-TINNED STRANDED COPPER AS -AMG- THIN

3/4" PVC SLEDIC O CHOWDD TO CHOWND RING EA MIN.

ANTENNA GROUND DETAIL

LEGEND

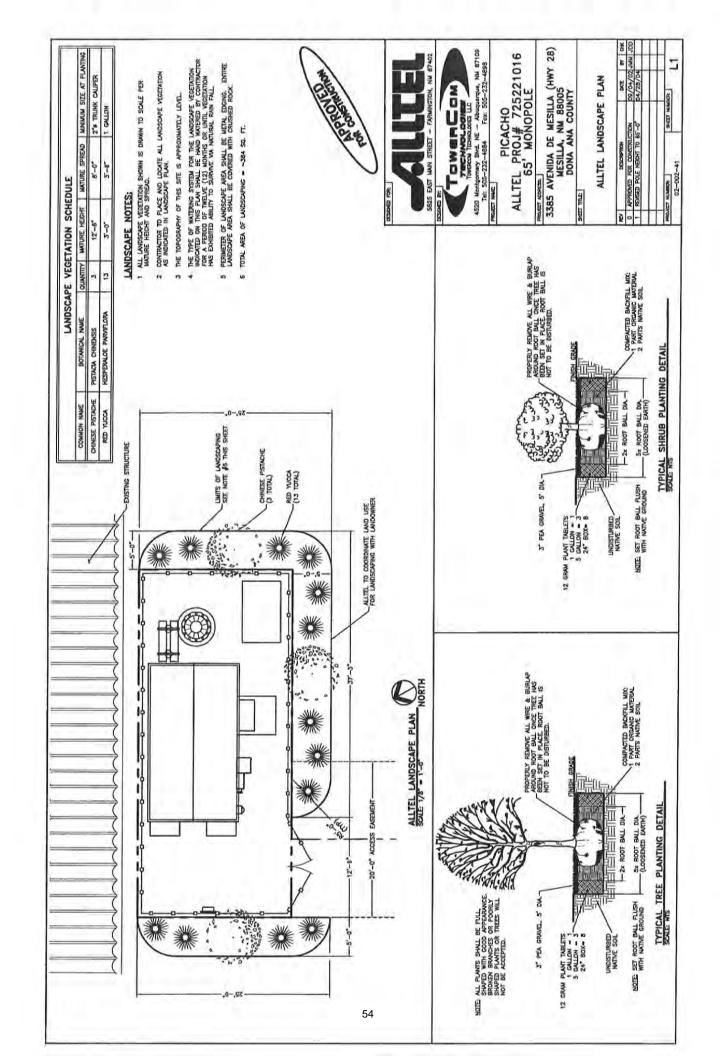
SOTTON ANTENNA

COAX TO

CROUND BARS

ANTENNA (TYP.)

\$ 22 RF1 SHEET MEMBER PROJECT NUMBE: 02:-002-41



TREMEDIAL TENDENCE CONTROL TENDENCE TEN 3385 AVENIDA DE MESILLA (HWY 28)
MESILLA, NM 88005
DONA ANA COUNTY SB1 PICACHO
ALLTEL PROJ# 725221016
65' MONOPOLE Called and the DISTANCE 09/04/02|1 185'-8" 0-,06 47-9 711-0" 8-,S9 7-572 SETBACK DISTANCE PLAN 336,-8 1 ALL SETBACK DIMENSIONS ARE TAKEN FROM THE CENTER OF PROPOSED ALLTEL MONOPOLE. SETBACKS DISTANCE CHART ALLTEL MONOPOLE TO EXISTING TRANSFORMER. SB25 EAST WWN STREET - FARN EXISTING MONOPOLE TO ALLTEL MONOPOLE ALITEL MONOPOLE TO EXISTING SHEJER NEV DESCRIPTION
O APPROVED FOR CONSTRUCTION
1 REVISED POLE HEIGHT TO 85'-0" ALTEL MONOPOLE TO EXISTING SHELTER ALTEL WONOPOLE TO SW DEED UNE ALTEL WONOPOLE TO SW DEED UNE ALTEL WONOPOLE TO SE DEED UNE ALLTEL MONOPOLE TO SE DEED LINE ALLTEL MONOPOLE TO EXISTING SILD ALLTEL MONOPOLE TO GIN BUILDING ALLTEL MONOPOLE TO FUEL TANK DESCRIPTION NEW NEY LABEL 14848 RECISTERE - EXISTING TRANSFORMER EXISTING QUONSET HILT JANON WIENIE SETBACK DISTANCE PLAN TRACT 1
BOOK 325 PAGE 315
GRANTEE:JURADO
ORIGINAL LAYOUT TRACT 2
BOOK 325 PAGE 315
GRANTEE.JURADO
ORIGINAL LAYOUT STATE ROAD 28 DEED LINE 55

## REFERENCE DOCUMENTS

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DH FILE ON SITE CANDIDATE INFOMATION PACKAGE BY ROMANO AND ASSOCIATES

TAXES OR ASSESSMENTS WHICH ARENOT SHOWN AS EXISTING LIENS BY THE I-UBLID RECORDS.

TAKES FOR THE YEAR 2002, GAND THEREAFTER

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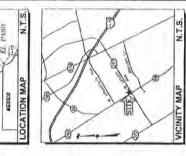
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### CERTIFICATION

I HEREBY CERTIFY THAT THE FORECOING PLAT OF SURVEY WAS PREFARED FROM RECORDS AND FIELD NOTES OF AN ACTUAL SURVEY PERFORMED UNDER MY DIRECTION AND IS CORRECT TO THE BEST OF MY KNOWIEDOE AND BELLEY



5547 C0 15621 AZ 12003 TX 4297 NM 10472 DAVID C. CLAUSEN, R.L.P.S. NM 6547 STEPHEN E. COBB, R.L.P.S. TX 4: DATE: 6/3/2002

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BOUNDARY SURVEY FOR

# PICACHO

DONA ANA COUNTY, NEW MEXICO 88005

HORIZONTAL AND VERTICAL

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PARCEL IDENTIFICATION

OPARCEL ID: 04-00872 ASSESSOR'S MAP CODE: TOOD INFORMATION

PEDRO JURADO (BROTHERS)

LANDLORD

ARTURO & PEDRO JURAD (505) 526-3364 OFFICE (505) 649-1038 CELL (505) 526-4971 FAX

ZONE X (OUTSIDE 500 YR. FLOOD-PLAIN) FIRM MAP NO. 3501C0633 E SEPTEMBER 27, 1991

COPYRIGHT

DATUM NOTE:

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### BEARING BASIS

COPYRIGHT © 2002 PASO DEL NORTE SURVEYING INC.
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CURRENT PARTIES. NO LICENSE HAS BEEN CREATED.
EXPRESS OR IMPLIED. TO COPY THIS SURVEY EXCEPT AS
TRANSACRION, WHICH SHALL TAKE PLACE WITHIN 1 YEAR
AFTER THE SURVEY WAS PROVIDED.

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PICACHO

PTN. OF SEC. 31, TSP. 23 S

RANGE 2 E, N.M.P.M. DONA ANA COUNTY, NEW MEXICO

REFERENCE NOTES

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PTN. OF SEC. 31, TSP. 23 S RANGE 2 E, N.M.P.M. DONA ANA COUNTY, NEW MEXICO

LEGAL DESCRIPTION

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PASO DEL NORTE SURVEYING EL PASO GPS SURVEYING AND IMPRING STO NONTAWANE. TEL: 915-TT-40AT FAX: 915-TZ-3612

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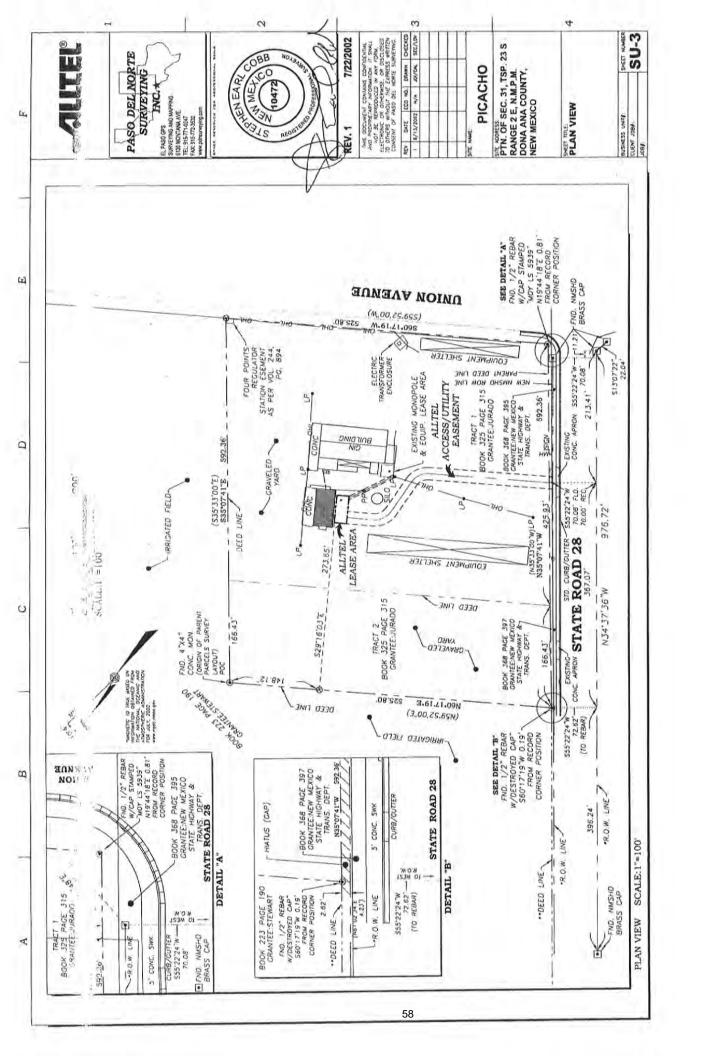
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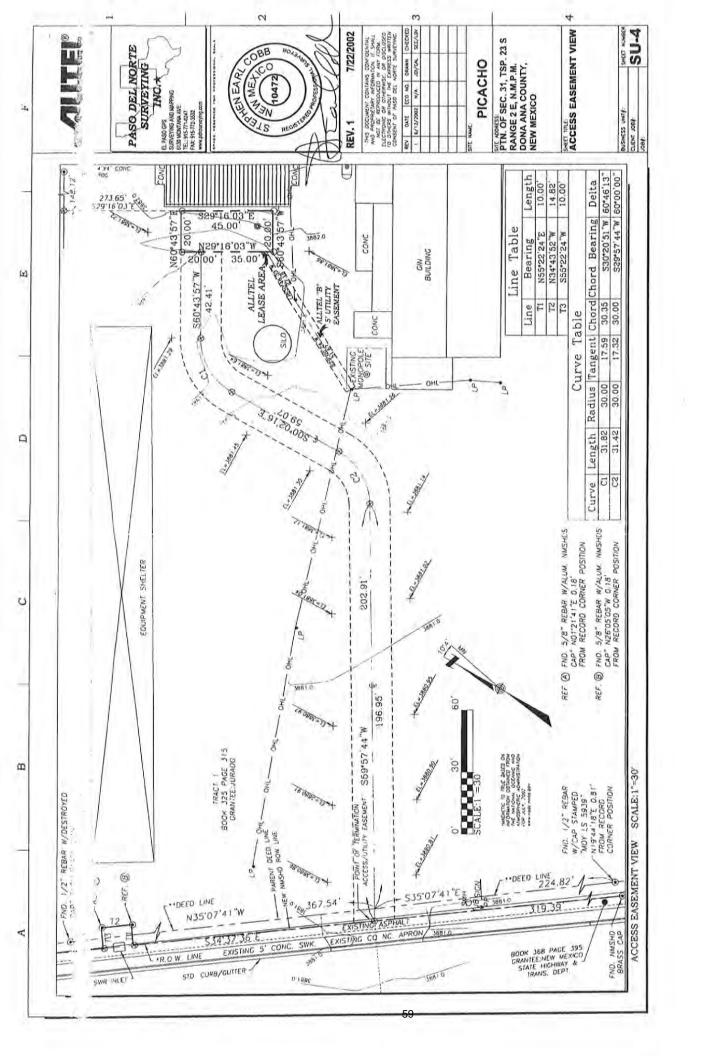
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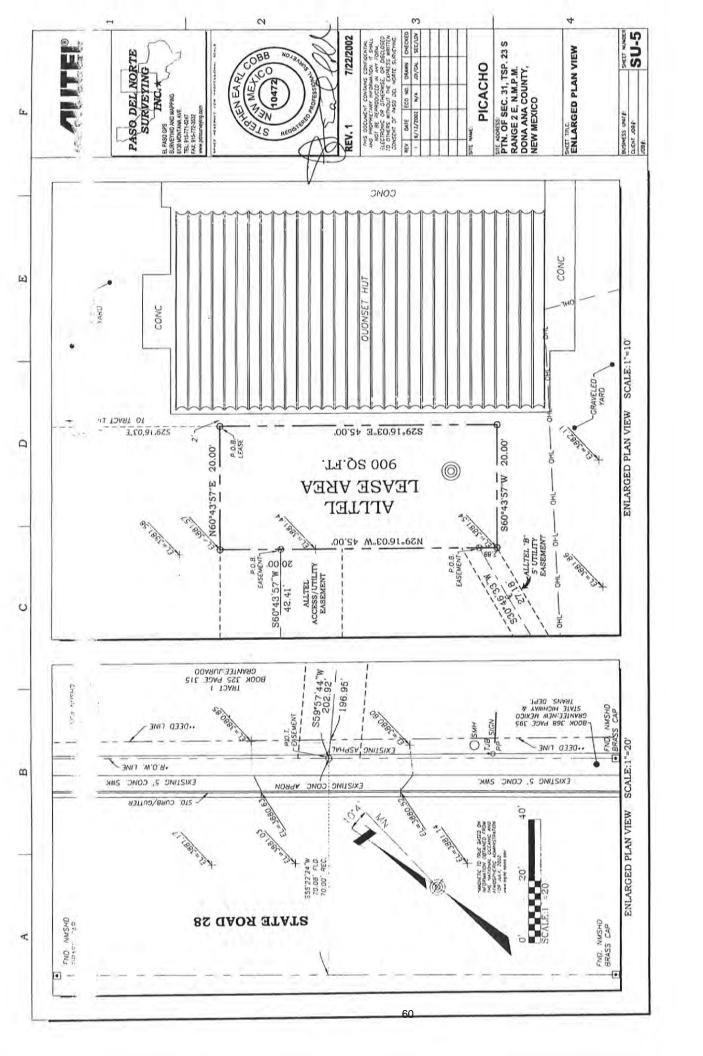
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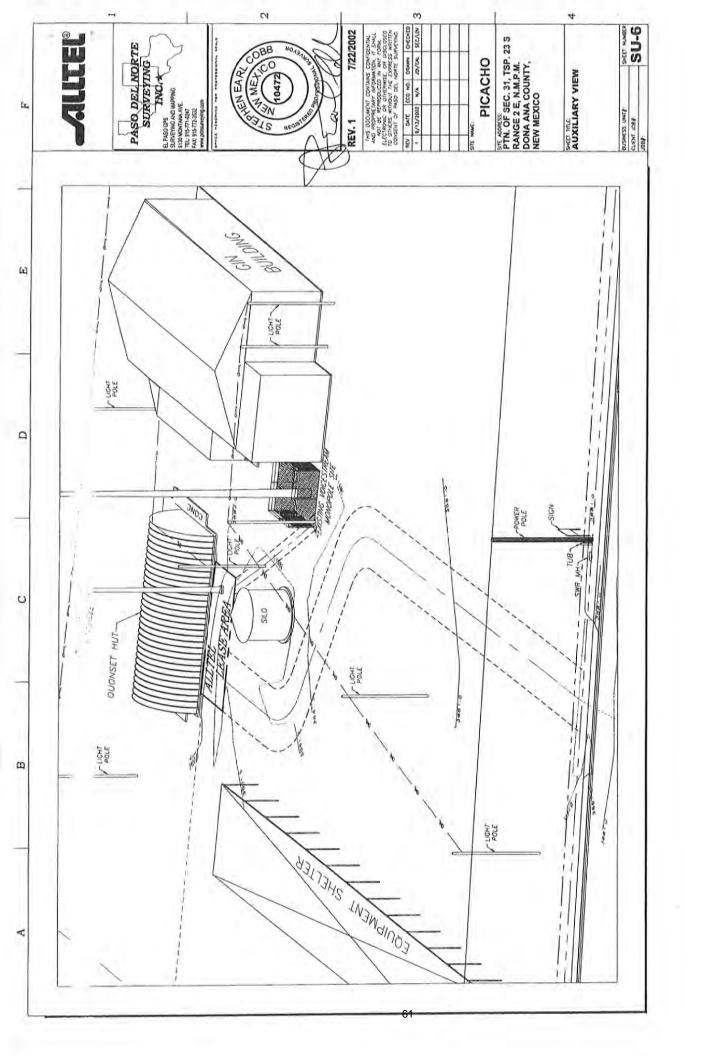
DAVID C. CLAUSEN, R.L.P.S. NW 6547 CO 15621 AZ 12003 STEPHEN E. COBB. R.L.P.S. TX 4297 NM 10472 DATE: 6/3/2002

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### Chapter 18.54

### WIRELESS TELECOMMUNICATIONS FACILITIES

### Sections:

18.54.010	Authority and purpose.
18.54.020	Definitions.
18.54.030	Applicability and exemptions.
18.54.040	General standards and construction provisions.
18.54.050	Co-location.
18.54.060	Heights, placement provisions and setbacks.
18.54.070	Special use permits.
18.54.080	Buildings or other equipment storage.
18.54.090	Application review and inspection fee.
18.54.100	Performance security bond.
18.54.110	Liability insurance.
<u>18.54.120</u>	Indemnification.
18.54.130	Removal of a wireless telecommunications facility.
18.54.140	Required annual report.
18.54.150	Provision for waiver or variance.
18.54.160	Penalty.
18.54.170	Default and/or revocation.

### 18.54.010 Authority and purpose.

A. Authority. The comprehensive land use ordinance is amended pursuant to the enabling provisions of Section  $\underline{3-21-1}$  through  $\underline{3-21-14}$ , NMSA 1978, as amended.

- B. Purpose. The purpose of this chapter is to establish regulations and general guidelines for the siting of wireless telecommunications facilities (WTFs).
- C. The goals of this chapter are to:
- 1. Protect residential areas and land uses from potential adverse impact of WTFs;
- 2. Minimize the total number of towers in the community;
- 3. Strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers;

- 4. Encourage users of WTFs to locate them, to the extent possible, in areas where the adverse impact on the community is minimal;
- 5. Encourage users of WTFs to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening and innovative camouflaging techniques;
- 6. Enhance the ability of providers of telecommunications services to provide such services to the community quickly, effectively and efficiently;
- 7. Avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures.

In furtherance of these goals and in approving sites for the location of towers and antennas, the town of Mesilla shall give due consideration to Mesilla's master plan, its zoning map, existing land uses and environmentally and historically sensitive areas. [Ord. 2003-10 § 1]

### 18.54.020 Definitions.

- A. "Alternative tower structure" means such structures as manmade trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.
- B. "Antenna" means any structure that radiates or receives radio or other communication signals.
- C. "Co-location" means the physical attachment and/or placement of one communication structure upon another communication structure, and may include placing different or similar communication structures on the receiving structure.
- D. "Commercial tower" means a freestanding vertical structure that may or may not have various attachments thereto, which is intended to radiate and/or receive radio frequency signals for the purpose of providing a commercial service to the public. Commercial tower uses include, but are not limited to, cellular communications, paging stations, TV stations, AM and FM radio stations, two-way radio base stations, communication mobile service, common carrier wireless services and communications used for intra-business and inter-business purposes.
- E. "Communication structure" means any structure, including antennas and satellite service devices, or any other device which is normally used for radio, television, microwave or wireless communications. This shall include any device that is attached to a new or an existing tower, or attached to a building facade or roof or other noncommunication structure, and such attachment is made to the facade or roof vertically, horizontally and/or diagonally.
- F. "Facial mount" means the physical attachment of a communication structure to a building or other noncommunication structure, which does not substantially increase the height of the building or structure. This can include attaching the structure either vertically, horizontally, or diagonally along the structure's building facade, facades, walls, roofs or other structures.
- G. "Height," when referring to a tower or other structure, means the distance measured from the lowest adjacent ground level of the parcel of land vertically to the highest point on the tower or other structure, including the base pad and any antenna and whether attached to the ground, the building, or other structure(s).
- H. Historic Resources or Districts. For the purposes of this chapter, a resource or district is considered historic if it is listed individually or collectively or eligible to be listed in the National Historic Landmark Register, the National Register of Historic Places or the State Register of Cultural Properties or if the resource or district has been identified by a

governmental agency, such as the New Mexico Historic Preservation Division, as having significant value as an historic, cultural or archaeological resource.

- I. "Personal (private) tower" means a freestanding vertical structure that may or may not have various attachments thereto, which is intended to radiate and/or receive radio frequency signals for the purpose of radio communications without the intent of commercial service. Personal tower uses include, but are not limited to, television signal reception, amateur radio stations, AM and FM radio signal reception and citizen band (CB) base stations. Personal (private) towers are excluded from the C, H-C and H-R zones.
- J. "PZHAC" means the planning, zoning and historical appropriateness commission, the body that shall review applications for WTFs and recommend action to the board of trustees, which is the governing body of the town of Mesilla.
- K. "Satellite service device (SSD)" means any structure used to receive satellite programming services specifically associated with television reception from the transmission of signals from a satellite to a receiver, usually a round "dish" that can vary in size from 18 inches to 10 feet in diameter.
- L. "Tower" means any structure, vertical in inclination, that is designed and constructed and normally used for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. This may include television and radio transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and other freestanding towers, either for private or commercial purposes. The term includes the structure and any support thereto.
- M. "Vertical structure" means any built object that is either independent of or attached to any building or other structure that is perpendicular in its direction to the nearest adjacent ground, including but not limited to flag poles, belfries, chimneys and parapet walls.
- N. "View corridors" are defined as an area identified either in the Mesilla comprehensive plan or by a federal or state agency as the location of a particular designated scenic or cultural resource or trail system and as an area from which a WTF can be seen.
- O. "Wireless telecommunications facility (WTF)" includes all equipment, buildings and structures with which a wireless communications service carrier broadcasts and receives the radio frequency waves and all locations of said equipment or any part thereof. [Ord. 2003-10 § 2]

### 18.54.030 Applicability and exemptions.

- A. 1. New Towers and Antennas. All new towers or antennas in the town of Mesilla shall be subject to these regulations, except as provided in subsections (B) and (C) of this section.
- 2. Amateur Radio Station Operators/Receive Only Antennas. The sections that follow shall not govern television antennas, satellite dishes and receive only antennas; provided, that the primary use of the property is not a wireless telecommunications facility (WTF) and that the antenna use is accessory to the primary use of the property. Nor shall the sections that follow govern any freestanding vertical structure or the installation of any freestanding vertical structure located in the R-1 zone that is under 30 feet in height or located in the RA zone that is under 40 feet in height or located in the RF zone that is under 50 feet in height and is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive only antennas.

- B. Preexisting Towers or Antennas. Preexisting towers and preexisting antennas for which a building permit has been properly issued prior to the effective date of the ordinance codified in this chapter shall not be required to meet the requirements of this chapter, other than the requirements of MTC 18.54.040(G) and (H).
- C. Public property owned or otherwise controlled by the town of Mesilla may be exempt from the requirements of this chapter.
- D. Towers and antennas shall be regulated and permitted pursuant to this chapter and shall not be regulated or permitted as essential services, public utilities, or private utilities. [Ord. 2003-10 § 3]

### 18.54.040 General standards and construction provisions.

- A. Height. All structure heights shall be measured from the lowest adjacent ground level vertically to the highest point of all structures, whether attached to the ground, the building or other structure(s). The principal supporting structure for WTFs shall be permitted to exceed the height limit of the zoning district in which it is located; provided, that the setback standards in MTC <u>18.54.060</u> shall apply.
- B. Lot Size. For the purposes of determining whether the installation of a tower or antenna complies with zoning development regulations, including but not limited to setback requirements, lot-coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the WTF may be located on leased parcels within such lot.
- C. Measurement. For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located in Mesilla irrespective of municipal and county jurisdictional boundaries.
- D. Public Notice. For purposes of this chapter, a special use permit request, a variance request or an appeal of a special use permit or variance shall require public notice in a local newspaper of general circulation within the town of Mesilla. In order that the town may notify nearby landowners, the application shall contain the names and address of all property owners of properties that are located within 1,500 feet of any property line of the lot or parcel on which the WTF is proposed to be located. This requirement is in addition to any and all notice requirements contained in the town's zoning ordinance.
- E. Minimum Wind Speed. All structures shall be constructed and installed to manufacture's specification and constructed to withstand a minimum 90-mile-per-hour wind, or the minimum wind speed as required by the town's adopted Uniform Building Code, as amended, whichever wind speed is greater.
- F. Building Codes. Structures shall be permitted and constructed to meet current town of Mesilla building code requirements, including the Uniform Building Code, and required setback provisions as prescribed for the zoning districts in which such structures are permitted. If any setback or buffer yard as prescribed in the town's zoning code requires a greater distance than required in this chapter, the greater setback shall apply.
- G. Safety Standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that the tower is maintained in compliance with the standards contained in applicable federal, state and town building codes. If, upon inspection, the town of Mesilla concludes that a tower fails to comply with such codes and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days to bring such tower into compliance with such standards. Failure to do so shall constitute grounds for the removal of the tower or antenna at the owner's expense.
- H. State or Federal Requirements. All towers shall meet or exceed current standards and regulations of the Federal Communication Commission (FCC), the Federal Aviation Administration (FAA) and any other agency of the state or

federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this chapter shall bring such towers and antennas into compliance with such revised standards and regulations within six months of the effective date of the revisions, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

- I. Business Registration Required. Business registrations are required for each WTF for commercial purposes located within the town limits of Mesilla, regardless of whether said structure is freestanding, co-located, facial or roof mounted, or part of an integrated structure or improvement. Business registrations are renewable annually.
- J. Inventory of Existing Sites. Each applicant for a WTF shall provide to the PZHAC an inventory of existing towers, antennas or sites approved for towers or antennas that are located within the service area proposed to be served by the new tower, including specific information about the location, height and design, and the owners/operators of each tower or site and indicate the distance of such towers, antennas or sites from the proposed WTF.
- K. Aesthetics. Towers and antennas shall meet the following aesthetic requirements:
- 1. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.
- 2. The design of the buildings and related structures at a WTF site shall, to the extent possible, use materials, colors, textures, screening and landscaping that will blend them into the natural setting and any surrounding buildings.
- 3. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
- L. Lighting. Only security lighting not to exceed 12 feet in height or lighting required by a state and/or federal agency is allowed, providing the location of the lighting fixture together with its cut-off angle shall be such that it does not shine directly on any public right-of-way or any residential premises.
- M. Signs. No signs shall be allowed on an antenna or tower other than signage required by the FCC or other regulatory agency and signs that warn of safety hazards or prohibit access; provided, that such signs are no larger than one square foot and are reviewed by town staff and approved by the board of trustees.
- N. Building and Support Equipment. Buildings and support equipment associated with antennas or towers shall comply fully with the town's building codes.
- O. Health Issues. Every wireless telecommunications facility shall meet health and safety standards for electromagnetic field emissions as established by the Federal Communications Commission or any successor thereof, and any other federal or state agency.
- P. View Corridors. No wireless communication tower or facility is allowed within 660 feet (or one-eighth mile) of the outer edge of the right-of-way of any designated view corridor.
- Q. Historic Preservation Review. No WTF that may affect archaeological, historic or cultural properties that are listed or are eligible for listing on the National Register of Historic Places shall be constructed, installed or modified without first obtaining Historic Preservation Division 106 Review as per 36 CFR part 800 in accordance with the National Historic Preservation Act of 1966, as amended. A project comment review letter from the State of New Mexico Historic

Preservation Division, Office of Cultural Affairs shall be filed with the town at the time of filing a business registration application and/or special use permit application.

- R. Visual Models. Visual models shall be required of all applicants for a WTF as follows:
- 1. Photographic Simulation. The applicant shall be required to provide a photographic simulation with the image of a tower or other proposed communications structure and all structures associated with the site superimposed over the existing view to provide a sense of the visual impact expected from the proposed WTF.
- 2. Site-Located Height Model or Balloon Test. A height model, which shall be a pole or other object erected or floated at the site to the requested height of the proposed WTF, may be required as a condition of the special use permit. If required, the following conditions shall apply:
- a. The applicant shall submit photographs of the height model or balloon test from neighboring residential areas and public roadways and other locations around the town as specified by the PZHAC within three miles from which the height model or balloon is visible. The height model or balloon shall be a minimum of three feet in diameter.
- b. Photographs of the height model or balloon test shall be submitted no less than 10 days prior to the scheduled public hearing date for the special use permit.
- c. Height models or balloon tests shall be erected for a minimum of three days no less than 15 days prior to the scheduled public hearing date for the special use permits. The legal notice for the special use permit shall state the dates and location during which the height model or balloon test will be erected.
- d. The PZHAC may waive this requirement if it is determined that the photographic simulation is adequate to address any and all visual impact issues.
- e. Town staff shall issue administratively any permit necessary for a temporary height model required for staff and public inspection purposes.
- S. All utilities at a WTF site shall be installed underground and in compliance with all laws, ordinances, rules and regulations of the town of Mesilla, the National Electrical Safety Code and the National Electrical Code where appropriate.
- T. All applicants for a WTF or any modification to an existing WTF should develop their plans to allow reasonable requests from the town to use space on its towers and space within the existing or planned compound for deploying and operating public service radio facilities at no cost to the town. Provisions for adequate advance notice regarding town access to the WTF for routine activities will be arranged with the applicant. [Ord. 2003-10 § 4]

### 18.54.050 Co-location.

To minimize adverse visual impacts associated with the proliferation and clustering of towers, co-location or shared use of antennas by more than one carrier on existing towers shall take precedence over the construction of new towers, provided such co-location is accomplished in a manner consistent with the following:

- A. The antenna complies with all applicable FCC and FAA regulations.
- B. A tower which is modified or reconstructed to accommodate the co-location of an additional antenna shall be of the same tower type as the existing tower, unless the PZHAC allows reconstruction as a monopole.
- C. Height. An existing tower may be modified or rebuilt to a taller height not to exceed 30 feet over the tower's existing height, to accommodate the co-location of an additional antenna. This height change may occur only one time per

communication tower and the additional height cannot require an additional distance separation as set forth in MTC 18.54.070(D). The tower's premodification height shall be used to calculate such distance separations.

D. On-Site Location. A tower which is being rebuilt to accommodate the co-location of an additional antenna may be moved on-site within 50 feet of its existing location. If the tower is moved to accommodate co-location, only one tower may remain on the site. A relocated on-site tower shall continue to be measured from the original tower location for purposes of calculating separation distances between towers pursuant to MTC 18.54.070(D). [Ord. 2003-10 § 5]

### 18.54.060 Heights, placement provisions and setbacks.

### A. Heights.

Zone	Towers	Other Communication Structures		
HR, HC	Expressly prohibited	Prohibited		
Towers and other communication structures are also expressly prohibited within 660 feet (or 1/8 mile) of the boundary of an historic resource or district or view corridor.				
C	Expressly prohibited	Must be concealed as per subsection (D) of this section		
R-1	Up to 65 feet For noncommercial use only	Up to 65 feet For noncommercial use only		
RA	Up to 65 feet For noncommercial use only	Up to 65 feet For noncommercial use only		
RF	Up to 65 feet for a single user Up to 75 feet for three users Up to 100 feet for four or more users	See MTC <u>18.54.030(B)</u>		

The applicant shall submit documentation justifying the total height of any tower or other communication structure, facility, and/or antenna and the basis therefore. Such documentation will be analyzed, to the extent practicable, in the context of the justification of the height needed to provide service primarily and essentially within the town boundaries and the immediately surrounding area, to the extent practicable.

No tower, including allowing for all attachments, shall exceed that height which shall permit operations without required artificial lighting of any kind in accordance with municipal, county, state and/or federal law, ordinance, code, rule or regulation.

B. The following placement and setback requirements shall apply to all freestanding vertical structures under 50 feet for which a special use permit is not required:

- 1. Towers and other freestanding vertical structures and satellite service devices in the R-1, RA and RF zones shall be placed within the primary buildable area for the lot's zone and must be to the side and/or rear of any and all residential dwelling structures, including houses, apartments, duplexes, etc.
- 2. Structures shall be set back from any adjoining property line one foot for each one foot in height plus 10 percent of the total height of the structure.
- 3. Additional setbacks may be required in both this section and in the following section to meet the distance equal to at least the potential fall radius of a support structure as certified by a licensed New Mexico professional engineer or to preserve the privacy and integrity of adjoining residential, public or historic properties.
- 4. Guy wires used to secure and steady a tower and accessory buildings shall conform to the minimum setback requirements for the lot's zone.
- C. The following placement and setback requirements shall apply to all towers for which a special use permit is required:
- 1. Towers and other communication structures for which a special use permit is required shall be placed within the primary buildable area for the lot's zone and must be to the side and/or rear of the primary building structure. If the antenna, communication structure or satellite service device is the primary structure, then such structure shall be within the primary buildable area, including all equipment buildings.
- 2. Required tower or other antenna support setbacks from all property lines:
- a. Up to 75 feet, the setback is one foot for each foot of height, plus 10 percent of the total height of the structure;
- b. From 75 to 125 feet, the setback is two feet for each foot of height;
- c. From 126 to 150 feet, the setback is three feet for each foot of height.
- 3. When a proposed tower will be located in or adjacent to a district which permits residential use, or where a residential structure is located, the tower shall also be set back from the nearest residential use on the same or any adjacent parcel, a distance 20 percent greater than its total height.
- 4. A special use permit shall be required for WTFs proposed to be constructed on lots adjacent to property zoned R-1 or RA.
- D. Concealed wireless communications facilities are permitted within the C zone providing the following conditions are met:
- 1. The structure is architecturally integrated with existing buildings, structures and landscaping, including height, color, style, massing, placement, design and shape and is not readily visible as a wireless telecommunications facility. No setback shall be required for an architecturally integrated WTF less than 24 feet high.
- 2. The structure is located in areas where the existing topography, vegetation, buildings or other structures provide the greatest amount of screening.
- 3. The structure is located on existing vertical infrastructure, such as utility poles and public utility structures, if possible.
- 4. The structure complies with all other aesthetic requirements as set forth in this chapter.
- 5. The structure is approved through the special use permit process. [Ord. 2003-10 § 6]

### 18.54.070 Special use permits.

- A. General. The following provisions shall govern the issuance of special use permits for the siting of a WTF, including but not limited to the construction of a tower and the placement of an antenna, by the board of trustees, the governing body of the town of Mesilla.
- 1. Applications for special use permits under this section shall be subject to the procedures and requirements of the zoning regulations and standards, MTC <u>18.55.010</u>, <u>18.85.080</u>, <u>18.85.100</u>; and Chapter <u>18.85</u> MTC, Article III; except as modified in this chapter, with the planning, zoning and historical appropriateness commission (PZHAC) acting as a recommending body and the board of trustees acting as the granting body.
- 2. The PZHAC, in recommending a special use permit to the board of trustees, and the board of trustees, in granting a special use permit, may impose conditions and limitations to the extent the commission and board conclude such conditions and limitations are necessary to minimize any adverse effect of the proposed WTF on adjoining properties.
- 3. Any engineering information submitted by the applicant, whether civil, mechanical, or electrical, shall be certified by a professional engineer licensed in the state of New Mexico.
- 4. An applicant for a special use permit shall submit the information described below in this section and a nonrefundable filing fee as described in the zoning regulations and standards, MTC <u>18.85.140(A)</u>.
- B. Wireless Telecommunications Facilities (WTFs) Information Required. In addition to any information required for applications for special use permits pursuant to MTC <u>18.55.010</u> and Chapter <u>18.85</u> MTC, Article II, of the zoning regulations and standards, applicants for a special use permit for a WTF shall submit the following information:
- 1. A scaled site plan clearly indicating the location, type and height of the proposed tower; on-site land uses and zoning, adjacent land uses and zoning, including, when adjacent to the county or another municipality; adjacent roadways; proposed means of access; setbacks from property lines; elevation drawings of the proposed tower and any other structures; topography; parking and other information deemed by town staff to be necessary to assess compliance with this chapter.
- 2. Legal description of the property upon which or upon part of which the applicant proposed to located the WTF and a list of all mortgages on the property at the time of application.
- 3. The setback distance between the proposed tower and the nearest residential unit or the nearest platted or unplatted residentially zoned properties.
- 4. The separation distance from other existing towers within 1,000 feet of the proposed tower. The applicant shall also identify the type of construction of such existing tower(s) and their owner(s)/operator(s).
- 5. The landscape screening plan showing specific landscape materials.
- 6. Method of providing security, fencing or wall, and finished color and, if applicable, the method of camouflage and illumination.
- 7. A description of compliance with MTC 18.54.040(E) to (H) and (K) to (R) and all applicable federal, state and local laws.
- 8. A notarized statement by the applicant as to whether construction of the tower will accommodate co-location of additional antennas for future users.
- 9. Identification of the entities providing the network connections for the proposed tower and other cellular sites owned or operated by the applicant in the town of Mesilla.

- 10. A statement as to the projected number and locations of any WTFs proposed to be built in the town of Mesilla within two years of the date of the current application and that are part of the same system as the WTF for which a special use permit is currently being sought.
- 11. The applicant shall submit documentation of the legal right to install the WTF, including ingress and egress easements, and shall include original signature(s) of such land owner(s) and a copy of the property deed, plus a full copy of any proposed lease agreement with subject property owner(s).
- 12. A copy of the tax map and parcel identification code number of the subject property as shown in the records of the Dona Ana County assessor's office.
- 13. A site plan showing all property within 1,500 feet of the perimeter of the proposed property that will house the proposed WTF. A list of the owners of each of the affected properties and their mailing addresses as shown by the Dona Ana County assessor's office.
- 14. A copy of the FCC license for the WTF and a notarized statement from the owner or operator of the WTF attesting that the WTF complies with current FCC regulations.
- 15. Project comment review letter from the State of New Mexico Historic Preservation Division and any other letters of clearance required pursuant to the National Historic Preservation Act 1996, as amended.
- 16. Photo simulations and, if required, the photographic results of the site-located height model or balloon test.
- 17. Propagation maps showing the cellular coverage that the site will provide.
- 18. A written report indicating the applicant's efforts to secure shared use or co-location with existing towers, other structures or alternative technology or buildings within the town of Mesilla and neighboring areas within the city of Las Cruces and Dona Ana County. Copies of written requests and responses for shared use shall be provided to the PZHAC along with the application for a special use permit.
- C. Demonstration of Need. An applicant shall submit to the PZHAC documentation that demonstrates the need for the WTF to provide service within the geographical area proposed to be serviced by such WTF. The documentation shall include propagation studies of the proposed site and all adjoining planned, proposed, in-service or existing sites.
- D. Separation Distances. When a second tower is proposed near an existing tower, there shall be a minimum separation distance between them of not less than the combined height of the existing tower and the proposed tower, which distance shall be measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan of the proposed tower. The same separation distance shall apply when more than one tower is proposed at one location.
- E. Security Fencing. Towers shall be enclosed by a security fence or wall not less than six feet in height which is equipped with an appropriate anti-climbing device other than barbed or other cutting wire.
- F. Screening. WTFs shall be landscaped with a buffer of plant material that effectively screens the view of the tower compound. The standard buffer shall consist of a landscaped strip at least four feet wide outside the perimeter of the compound.
- G. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may be sufficient buffer. [Ord. 2003-10 § 7]

### 18.54.080 Buildings or other equipment storage.

The following requirements shall apply to the buildings and all other equipment storage space associated with a WTF requiring a special use permit:

A. The related unmanned equipment structure or cabinet, being part of the WTF, used in association with an antenna(s) located on a tower shall not contain more than 120 square feet of gross floor areas or be more than 10 feet in height and shall be located in accordance with the minimum yard requirements of the zone in which it is located.

B. Such equipment structures or cabinets shall comply with all applicable building codes.

C. Security lighting, if required, shall not exceed 12 feet in height and the location of the lighting fixture together with its cut-off angle shall be such that it does not shine directly on any public right-of-way or any residential premises. [Ord. 2003-10 § 8]

### 18.54.090 Application review and inspection fee.

An application review and engineering inspection fee of 15 percent of the total estimated cost of the installation of the tower and antenna(s) shall be paid by the applicant upon filing of an application for a special use permit with the town. This fee shall be deposited in an escrow account and it shall be used to reimburse the town for all reasonable costs of expert services for evaluation and consultation to the town in connection with the review of the application and the construction of the site once the WTF is permitted. In the event the amount held in escrow by the town is more than the amount of the actual invoicing for consultant and expert services for work performed through the date of issuance of a certificate of compliance for the project, the remaining balance shall be promptly refunded to the applicant. In the event the amount is less than the amount of actual invoicing, the town shall rely on MTC 18.85.140(B) of the zoning regulations and standards, which permits charging additional review fees. [Ord. 2003-10 § 9]

### 18.54.100 Performance security bond.

The applicant and the owner of record of any proposed WTF property site shall, at its cost and expense, be jointly required to execute and file with the town a bond or other form of security acceptable to the town as to type of security and the form and manner of execution, in the amount of at least \$75,000 to assure the faithful performance of the terms and conditions of this chapter and the conditions of any special use permit issued pursuant to this chapter. The full amount of the bond or security shall remain in full force and effect through the term of the special use permit and/or until any necessary site restoration is completed to restore the site to a condition comparable to that which existed prior to the issuance of the original special use permit. [Ord. 2003-10 § 10]

### 18.54.110 Liability insurance.

A. A holder of a special use permit for a WTF shall secure and at all times maintain public liability insurance for personal injuries, death and property damage and umbrella insurance coverage for the duration of the special use permit in the following amounts:

- 1. Commercial general liability covering personal injuries, death and property damage and automobile coverage each at \$1,000,000 per occurrence and \$2,000,000 aggregate and the commercial liability policy shall specifically include the town as an additional named insured.
- 2. Workers' compensation at not less than minimum statutory limits.
- B. The insurance policies shall be issued by an insurance agent of an insurance company licensed to do business in the state of New Mexico with a Best's rating of at least A and shall contain an endorsement obligating the insurance

company to furnish the town with at least 30 days prior written notice in advance of the cancellation of the insurance. Renewal or replacement policies or certificates shall be delivered to the town at least 15 days before the expiration of the insurance that the policies are to renew or replace.

C. The holder of a special use permit for a WTF shall deliver to the town a copy of each of the policies or certificates representing the insurance in the required amounts before construction of the permitted WTF is initiated. [Ord. 2003-10 § 11]

#### 18.54.120 Indemnification.

Any application for a WTF that is proposed for town property pursuant to this chapter shall contain an indemnification provision. Such indemnification provision shall require the applicant, to the extent permitted by the law, to at all times indemnify and hold harmless the town of Mesilla from and against all claims, liabilities, damages, losses and expenses, including attorneys' fees, which might arise out of or be caused by the performance of work in the location, construction, modification, use, maintenance, repair, replacement or removal of the WTF, which causes contract bodily injury, illness or death or any other injury or for property damage caused by the negligent act or omission of the owner/operator/applicant of the WTF. [Ord. 2003-10 § 12]

#### 18.54.130 Removal of a wireless telecommunications facility.

A. Under the following circumstances, the town may determine that the health, welfare and safety of the town residents warrant and require the removal of a WTF:

- 1. A permitted WTF has not been operated as a WTF for a continuous period of six months and is therefore considered to have been abandoned;
- 2. A permitted WTF falls into such a state of disrepair that it creates a health or safety hazard as determined by town staff;
- 3. A WTF has been located, constructed or modified without first obtaining, or in a manner not authorized by, the required special use permit.
- B. If the town makes such a determination as appears in subsection (A) of this section, then the town shall provide the owner of such WTF with a notice of abandonment and an order to remove the same within 90 days of receipt of the notice of abandonment from the town.
- C. Failure by the owner or his successors or assigns to remove the abandoned WTF and all associated structures and facilities from the site and to restore the site to as close to its original conditions as is possible or to take substantial steps toward removing the abandoned WTF within said 90 days shall be grounds to remove the WTF at the owner's expense. [Ord. 2003-10 § 13]

#### 18.54.140 Required annual report.

In conjunction with the annual renewal of their business registration, the owner of each WTF shall submit a report to the Town of Mesilla, Town Clerk, PO Box 10, Mesilla, NM 88046, stating the current user status of the tower and providing proof of renewal of the insurance policies or certificates required pursuant to MTC 18.54.110. [Ord. 2003-10 § 14]

#### 18.54.150 Provision for waiver or variance.

A. An administrative waiver of up to a 10 percent difference, except for height, or a variance for over a 10 percent difference, except for height, may be requested by the applicant at the time of filing for the special use permit. The

conditions regulating the process for waiver and variance requests are set forth in Chapter <u>18.85</u> MTC, Article I, and shall apply in this chapter.

B. In instances where strict compliance with this chapter would result in a violation of a clearly established, applicable provision of the Telecommunications Act of 1996 or other federal law or regulation, a minimal easing of the provision of this chapter may be granted by the board of adjustment to the extent required to comply with such law. [Ord. 2003-10 § 15]

#### 18.54.160 Penalty.

Any person who violates any provision of this chapter or any special use permit issued pursuant to this chapter shall be charged with a petty misdemeanor and upon conviction may be punished by a fine of not more than \$500.00 or imprisonment for not more than 90 days or both such fine and imprisonment as provided for in MTC Title  $\underline{1}$ . [Ord. 2003-10 § 16]

#### 18.54.170 Default and/or revocation.

A. If a WTF is repaired, rebuilt, placed, moved or modified in a way that is inconsistent or not in compliance with the provisions of this chapter or of the special use permit, then the town shall notify the holder of the special use permit in writing of such violation. Such notice shall specify the nature of the violation(s) or noncompliance and that action to begin correction of the violation(s) must be commenced within seven days of the date of the postmark or personal service of the notice, whichever is earlier, and completed within 45 days of such date. Notwithstanding anything to the contrary in this subsection or any other section of this chapter, if the violation causes or presents an imminent danger to the health or safety of lives or property, the town may, at its sole discretion, order the violation remedied within 24 hours.

B. If within the 45-day time period set forth in subsection (A) of this section, the WTF is not brought into compliance with the provisions of this chapter or of the special use permit, or substantial steps are not taken in order to bring the affected WTF into compliance, then the town may revoke such special use permit for the affected WTF and shall notify the holder of the special use permit within 48 hours of such action. [Ord. 2003-10 § 17]



#### TOWN OF MESILLA BOARD ACTION FORM

#### ITEM:

B. FOR DISCUSSION/POSSIBLE APPROVAL: A REQUEST BY JUDGE FRIETZE FOR A \$1,000 INCREASE TO HIS CURRENT YEAR BUDGET.

#### **BACKGROUND:**

Received a memo from Judge Frietze dated February 27, 2018 (attached).

Cynthia responded to his request for 40 hours overtime for Andrea totaling \$650 dated March 22, 2018.

Judge Frietze responded with a memo dated March 28, 2018 requesting a budget increase in the amount of \$1,000.

The court's budget has historically been under budget by an average of \$5,300. (FY 16/17, \$5,153; FY 15/16, \$4,856; FY 14/15, \$5,894)

#### **BOT ACTION:**

#### Approve -

**Option 1:** if the Board votes to approve the increase of \$1,000 to the Town's General Fund, then a motion must be made to approve Resolution 2018-05 for a Budget Adjustment increasing the General Fund Budget from \$1,498,058 to \$1,499,058. This resolution must be submitted to DFA for approval prior to the adjustment being made.

#### Approve with changes -

**Option 2:** If the Board votes to approve a \$1,000 increase to the Court's budget, the Board must state what department of the General Fund will be cut by \$1,000. This does not have to go to DFA and can be done in house.

**Option 3:** If the Board votes that the Court must utilize it's current operations budget to move money into an Overtime line item, then the Board must make that directive to the Judge that he must move the money from within his own budget. This adjustment does not have to go to DFA and can be done in house.

#### **Option 4: Deny**

Reviewed by: Cynthia S-Hernandez Town Clerk/Treasurer Email: cynthias-h@mesillanm.gov



### Mesilla Municipal Court

2231 Avenida De Mesilla P.O. Box 1517 Mesilla, NM 88046 Phone: (575) 524-1091

Fax: (575) 647-9140

February 27, 2018

#### Mayor Barraza:

The court is experiencing a back log of citations in which defendants have either failed to appear for arraignment or have failed to fulfill their payment plan. The backlog amounts to a large sum and must be collected by issuing notices of summons. This must be followed prior to suspending driver's licenses or issuing warrants.

Daily court activities do not allow the time for one clerk to dedicate her full attention to this problem. Therefore, the court is requesting an increse to its budget to allow for some overtime hours for these requirements to be met. This request is for a budget earmark of 40 extra hours.

Thank you for your consideration and hopefully approval.

1 c. Sue te

Lionel C. Frietze

cc: Trustees





### Memorandum

TO: JUDGE FRIETZE

FROM: CYNTHIA STOEHNER-HERNANDEZ

TOWN CLERK/TREASURER NORA L. BARRAZA, MAYOR

SUBJECT: REQUEST FOR OVERTIME

DATE: MARCH 22, 2018

#### Judge:

CC:

To meet your request for an additional 40 over time hours for fiscal year 2017-2018, you may transfer Operational funds within your budget for this additional time for approximately \$650.00. To ensure that we are following FLSA law for Overtime, we would ask that Andrea clock in and out using the time clock available at the Town Hall.

If you would like to proceed with this request, please let me know which line items you would like to reduce in your Operations Budget by Monday, April 2, 2018. The budget transfer form is attached.

If you have any questions, please contact me.



### Mesilla Municipal Court

2231 Avenida De Mesilla P.O. Box 1517 Mesilla, NM 88046 Phone: (575) 524-1091

Fax: (575) 647-9140

March 28, 2018

#### Mayor Barraza:

Request for current budget (2017-2018) increase in the amount of One thousand dollars (\$1,000).

#### Reason for Request:

- 1. The court is experiencing a back log of citations in which defendants have either failed to appear for arraignment of have failed to fulfill their payment plan.
- 2. Based on a random quick scan of four (4) DWI files the sum owed to the court and eventually to the General Fund is over two thousand dollars (\$2,000) this does not include the other violations. This large sum must be collected by issuing notices of summons, prior to suspending driver's licenses or issuing bench warrants.
- 3. Daily court activities do not allow the time for one clerk to dedicate her full attention to this problem. Therefore, the court is requesting an increase to the current budget to allow for some overtime hours for these requirements to be met.
- 4. The court has reviewed the current budget and is familiar in methodology of transfer from line item to line item. The court is also aware of FLSA Law for overtime. The court is an independent Judicial Branch will not acquiesce its separation of power by having the clerk clock in using the town's time clock.

Lionel C. Frietze

Municipal Judge

cc: Trustees

HOURS	==== DESCRIPTION ======	CHECK#	LINE#	DATE	IV LEAVE CODE	EMPLOYEE ======== NAME ======== ANNIV
ALL	EMPLOYEE STATUS: ALL					DATES: 1/01/2018 THRU 99/99/9999
ONE EMPLOYEE	SEQUENCE: ONE			P TIME	VACATION LVE, COM	CODE: PERS TIME, HOLIDAY LVE , SICK LEAVE, VACATION LVE, COMP TIME
L	PAGE:	ORT	REF	TAKEN	LEAVE TAKEN REPOR	4-04-2018 3:18 PM

EMPLOYEE ========= NAME =========	ANNIV	LEAVE CODE	DATE	LINE#	CHECK#	===== DESCRIPTION ======	HOURS
01-0195 CARBAJAL, ANDREA L	7/29	S-SICK	1/24/2018 2/08/2018	001	666666		8.00-
		S-SICK	3/16/2018	8	999999	*** CODE TOTAL ***	8.00-
		V-VACATION	1/02/2018	8	999999		8.00-
		V-VACATION	1/04/2018	8 0	999999		1.00-
		V-VACATION	1/09/2018	0	999999		2.00-
		V-VACATION	1/11/2018	8 0	999999		1.50-
		V-VACATION	2/14/2018	0	999999		1.00-
		V-VACATION	3/10/2018	8 1	999999		6.00-
						*** CODE TOTAL ***	19.50-

4-04-2018 3:18 PM
LEAVE TAKEN REPORT CODE: PERS TIME, HOLIDAY LVE, SICK LEAVE, VACATION LVE, COMPTIME DATES: 1/01/2018 THRU 99/99/9999

PAGE: 2
SEQUENCE: ONE EMPLOYEE
EMPLOYEE STATUS: ALL

\*\*\*\* LEAVE CODE TOTALS \*\*\*\*

T-COMP TIME	V-VACATION	S-SICK	H-HOLIDAY	E-PERS TIME	LEAVE CODE
					 LEAVE
0.00	19.50-	19.00-	0.00	0.00	TAKEN

\*

END OF REPORT \*\*\*



#### **RESOLUTION NO. 2018-05**

#### A RESOLUTION BY THE BOARD OF TRUSTEES FOR BUDGET ADJUSTMENTS

**WHEREAS**, since the development of the Town of Mesilla budget for fiscal year 2017/2018, the Town has had various revenue and expense increases; and

WHEREAS, budget adjustments are necessary to account for increased revenue and zero out certain expenditure line items in various departments that are over budget; and

**WHEREAS**, review of FY 17/18 revenues and expenditures in various funds exceeded the original approved budget amount; and

WHEREAS, attachment 'A' provides a list of all funds/departments affected by these budget adjustments; and

**NOW THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Town of Mesilla, which hereby requests permission from the Department of Finance and Administration, Local Government Division, to allow budget adjustments as attached:

**PASSED, ADOPTED AND APPROVED** on this 9<sup>th</sup> day of April 2018.

	Nora L. Barraza Mayor
ATTEST:	
Cynthia Stochnar Harnandez	
Cynthia Stoehner-Hernandez Town Clerk-Treasurer	

### ATTACHMENT A

1. Increase in Revenues in the General Fund Reason: court requested increase

\$1,000.00



#### **RESOLUTION NO. 2018-04**

# A RESOLUTION PROVIDING FOR DETERMINATION OF REASONABLE NOTICE OF MEETINGS OF THE BOARD OF TRUSTEES PURSUANT TO THE OPEN MEETINGS ACT.

WHEREAS, Section 10-15-1 (B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -4) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative ad judicatory body or other policymaking body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

**WHEREAS,** Section 10-15-1 (D) of the Open Meetings Act requires the Board of Trustees to determine annually what constitutes reasonable notice of its public meetings;

#### **NOW THEREFORE, BE IT RESOLVED** by the Board of Trustees that:

- 1. All meetings shall be held in the Board Room of the Mesilla Town Hall located at 2231 Avenida de Mesilla at 6:00 p.m. or as indicated in the meeting notice.
- 2. Unless otherwise specified, regular meetings of the Board of Trustees shall be held each month on second and fourth Monday. The agenda will be available at least 72 hours prior to the meeting from the Town Clerk, whose office is located in the Town Hall.
- 3. The Board of Trustees, or a majority of the members, upon 72 hours' notice may call special meetings. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public at least 72 hours before any special meeting.
- 4. Emergency meetings will be called only under unforeseen circumstances, which demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Town will avoid emergency meetings whenever possible. The Mayor or a majority of the members upon twenty-four (24) hours' notice may call emergency meetings, unless threat of personal injury or property

damage require less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda.

- 5. For the purposes of regular meetings described in paragraph 2 and 5 of this resolution, notice requirements are met if notice of the date, time, place and agenda is posted in the following locations: Town Clerk's Office 2231 Avenida de Mesilla, Public Safety Building 2670 Calle de Parian, Mesilla Community Center 2251 Calle de Santiago, Shorty's Food Mart 2290 Avenida de Mesilla, Ristramnn Chile Co. 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian. Agenda packets will also be posted on the town's web site at www.mesillanm.gov. The Town Clerk shall also provide mail, fax, or e-mail copies of the written notice to those broadcast stations licensed by the Federal Communications Commission and newspaper of general circulation, which have made a written request for notice of public meetings.
- 6. For the purpose of special meetings and emergency meetings described in paragraph 3 and 4 of this resolution, notice requirements shall be met by posting notice of the date, time, place and agenda in the following locations: Town Clerk's Office 2231 Avenida de Mesilla , Public Safety Building 2670 Calle de Parian, Mesilla Community Center 2251 Calle de Santiago, Shorty's Food Mart 2290 Avenida de Mesilla , Ristramnn Chile Co. 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian. Agenda packets will also be posted on the town's web site at www.mesillanm.gov. The Town Clerk shall also provide e-mail or fax notice to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.
- 7. In addition to the information specified above, all notices shall include the following language:

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 one (1) week prior to the meeting or as soon as possible.

- 8. If otherwise allowed by law or rule of the public body, a member of a public body may participate in a meeting of the public body by means of a conference telephone, video call (example: Skype) or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting. This is according to the Open Meetings Act 10-15-1 (C).
- 9. The Board of Trustees may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meeting requirement under Section 10-15-1 (H) of the Open Meetings Act.
- a. If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Board of Trustees taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on

the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.

- b. If the decision to hold a closed meeting is made when the Board of Trustees is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of the law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the members and to the general public.
- c. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.
- d. Except as provided in Section 10-15-1 (H) of the Open Meetings Act, any action taken as a result of discussion in a closed meeting shall be made by vote of the Trustees in an open public meeting.

PASSED, APPROVED AND ADOPTED by the Board of Trustees at its regular meeting of April 9, 2018.

Nora L. Barraza Mayor

**ATTEST:** 

Cynthia Stoehner-Hernandez
Town Clerk-Treasurer

#### **MEMORANDUM**

TO: MAYOR NORA L. BARRAZA AND BOARD OF TRUSTEES

FROM: LARRY SHANNON, COMMUNITY DEVELOPMENT COORDINATOR

**SUBJECT:** ACTIVITY REPORT – MARCH, 2018

**DATE:** APRIL 2, 2018

#### <u>PZHAC BUSINESS</u> [Items presented to the PZHAC

#### **PZHAC WORK SESSION ITEMS:**

- 1. Submitted by Davie & Kelly Salas, a request to discuss plans to install a small tool shed in the rear yard and construct an adobe and latia wall across the front of two properties at 2417 and 2419 Calle de Parian. (Case 060682). Zoned: Historical Residential (HR)
- 2. Submitted by Joni Gutierrez, a request to discuss plans to construct a two foot high garden wall at the edge of her property along the road at 2350 Calle de Parian. (Case 060691) Zoned: Historical Residential (HR)
- 3. Submitted by Gilbert Madrid, a request to discuss plans to change the use of a concrete block pool house located at the rear of 2233 Calle de Parian to a residential garage, storage for household items, and workshop. (Case 060696). Zoned: Historical Commercial (HC)
- 4. Submitted by Stephan Schaefer, a request to discuss possible options available to property owners in the Mercado commercial area to make travelers along Avenida de Mesilla aware of businesses located in the Mercado area.
- 5. Submitted by Jack and Lisa Kirby, a request to discuss plans to construct a dwelling on a vacant residential property at 2840 Calle Tercera. (Case 060699) Zoned: Historical Residential (HR)
- 6. Submitted by Rocky Burke, a request to discuss a proposal to build up to four additional one and two bedroom dwelling units on a 0.59527 acre (25,930 square feet) parcel containing a single one bedroom dwelling at 1988 Calle del Norte. Zoned: Historic Residential (HR)
- 7. Submitted by Natalia Bustamante; a request to discuss demolition of a dwelling at 2729 Calle de San Albino. Zoned: Historical Residential (HR).

#### **PZHAC ADMINISTRATIVE APPROVALS:**

#### **Building Permits**

- 1. Case 060692 2532 Calle del Norte, submitted by Les Williamson; a request for a building permit to repaint a 64 square foot tool shed behind a dwelling at this address. Zoned: Historical Residential (HR)
- 2. Case 060693 1985 Calle de Colon, submitted by David and Sylvia Fierro; a request for a building permit to allow alterations and repairs to the inside, and stucco and parapet repairs to the outside of a dwelling at this address. Zoned: Historical Residential (HR)
- 3. Case 060697 2111 Calle del Oeste, submitted by Cesario Alvillar; a request for a building permit to reroof a dwelling at this address. Zoned: Historical Residential (HR)

#### **PZHAC DECISION ITEMS:**

#### **Building Permits**

- 1. Case 060682 2417 and 2419 Calle de Parian, submitted by Davie and Kelly Salas; a request for a building permit to allow the installation of a small tool shed in the rear yard and construction of an adobe and latia wall across the front of two properties at these addresses. Zoned: Historical Residential (HR). (Discussed during Work Session)
- 2. Case 060691 2350 Calle de Parian, submitted by Joni Gutierrez; a request for a building permit to construct a two foot high garden wall at the front edge of her property along the road. Zoned: Historical Residential (HR). (Discussed during Work Session)
- 3. **Case 060694 -** 1985 Calle de Colon, submitted by David and Sylvia Fierro; a request for a building permit to allow the replacement of windows on a dwelling at this address, along with the provision for a water heater to be added to the exterior the dwelling. Zoned: Historical Residential (HR)

- 4. Case 060695 1801 S. Highway 28, submitted by Dorianne Kabo; a request for a building permit to construct a four foot high block wall along the north edge of a commercial property at this address. Zoned: Commercial (C).
- 5. Case 060696 2233 Calle de Parian, submitted by Gilbert Madrid; a request for a building permit to change the use of a concrete block pool house located at the rear of the property to a residential garage, storage for household items, and workshop. Zoned: Historic Commercial (HC) (Discussed during Work Session)
- 6. Case 060694 1985 Calle de Colon, submitted by David and Sylvia Fierro; a request for a building permit to allow the replacement of windows on a dwelling at this address, along with the provision for a water heater to be added to the exterior the dwelling. Zoned: Historical Residential (HR)
- 7. Case 060699 2840 Calle Tercera, submitted by Jack and Lisa Kirby; a request for a building permit to allow construction of a single family dwelling at this address. Zoned: Historical Residential (HR). (Discussed during Work Session)
- 8. Case 060660 2729 Calle de San Albino, submitted by Natalia Bustamante; a request for a demolition permit to demolish a dwelling on this property. Zoned: Historical Residential (HR). (Discussed during Work Session)
- 9. **Case 060702** 2943 Estrada Road, submitted by Brenda Brown; a request for a building permit to construct a three foot high concrete block landscape wall along the southwest edge of her property. Zoned Rural Farm (RF)

#### **Work Session Decision Items:**

- 1. Decisions or determinations by the PZHAC as to what options are available to property owners in the Mercado area to make travelers along Avenida de Mesilla aware of businesses located in the Mercado area. (Discussed during Work Session)
- 2. 1988 Calle del Norte, submitted by Rocky Burke; a request for a determination by the PZHAC on how to proceed with plans for additional dwelling units in a 0.59527 acre property at this address. Zoned: Historical Residential (HR). (Discussed during Work Session)

#### **Sign Permits**

1. Case 060700 - 2410 Calle de Parian, Suite C, submitted by Samuel Garcia for Four of a Kind Ventures, LLC DBA "Adobe Modern"; a request for a sign for a shop to be located at this address. Zoned: Historical Commercial (HC).

#### **Business Permits**

- 1. **0718** 2410 Calle de Parian, Suite C, submitted by Samual A. Garcia for "Four of a Kind Ventures, LLC"; a request for a business license to allow the applicant to operate a home furnishings and gift shop in a commercial building at this address. Zoned: Historical Commercial (HC).
- 2. **Permit 0719** 603 Conway Avenue, submitted by John J. Ellington; a request for a business license to allow the applicant to operate an internet consulting business ("Flash Analysis") as a home occupation at this address. Zoned: Residential, one acre minimum (R1).

#### **Zone Change**

#### A PUBLIC HEARING FOR THIS CASE WAS HEARD ON AUGUST 21, 2017.

1. <u>Z17-001</u> – 1971 Union Avenue (the NE Corner of Avenida de Mesilla and Union Ave), submitted by Arthur and Pete Jurado; a request for a decision on a Zone Change request from Rural Farm (RF) to General Commercial (C) for a seven acre property at this address.

If you have any questions, comments or concerns please feel free to call me at 524 -3262 ext. 104; or e-mail me at <a href="mailto:larrys@mesillanm.gov">larrys@mesillanm.gov</a>.

### Town of Mesilla Assessor's Report MARCH 2018

	MARCH 2010								
Mesilla CASE#	DAC ACC'T#	APPL. DATE	ISSUEE/CONTRACTOR	VALUATION / COST	FEE	BLDG CODE	ADDRESS	DESCRIPTION OF WORK	
060698	04-01303	2/23/18	Leila Gomez/self	N/A	320.00	SUP	320 West University	To operate a small church at this address	
060699	R1901110	3/8/18	Jack and Lisa Kirby/ViCa One Inc.	217,000.00	336.00	NR	2840 Calle Tercera	Construct a new dwelling	
060700	04-00315	3/8/18	Four of a Kind Ventures/Burke Signs	500.00	38.00	SIGN	2410 Calle de Parian	Install two new signs	
060703	04-01209	3/14/18	Arthur H. Fountain/self	200.00	0.00	MI	2426 Calle de Guadalupe	Minor plaster repair and repaint	
060704	04-00493	3/20/18	Edna Bustamante/Welder's Pride	400.00	45.00	MI	2557 Calle de Colon	Install a wrought iron security door at front entrance	
060705	04-01591	3/26/18	Lionel C. Frietze/Mel Acosta	130.00	0.00	MI	2860 Calle Cuarta	Patch small crack over window	
060706	04-01303	3/27/18	Leila Gomez/self	5,000.00	18.00	MI	320 West University	Install a door on a metal building to be used as a church	

# **Community Projects Report**

Project	Description
Current Contact information	Irene E. Parra Email: irenep@mesillanm.gov Work: 575-524-3262 Cell:575-571-3890
Summer Music Series	The Town of Mesilla will host the Summer Music Series beginning every Friday night in June and July, in the plaza from 8pm to 10pm. This is a wonderful opportunity to showcase great local talent.
Summer Recreation Program	I am posting for the three Summer Recreation Supervisor positions. The program will run the first week of June Monday through Friday noon to 4pm, serving ages 6 years to 12 years old.
Camp Innovative	The Town of Mesilla is partnering with Arrowhead Center, to host a week long summer program encouraging Youth Entrepreneurship. The program will take place the week after the Summer Recreation Program. Students will learn the basics of starting a business, marketing a product and will end the week selling their items at our Mercado, in the plaza.
El Paso Electric Grant	I have re-apppled for funding for the El Paso Electric Grant. The funds will go towards the Summer Recreation Program salaries and equipment. Last year the town received approximately \$2,000.00.
Cinco de Mayo	I continue to receive applications from vendors for the fiesta. Once the schedule is confirmed, posters will be distributed throughout the community.
Clean up Day in Mesilla	The Town of Mesilla will be hosting a Clean up Day in Mesilla, on Saturday April 21st, the day before Earth Day. I am working with the local schools and Los Leones to recruit volunteers.
Clean & Beautiful Grant	I have re-applyed for funds through the Clean & Beautiful Grant. Currently, I am looking to continue improvements to the Community Center park, as well as efforts to eradicate graffiti. Last year the Town of Mesilla received \$3,900.00 to build a dog park.

New Mexico Co-Op Grant	I have reapplied for funding to help continue to promote the Town of Mesilla, through the New Mexico Department of Tourism. The focus will be to market the Town of Mesilla through Social Media Distribution,
	strategically targeting markets most interested in history & culture, food & wine and entertainment.  Previous funds received have gone to produce two commercials, airing on Time Warner in the El Paso  Markets and Comcast, targeting the New Mexico Markets.



### **MEMORANDUM**

To: Mayor and Trustees

From: Cynthia Stoehner-Hernandez

Town Clerk-Treasurer SH

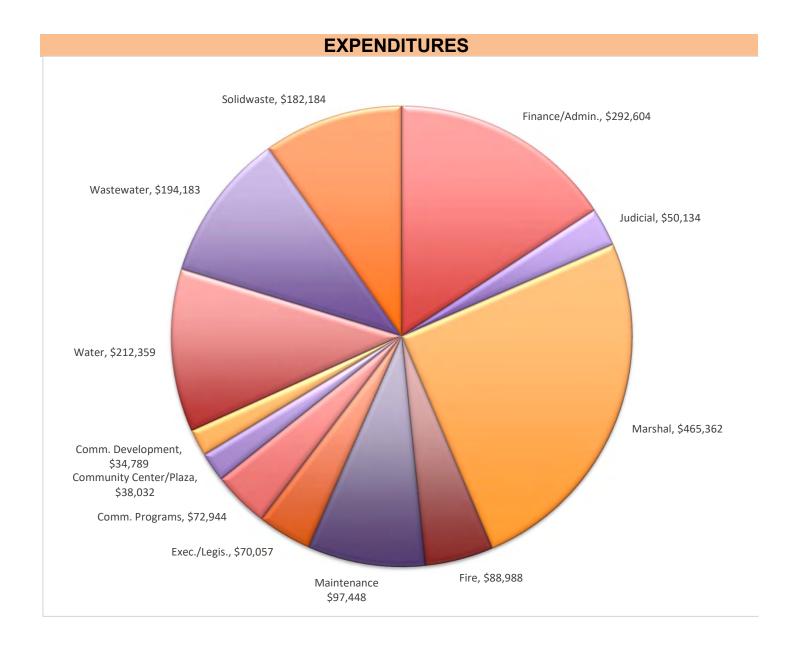
RE: Monthly Finance Report

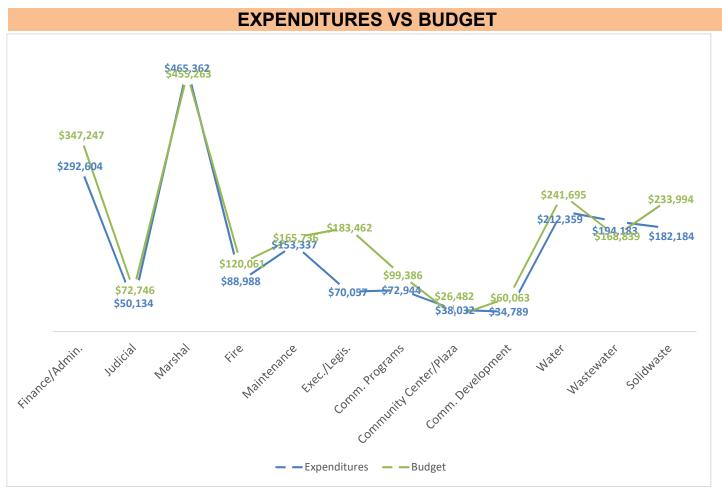
Listed below is a review of department and fund expenditures for:

MARCH

General Fund should be at: 75.00% spending

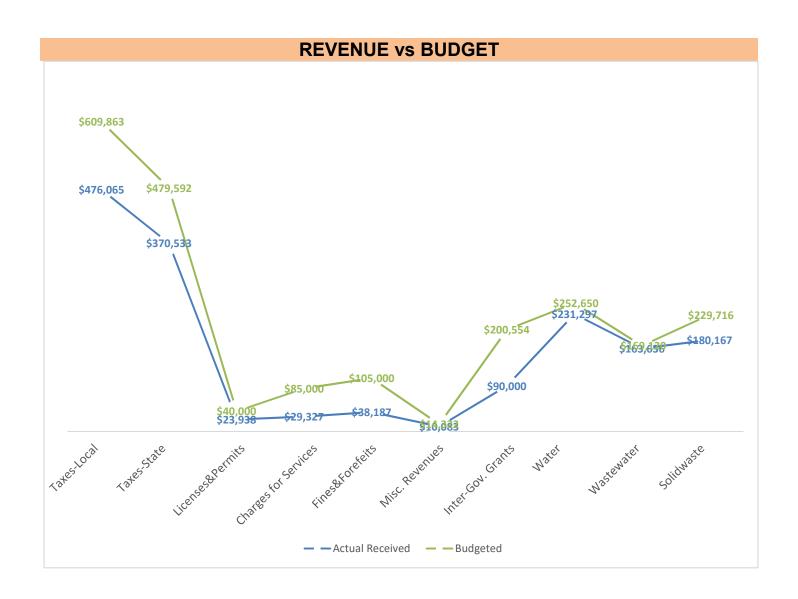
YTD <b>EXPENDITURES</b>	%Exp.	\$ Money YTD	Mo.%	YTD % over/under	Approved Budget
Finance/Admin.	84.26%		100.00%		
		, ,			
Judicial	68.92%	\$50,134	100.00%	-31.08%	\$ 72,746
Marshal	102.22%	\$465,362	100.00%	2.22%	\$ 455,263
Fire	74.12%	\$88,988	100.00%	-25.88%	\$ 120,061
Maintenance	92.52%	\$153,337	100.00%	-7.48%	\$ 165,736
Exec./Legis.	38.19%	\$70,057	100.00%	-61.81%	\$ 183,462
Comm. Programs	73.39%	\$72,944	100.00%	-26.61%	\$ 99,386
Community Center/Plaza	143.61%	\$38,032	100.00%	43.61%	\$ 26,482
Comm. Development	57.92%	\$34,789	100.00%	-42.08%	\$ 60,063
General Fund	82.74%	\$1,266,247	100.00%	-17.26%	\$ 1,530,446
Water	87.86%	\$212,359	100.00%	-12.14%	\$ 241,695
Wastewater	115.01%	\$194,183	100.00%	15.01%	\$ 168,839
Solidwaste	77.86%	\$182,184	100.00%	-22.14%	\$ 233,994
Enterprise Fund	84.28%	\$588,726	100.00%	-15.72%	\$ 698,528

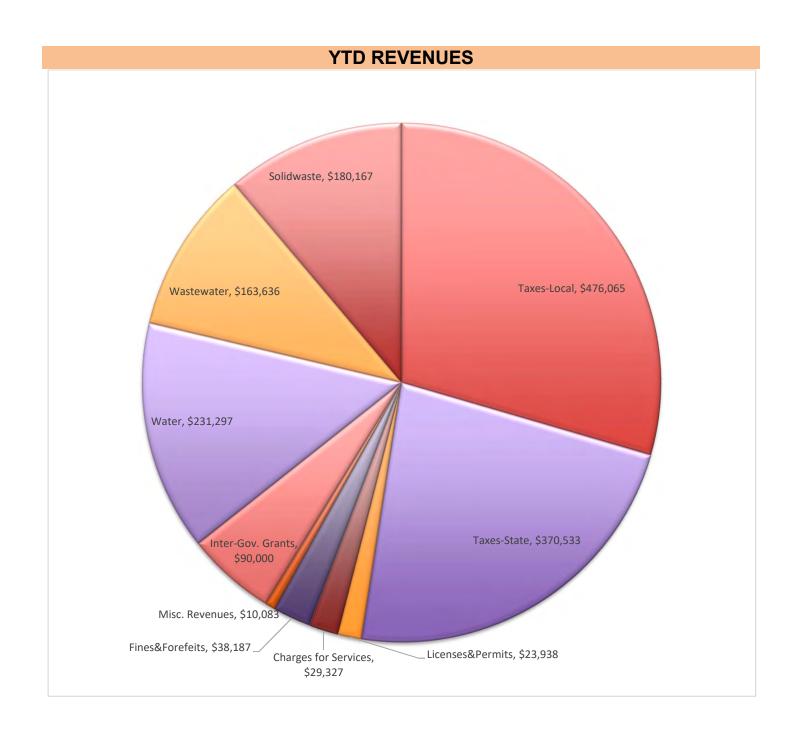




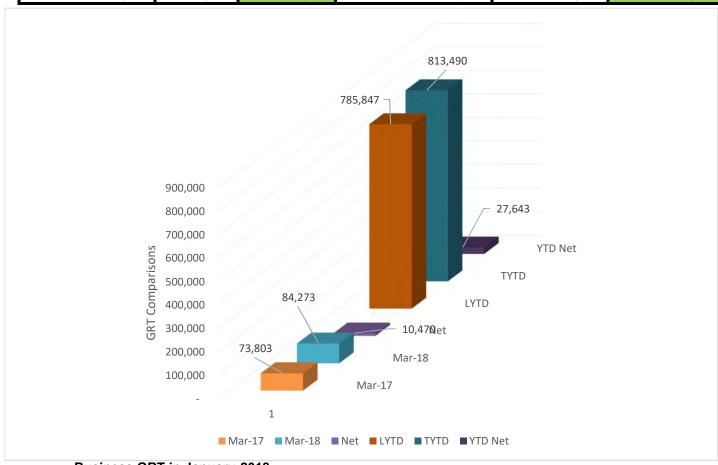
Please request the INCODE report for detail revenues and expenses by fund.

		F	REVENUE		
YTD REVENUES	% Rec.	YTD Money \$	% Est.	YTD % over/under	AMOUNT BUDGETED
Taxes-Local	78.06%	\$476,065	100.00%	-21.94%	\$609,863
Taxes-State	77.26%	\$370,533	100.00%	-22.74%	\$479,592
Licenses&Permits	59.84%	\$23,938	100.00%	-40.16%	\$40,000
Charges for Services	34.50%	\$29,327	100.00%	-65.50%	\$85,000
Fines&Forefeits	36.37%	\$38,187	100.00%	-63.63%	\$105,000
Misc. Revenues	70.40%	\$10,083	100.00%	-29.60%	\$14,322
Inter-Gov. Grants	44.88%	\$90,000	100.00%	-55.12%	\$200,554
General Fund	67.66%	\$1,038,134	100.00%	-32.34%	\$1,534,331
Water	91.55%	\$231,297	100.00%	-8.45%	\$ 252,650
Wastewater	96.76%	\$163,636	100.00%	-3.24%	\$ 169,120
Solidwaste	78.43%	\$180,167	100.00%	-21.57%	\$ 229,716
Enterprise Fund	88.28%	\$575,100	100.00%	-11.72%	\$651,486





		GRT CO	OMPARISONS		
Mar-17	Mar-18	Net	LYTD	TYTD	YTD Net
73,803	84,273	10,470	785,847	813,490	27,643



**Business GRT in January 2018** 

Percentage by month 14% Percentage over last FYTD 4%

Total Contracts paid out of GRT per month (Fire Truck/Town Hall): \$ 6,961.70

## TOWN OF MESILLA FIRE DEPARTMENT MONTHLY BOT REPORT

DATE: March, 2018



MA		<b>VDD</b>	PINOITI	TO INI	/ENTORY
IVI	JUR	AUU			/ENIURI

Gas Detector docking station with three 4-gas detectors. 800 feet

of 2.5 inch attack line.

#### **MAINTENANCE OF EQUIPMENT**

Window regulator repaired Engine 32. Oil changed Battalion 31,

Pump testing to be scheduled for April.

Squad 32 at the paint shop, next will be new flooring and installing

a gurney which we hope will be donated.

#### **COMMENTS**

12 volunteer applicants passed the backround investgations and reference checks and are now starting their orientation and training phase. We have begun the process of reviewing the departments performance to assess whether we can lower our ISO rating to improve the cost of fire insurance to the citizens of Mesilla as well as funding opprotunities for the department. This involves evaluating our training, responses to calls, water supply and various other factors. We are also working on updating the Town's fire code.

SUBMITTED BY
--------------

Fire Chief Kevin Hoban

Mesilla, NM

This report was generated on 4/3/2018 8:48:25 AM



#### **Events per Event Type for Date Range (Landscape)**

Start Date: 03/01/2018 | End Date: 03/31/2018

EVENT TYPE	DATE	EVENT NAME	CATEGORY	LOCATION	HOURS	PARTICIPANTS	
<b>Administ</b>	Administration Shift						
	03/01/2018	Admin Shift	Shifts	Mesilla Fire Station 31	5	Chad Zecha	
	03/08/2018	Admin Shift	Shifts	Mesilla Fire Station 31	14	Chad Zecha	
	03/09/2018	Admin Shift	Shifts	Mesilla Fire Station 31	5.5	Chad Zecha	
	03/30/2018	Admin Shift	Administrative	Telecommute	3	Chad Zecha	
	03/30/2018	Entering certifications into emergency reporting	Administrative	Telecommute.	2	Stephanie Hyatt	

Total Hours for Administration Shift: 29.5

12 Hour Nig	12 Hour Night Shift							
03	3/01/2018	A Shift	Shifts	Mesilla Fire Dept	12	Humberto Manriquez		
03	3/02/2018	B Shift	Shifts	31 House	12	Scott Gafford, Joseph Torres		
03	3/05/2018	Night Shift	Shifts	St. 31		Ariel Caro, Gabriel Gil, Humberto Manriquez		
03	3/06/2018	A Shift	Shifts	MFD		John Chavez, Humberto Manriquez, Eric Miller, Diana Villagrana		
03	3/07/2018	B Shift	Shifts		12	Aaron Cruz, Humberto Manriquez, Joseph Torres		

Only LOCKED events included.



EVENT TYPE	DATE	EVENT NAME	CATEGORY	LOCATION	HOURS	PARTICIPANTS
	03/09/2018	A Shift	Shifts	Mesilla Fire Dept	17	Humberto Manriquez
	03/10/2018	B Shift	Shifts	31 House	12	Scott Gafford
	03/13/2018	A Shift	Shifts	Mesilla Fire Dept	14	John Chavez, Scott Gafford, Humberto Manriquez
	03/14/2018	Shift	Shifts	Mesilla Fire Dept	15	Humberto Manriquez
	03/15/2018	Night Shift	Shifts	Mesilla Fire Dept	6	Humberto Manriquez
	03/20/2018	A Shift	Shifts	Mesilla Fire Dept	13	John Chavez, Armando Gomez, Humberto Manriquez
	03/20/2018	A-Shift	Shifts	Mesilla Fire Station	13	John Chavez, Armando Gomez, Humberto Manriquez
	03/20/2018	A-Shift Training	Training	Mesilla Station 31	1	John Chavez, Armando Gomez, Humberto Manriquez
	03/20/2018	A-Shift Training	Training	Mesilla Station 31	1	John Chavez, Armando Gomez, Humberto Manriquez
	03/21/2018	Night Shift	Shifts	Mesilla Fire Dept	7	Humberto Manriquez
	03/22/2018	Night Shift	Shifts	Mesilla Fire Dept	7	John Chavez, Humberto Manriquez
	03/23/2018	Shift	Shifts	St 31	15	Gabriel Gil, Humberto Manriquez, Mitchell McMillan
	03/24/2018	B Shift	Shifts	31 House	12	Scott Gafford
	03/26/2018	Night Shift	Shifts	Mesilla Fire Dept	7	Humberto Manriquez
	03/27/2018	A Shift	Shifts	Mesilla Fire Dept	20	Ariel Caro, John Chavez, Humberto Manriquez
	03/28/2018	Night Shift	Shifts	Mesilla fire Dept	15	Humberto Manriquez

Only LOCKED events included.



EVENT TYPE	DATE	EVENT NAME	CATEGORY	LOCATION	HOURS	PARTICIPANTS		
	03/29/2018	Night Shift	Shifts	Mesilla Fire Dept	8	Humberto Manriquez		
	03/30/2018	A Shift	Shifts	Mesilla Fire Dept	17	Humberto Manriquez		
			Total Hours for 12 H	our Night Shift:	265			
On Call	Duty Officer							
	03/08/2018	On Call Duty Officer	Shifts	Mesilla Fire Station 31 & Telecommute	10	Chad Zecha		
Total Hours for On Call Duty Officer: 10								
Preventi	on Division S	hift						
	03/15/2018	inspections	Shifts	Mesilla	5	Gregory Whited		
	03/29/2018	Inspections	Shifts	Mesilla	4	Gregory Whited		
		Tot	al Hours for Prevention	n Division Shift:	9			
12 Hour	Day Shift							
	03/15/2018	Day Shift	Shifts	Mesilla Fire Dept	8	Phillip Guzman, Humberto Manriquez		
	03/19/2018	Night Shift	Shifts	Mesilla Fire Dept	12	Humberto Manriquez		
			Total Hours for 12	Hour Day Shift:	20			
EMS Div	ision Shift							
	03/29/2018	Inventory and On- Call	Shifts	Station 31	8	Nicolas Navarro, Morgan Smith, Dylan Thunhorst		
	03/30/2018	EMS Division Shift	Administrative	Telecommute.	4	Stephanie Hyatt		
	03/30/2018	Inventory and On-Call	Shifts	Station 31	2	Morgan Smith, Dylan Thunhorst		

Total Hours for EMS Division Shift: 14

Only LOCKED events included.



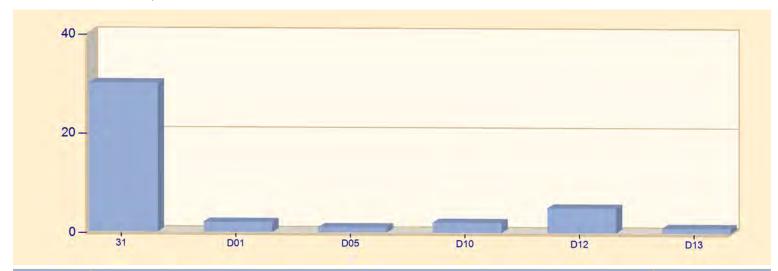
Mesilla, NM

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#### **Incident Type Count per Zone for Date Range**

Start Date: 03/01/2018 | End Date: 03/31/2018



251 - Excessive heat, scorch burns with no ignition   1	ZONES	INCIDENT TYPE	COUNT
311 - Medical assist, assist EMS crew   4   321 - EMS call, excluding vehicle accident with injury   14   322 - Motor vehicle accident with injuries   2   381 - Rescue or EMS standby   1   1   1   1   1   1   1   1   1	31 - Town o	f Mesilla	
321 - EMS call, excluding vehicle accident with injury  322 - Motor vehicle accident with injuries  2 381 - Rescue or EMS standby  412 - Gas leak (natural gas or LPG)  511 - Lock-out  541 - Animal problem  561 - Unauthorized burning  631 - Authorized controlled burning  733 - Smoke detector activation due to malfunction  745 - Alarm system activation, no fire - unintentional  1  Total Incidents for 31 - Town of Mesilla:  30  D01 - Dona Ana  321 - EMS call, excluding vehicle accident with injury  611 - Dispatched & cancelled en route  705 - Organ		251 - Excessive heat, scorch burns with no ignition	1
322 - Motor vehicle accident with injuries   2   381 - Rescue or EMS standby   1   1   1   1   1   1   1   1   1		311 - Medical assist, assist EMS crew	4
381 - Rescue or EMS standby		321 - EMS call, excluding vehicle accident with injury	14
412 - Gas leak (natural gas or LPG)   1		322 - Motor vehicle accident with injuries	2
511 - Lock-out		381 - Rescue or EMS standby	1
541 - Animal problem  561 - Unauthorized burning  631 - Authorized controlled burning  733 - Smoke detector activation due to malfunction  745 - Alarm system activation, no fire - unintentional  Total Incidents for 31 - Town of Mesilla:  30  D01 - Dona Ana  321 - EMS call, excluding vehicle accident with injury  611 - Dispatched & cancelled en route  Total Incidents for D01 - Dona Ana:  2  D05 - Organ  611 - Dispatched & cancelled en route  1		412 - Gas leak (natural gas or LPG)	1
561 - Unauthorized burning  631 - Authorized controlled burning  733 - Smoke detector activation due to malfunction  745 - Alarm system activation, no fire - unintentional  1  Total Incidents for 31 - Town of Mesilla:  30  D01 - Dona Ana  321 - EMS call, excluding vehicle accident with injury  611 - Dispatched & cancelled en route  1  Total Incidents for D01 - Dona Ana:  2  D05 - Organ		511 - Lock-out	1
631 - Authorized controlled burning  733 - Smoke detector activation due to malfunction  745 - Alarm system activation, no fire - unintentional  Total Incidents for 31 - Town of Mesilla:  30  D01 - Dona Ana  321 - EMS call, excluding vehicle accident with injury 611 - Dispatched & cancelled en route  Total Incidents for D01 - Dona Ana:  2  D05 - Organ  611 - Dispatched & cancelled en route  1		541 - Animal problem	1
733 - Smoke detector activation due to malfunction  745 - Alarm system activation, no fire - unintentional  1  Total Incidents for 31 - Town of Mesilla:  30  D01 - Dona Ana  321 - EMS call, excluding vehicle accident with injury  611 - Dispatched & cancelled en route  1  Total Incidents for D01 - Dona Ana:  2  D05 - Organ  611 - Dispatched & cancelled en route  1		561 - Unauthorized burning	1
745 - Alarm system activation, no fire - unintentional  Total Incidents for 31 - Town of Mesilla:  30  D01 - Dona Ana  321 - EMS call, excluding vehicle accident with injury  611 - Dispatched & cancelled en route  1  Total Incidents for D01 - Dona Ana:  2  D05 - Organ  611 - Dispatched & cancelled en route  1		631 - Authorized controlled burning	1
Total Incidents for 31 - Town of Mesilla: 30  D01 - Dona Ana  321 - EMS call, excluding vehicle accident with injury 1 611 - Dispatched & cancelled en route 1  Total Incidents for D01 - Dona Ana: 2  D05 - Organ  611 - Dispatched & cancelled en route 1		733 - Smoke detector activation due to malfunction	2
D01 - Dona Ana  321 - EMS call, excluding vehicle accident with injury  611 - Dispatched & cancelled en route  Total Incidents for D01 - Dona Ana:  2  D05 - Organ  611 - Dispatched & cancelled en route  1		745 - Alarm system activation, no fire - unintentional	1
321 - EMS call, excluding vehicle accident with injury  611 - Dispatched & cancelled en route  1  Total Incidents for D01 - Dona Ana:  2  D05 - Organ  611 - Dispatched & cancelled en route  1		Total Incidents for 31 - Town of Mesilla:	30
611 - Dispatched & cancelled en route  Total Incidents for D01 - Dona Ana:  2  D05 - Organ  611 - Dispatched & cancelled en route  1	D01 - Dona	Ana	
Total Incidents for D01 - Dona Ana: 2  D05 - Organ  611 - Dispatched & cancelled en route 1		321 - EMS call, excluding vehicle accident with injury	1
D05 - Organ  611 - Dispatched & cancelled en route  1		611 - Dispatched & cancelled en route	1
611 - Dispatched & cancelled en route 1		Total Incidents for D01 - Dona Ana:	2
	D05 - Organ		
Total Incidents for D05 - Organ: 1		611 - Dispatched & cancelled en route	1
		Total Incidents for D05 - Organ:	1

Zone information is defined on the Basic Info 3 screen of an incident. Only REVIEWED incidents included.



ZONES	INCIDENT TYPE	COUNT
D10 - Mesq	uite	
	611 - Dispatched & cancelled en route	2
	Total Incidents for D10 - Mesquite:	2
D12 - Faira	cres	
	311 - Medical assist, assist EMS crew	3
	321 - EMS call, excluding vehicle accident with injury	1
	611 - Dispatched & cancelled en route	1
	Total Incidents for D12 - Fairacres:	5
D13 - South	ı Valley	
	311 - Medical assist, assist EMS crew	1
	Total Incidents for D13 - South Valley:	1
	Total Count for all Zone:	41

Mesilla, NM

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#### Occupancies Inspected for Date Range

Start Date: 03/01/2018 | End Date: 03/31/2018

OCCUPANCY	ID	ADDRESS	ZONE	LAST INSPECTION
1st National Bank	001	1553 Avenida De Mesilla		03/15/2018
Andele Restaurant, LLC	101	1950 Calle Del Norte		03/22/2018
Carolyn Bunch art studio		1765 Avenida de Mercado		03/22/2018
Edward Jones	85	1740 Calle de Mercado #f		03/15/2018
El Patio Bar		2171 Calle de Parian		03/22/2018
Emerald Isle	84	1701 Mercado #2		03/29/2018
Hacienda de Mesilla		1891 Avenida De Mesilla		03/15/2018
Josefina's Old Gate		2261 Calle De Guadalupe		03/15/2018
Las Cruces bulletin		1740 Calle de Mercado #A		03/15/2018
Leavitt Group Southwest Inc	0081	1740 Mercado #E		03/15/2018
Ruby Sun		2488 Calle de Guadelupe		03/29/2018
Studio E		1701 Calle de Mercado #6		03/15/2018
Town of Mesilla Public Safety Building	116	2670 Calle de Parian		03/15/2018
Vigil & Associates		1765 Calle de mercado		03/22/2018

# of Occupancies Inspected: 14 % Occupancies Inspected: 7.18

Included occupancies are those that have a LOCKED inspection on record for the date range provided.



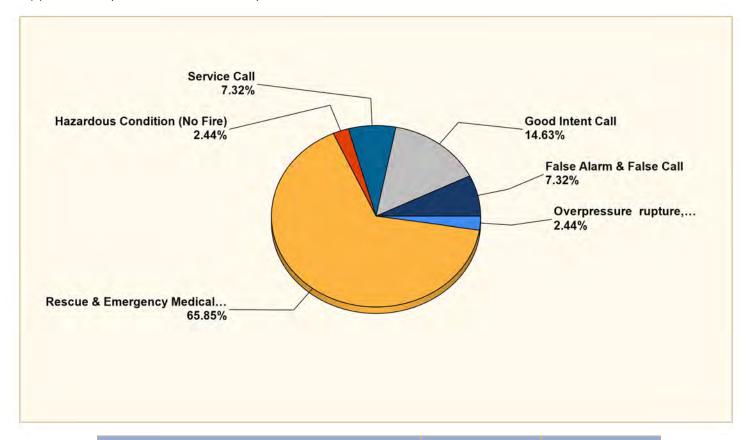
Mesilla, NM

This report was generated on 4/3/2018 8:31:12 AM



#### Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 03/01/2018 | End Date: 03/31/2018



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Overpressure rupture, explosion, overheat - no fire	1	2.44%
Rescue & Emergency Medical Service	27	65.85%
Hazardous Condition (No Fire)	1	2.44%
Service Call	3	7.32%
Good Intent Call	6	14.63%
False Alarm & False Call	3	7.32%
TOTAL	41	100.00%

Detailed Breakdown by Incident Type								
INCIDENT TYPE	# INCIDENTS	% of TOTAL						
251 - Excessive heat, scorch burns with no ignition	1	2.44%						
311 - Medical assist, assist EMS crew	8	19.51%						
321 - EMS call, excluding vehicle accident with injury	16	39.02%						
322 - Motor vehicle accident with injuries	2	4.88%						
381 - Rescue or EMS standby	1	2.44%						
412 - Gas leak (natural gas or LPG)	1	2.44%						
511 - Lock-out	1	2.44%						
541 - Animal problem	1	2.44%						
561 - Unauthorized burning	1	2.44%						
611 - Dispatched & cancelled en route	5	12.20%						
631 - Authorized controlled burning	1	2.44%						
733 - Smoke detector activation due to malfunction	2	4.88%						
745 - Alarm system activation, no fire - unintentional	1	2.44%						
TOTAL INCIDENTS	41	100.00%						

Mesilla, NM

This report was generated on 4/3/2018 8:44:44 AM

#### **Response Activity Report**

Start Date: 03/01/2018 | End Date: 03/31/2018

INCIDENT #	DATE	ALARM TIME	ARRIVE TIME	RESPONSE TIME	ADD			
251 - Excessive	heat, scorch	burns with no ignit						
2018-0000063	2018/03/17	19:31:44	19:46:59	00:15:15	2670 CALLE DE PARIA			
Subtotal Count:	1		Average Respon	nse Time for Incident Type	: 00:15:15			
311 - Medical as	sist, assist El	MS crew						
2018-0000051	2018/03/03	11:15:45	11:23:08	00:07:23	1300 W UNIVERSITY			
2018-0000062	2018/03/14	07:07:53	07:19:00	00:11:07	2653 SNOW RD			
2018-0000066	2018/03/17	22:05:22	22:34:44	00:29:22	6020 HILLCREST AVE			
2018-0000069	2018/03/20	15:28:26	15:51:42	00:23:16	111 INTERSTATE 10			
2018-0000072	2018/03/23	20:27:02	20:38:40	00:11:38	1717 W BOUTZ RD			
2018-0000074	2018/03/24	15:28:50	15:37:12	00:08:22	2060 CALLE DEL NOF			
2018-0000081	2018/03/28	04:46:18	05:08:48	00:22:30	4145 PLAYA LN			
2018-0000084	2018/03/28	09:06:51	09:19:38	00:12:47	2541 CALLE TENEBR			
Subtotal Count:	8		Average Respon	nse Time for Incident Type	: 00:15:42			
321 - EMS call, e	excluding veh	icle accident with i	njury					
2018-0000048	2018/03/01	14:07:21	14:14:00	00:06:39	2101 STITHES RD			
2018-0000050	2018/03/03	04:28:41	04:38:50	00:10:09	211 CAPRI RD			
2018-0000052	2018/03/03	17:54:55	18:06:19	00:11:24	402 BASON DR			
2018-0000053	2018/03/04	14:18:24	14:25:55	00:07:31	310 CAPRI RD			
2018-0000054	2018/03/05	14:33:51	14:46:43	00:12:52	2336 GLASS RD			
2018-0000055	2018/03/07	23:47:48	00:00:25	00:12:37	W Union AVE			
2018-0000056	2018/03/08	23:27:32	23:35:52	00:08:20	2569 CALLE DEL OES			
2018-0000059	2018/03/10	16:07:36	16:27:37	00:20:01	310 CAPRI RD			
2018-0000061	2018/03/13	19:30:01	19:41:32	00:11:31	3311 GANDY LN			
2018-0000065	2018/03/17	11:29:56	21:25:11	09:55:15	1420 W UNION AVE			
2018-0000067	2018/03/18	00:52:22	00:55:48	00:03:26	CALLE DE GUADALU			
2018-0000075	2018/03/24	23:20:54	23:31:49	00:10:55	2194 CALLE DE LOS I			
2018-0000077	2018/03/26	14:45:26	14:49:04	00:03:38	2491 CALLE DE SANT			
2018-0000082	2018/03/28	06:56:56	07:10:53	00:13:57	802 ALIYAH RD			
2018-0000085	2018/03/28	11:09:22	11:15:52	00:06:30	2355 CALLE DE GUAI			
2018-0000088	2018/03/30	17:25:16	17:29:51	00:04:35	2355 CALLE DE GUAI			
Subtotal Count:	16		Average Respon	nse Time for Incident Type	: 00:36:13			
322 - Motor vehi	icle accident v	vith injuries						
2018-0000060	2018/03/13	11:19:02	11:26:06	00:07:04	417 W UNIVERSITY A			
2018-0000070	2018/03/20	17:28:53	17:48:00	00:19:07	Avenida de Mesilla			
Subtotal Count:	2		Average Respon	nse Time for Incident Type	: 00:11:53			
381 - Rescue or	EMS standby							
2018-0000073	2018/03/24	09:06:23	10:57:13	01:50:50	2170 CALLE DE PARI			
Subtotal Count:	1		Average Respon	nse Time for Incident Type	: 01:50:50			
412 - Gas leak (ı	natural gas or	LPG)						
2018-0000064	2018/03/17	20:40:17	20:42:27	00:02:10	3116 AVENIDA DE ME			
Subtotal Count:	Subtotal Count: 1 Average Response Time for Incident Type: 00:02:10							
511 - Lock-out								
2018-0000078	2018/03/26	18:56:09	19:03:24	00:07:15	1356 PAISANO RD			
Subtotal Count:	1		Average Respon	nse Time for Incident Type	: 00:07:15			

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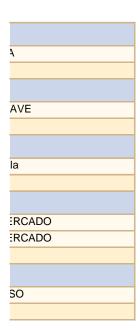
541 - Animal pro	blem						
2018-0000087	2018/03/29	10:31:47	10:32:12	00:00:25	2647 CALLE PRIMERA		
Subtotal Count:	1		Average Respor	se Time for Incident Type	: 00:00:25		
561 - Unauthoriz	ed burning						
2018-0000076	2018/03/26	13:45:32	13:45:32	00:00:00	1420 W UNIVERSITY		
Subtotal Count:	1		Average Respor	se Time for Incident Type	: 00:00:00		
631 - Authorized	controlled b	urning					
2018-0000049	2018/03/02	13:51:14	13:51:14	00:00:00	2531 Avenida de Mesil		
Subtotal Count:	1		Average Respor	se Time for Incident Type	: 00:00:00		
733 - Smoke det	ector activati	on due to malfunct	ion				
2018-0000057	2018/03/09	16:00:20	16:03:52	00:03:32	1755 AVENIDA DE ME		
2018-0000058	2018/03/10	13:21:14	13:41:04	00:19:50	1755 AVENIDA DE ME		
Subtotal Count:	2		Average Respor	se Time for Incident Type	: 00:14:24		
745 - Alarm syst	745 - Alarm system activation, no fire - unintentional						
2018-0000086	2018/03/28	23:49:10	23:59:38	00:10:28	804 CALLE DE EL PAS		
Subtotal Count:	1		Average Respor	se Time for Incident Type	: 00:10:28		
Grand Total:	36	Average Res	ponse Time for All	Incident Types:	00:24:52		

This report does not include incidents in which the department was dispatched and cancelled en route (5 c

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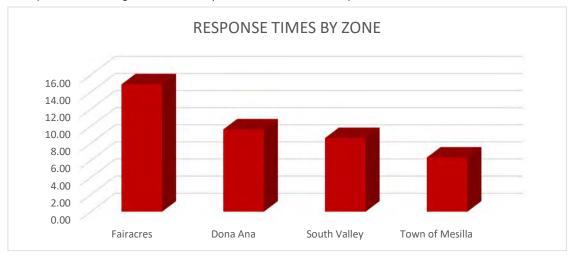
calls)

Mesilla, NM

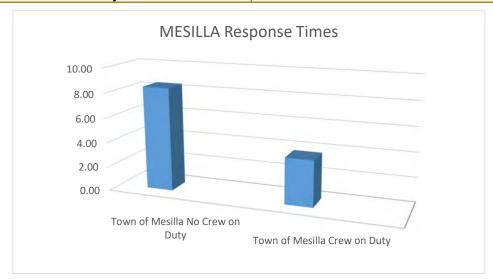
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Response Mode: Lights and Sirens | Start Date: 03/01/2018 | End Date: 03/31/2018



Zone AVERAGE RESPONSE TIME (in m	
Fairacres	14.88
Dona Ana	9.61
South Valley	8.60
Town of Mesilla	6.32
Town of Mesilla No Crew on Duty	8.41
Town of Mesilla Crew on Duty	3.73



Mesilla, NM

This report was generated on 4/3/2018 8:21:54 AM



Count of Classes by Personnel by Class Category

<u>llderete, Robert J</u>			
Class Category	Class Count	Total Class Hours	
EMS Training	2	5:30	
I.S.O. Company Training	2	7:00	
I.S.O. Officer Training	1	3:00	
Total for Alderete, Robert J	5	15:30	
aro, Ariel M			
Class Category	Class Count	Total Class Hours	
EMS Training	2	5:30	
I.S.O. Company Training	2	5:00	
I.S.O. Hazardous Materials	1	1:00	
I.S.O. New Driver and Operator Training	1	1:00	
I.S.O. Officer Training	1	3:00	
Total for Caro, Ariel M	7	15:30	
Chavez, John Eric			
Class Category	Class Count	Total Class Hours	
EMS Training	2	5:30	
I.S.O. Company Training	3	8:00	
I.S.O. Hazardous Materials	1	1:00	
I.S.O. New Driver and Operator Training	3	3:00	
Total for Chavez, John Eric	9	17:30	
Corral, Jeremy A			
Class Category	Class Count	Total Class Hours	
EMS Training	2	5:30	
I.S.O. Company Training	1	4:00	
I.S.O. Hazardous Materials	1	1:00	
Total for Corral, Jeremy A	4	10:30	
ruz, Aaron			
Class Category	Class Count	Total Class Hours	
EMS Training	2	3:00	
I.S.O. Company Training	1	4:00	
I.S.O. Hazardous Materials	1	1:00	
Total for Cruz, Aaron	4	8:00	
mbury, Andy G.			
Class Category	Class Count	Total Class Hours	
EMS Training	1	2:00	
I.S.O. Hazardous Materials	1	1:00	
I.S.O. Officer Training	1	3:00	

This report lists a count of Classes completed by each Person, for each Class Category. Optionally filtered by Personnel and Passage or Failure. Time shown in Hours and Minutes



Total for Embury, Andy G.	3	6:00
vans, Gabriel I		
Class Category	Class Count	Total Class Hours
I.S.O. Company Training	1	3:00
Total for Evans, Gabriel I	1	3:00
afford, Scott J.	<u>'</u>	3.00
	01 0	Total Class Hours
Class Category  EMS Training	Class Count 2	5:30
I.S.O. Company Training	3	9:00
I.S.O. Hazardous Materials	1	1:00
I.S.O. New Driver and Operator Training	<u>'</u> 1	1:00
I.S.O. Officer Training	<u>'</u> 1	3:00
Total for Gafford, Scott J.	8	19:30
<u> </u>		13.30
Glass Catagory	Class Count	Total Class Haura
Class Category  I.S.O. Company Training	Class Count	Total Class Hours 5:00
I.S.O. Company Training I.S.O. New Driver and Operator Training	2	2:00
Total for Gil, Gabriel A	4	7:00
	4	7:00
omez, Armando		
Class Category	Class Count	Total Class Hours
I.S.O. New Driver and Operator Training	1	1:00
Total for Gomez, Armando	1	1:00
Somez, Elijah A		
Class Category	Class Count	Total Class Hours
EMS Training	2	5:30
I.S.O. Company Training	2	7:00
I.S.O. Hazardous Materials	1	1:00
Total for Gomez, Elijah A	5	13:30
ore, Seriah R		
Class Category	Class Count	Total Class Hours
EMS Training	2	5:30
I.S.O. Company Training	2	7:00
I.S.O. Hazardous Materials	1	1:00
I.S.O. Officer Training	1	3:00
Total for Gore, Seriah R	6	16:30
Suzman, Phillip		
Class Category	Class Count	Total Class Hours
EMS Training	2	5:30
I.S.O. Company Training	1	4:00
I.S.O. Hazardous Materials	1	1:00
I.S.O. New Driver and Operator Training	1	1:00
I.S.O. Officer Training	1	3:00
Total for Guzman, Phillip	6	14:30
loban, Kevin M		

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Class Category	Class Count	Total Class Hours	
EMS Training	1	2:00	
I.S.O. Hazardous Materials	1	1:00	
I.S.O. New Driver and Operator Training	1	1:30	
Total for Hoban, Kevin M	3	4:30	
lyatt, Stephanie P			
Class Category	Class Count	Total Class Hours	
EMS Training	1	2:00	
I.S.O. Hazardous Materials	1	1:00	
Total for Hyatt, Stephanie P	2	3:00	
ucero, Lorraine			
Class Category	Class Count	Total Class Hours	
I.S.O. Company Training	1	4:00	
Total for Lucero, Lorraine	1	4:00	
lanriquez, Humberto			
Class Category	Class Count	Total Class Hours	
EMS Training	3	6:30	
I.S.O. Company Training	1	1:00	
I.S.O. Hazardous Materials	1	1:00	
I.S.O. New Driver and Operator Training	 5	5:00	
I.S.O. Officer Training	1	3:00	
Total for Manriquez, Humberto	11	16:30	
		10.30	
Class Catagory	Class Count	Total Class Hours	
Class Category  EMS Training	1		
	<u></u>	2:00	
I.S.O. Company Training I.S.O. Hazardous Materials	·	1:00	
	1	1:00	
I.S.O. Officer Training	1	3:00	
Total for Miller, Eric	4	7:00	
lavarro, Nicolas A			
Class Category	Class Count	Total Class Hours	
EMS Training	1	2:00	
I.S.O. Company Training	2	7:00	
I.S.O. Hazardous Materials	11	1:00	
I.S.O. New Driver and Operator Training	11	1:30	
I.S.O. Officer Training	1	3:00	
Total for Navarro, Nicolas A	6	14:30	
Oblack, Austin E			
Class Category	Class Count	Total Class Hours	
I.S.O. Company Training	1	4:00	
Total for Oblack, Austin E	1	4:00	
Roberson, Cavin C			
Class Category	Class Count	Total Class Hours	
I.S.O. Company Training	1	4:00	

This report lists a count of Classes completed by each Person, for each Class Category. Optionally filtered by Personnel and Passage or Failure. Time shown in Hours and Minutes



Total for Roberson, Cavin C	1	4:00
othman, Tabitha		
Class Category	Class Count	Total Class Hours
I.S.O. Company Training	1	4:00
Total for Rothman, Tabitha	1	4:00
egura, Stephen J		
Class Category	Class Count	Total Class Hours
I.S.O. Company Training	1	4:00
Total for Segura, Stephen J	1	4:00
hepan, Cory A.		
Class Category	Class Count	Total Class Hours
EMS Training	1	3:30
I.S.O. Company Training	2	7:00
Total for Shepan, Cory A.	3	10:30
mith, Morgan Samantha		
Class Category	Class Count	Total Class Hours
EMS Training	1	2:00
I.S.O. Company Training	2	7:00
I.S.O. Hazardous Materials	1	1:00
I.S.O. New Driver and Operator Training	1	1:30
I.S.O. Officer Training	1	3:00
Total for Smith, Morgan Samantha	6	14:30
hunhorst, Dylan P		
Class Category	Class Count	Total Class Hours
EMS Training	2	5:30
I.S.O. Company Training	2	7:00
I.S.O. Hazardous Materials	11	1:00
I.S.O. New Driver and Operator Training	11	1:30
I.S.O. Officer Training	11	3:00
Total for Thunhorst, Dylan P	7	18:00
orres, Joseph J		
Class Category	Class Count	Total Class Hours
EMS Training	3	6:30
I.S.O. Company Training	11	2:00
I.S.O. Hazardous Materials	1	1:00
Total for Torres, Joseph J	5	9:30
illagrana, Diana C		
Class Category	Class Count	Total Class Hours
EMS Training	1	3:30
I.S.O. Officer Training	1	3:00
Total for Villagrana, Diana C	2	6:30
illazon, Lillian M		
	Class Count	Total Class Hours 3:30

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I.S.O. Company Training	1	4:00
I.S.O. Officer Training	1	3:00
Total for Villazon, Lillian M	3	10:30
Vhited, Gregory E		
Class Category	Class Count	Total Class Hours
EMS Training	1	3:30
I.S.O. Company Training	2	7:00
I.S.O. Officer Training	1	3:00
Total for Whited, Gregory E	4	13:30
Villmann, Keenan		
Class Category	Class Count	Total Class Hours
I.S.O. Company Training	1	4:00
I.S.O. Officer Training	1	3:00
Total for Willmann, Keenan	2	7:00
echa, Chad		
Class Category	Class Count	Total Class Hours
I.S.O. Hazardous Materials	1	1:00
Total for Zecha, Chad	1	1:00

Mesilla, NM

This report was generated on 4/3/2018 9:34:03 AM



#### Total Hours by Volunteers for March, 2018

Pay Grades: All Pay Grades | Start Date: 03/01/2018 | End Date: 03/31/2018

Personnel	Incident Time	Training Time	Event Time	Total Time
Alderete, Robert J	4:07	15:30	0:00	19:37
Caro, Ariel M	5:30	15:30	36:00	57:00
Chavez, John Eric	8:47	17:30	81:00	107:17
Corral, Jeremy A	0:00	10:30	0:00	10:30
Cruz, Aaron	0:50	8:00	12:00	20:50
Embury, Andy G.	5:54	6:00	0:00	11:54
Evans, Gabriel I	0:00	3:00	0:00	3:00
Gafford, Scott J.	2:46	19:30	29:00	51:16
Gil, Gabriel A	2:00	7:00	31:00	40:00
Gomez, Armando	0:00	1:00	28:00	29:00
Gomez, Elijah A	0:00	13:30	0:00	13:30
Gore, Seriah R	4:07	16:30	0:00	20:37
Guzman, Phillip	0:00	14:30	8:00	22:30
Hyatt, Stephanie P	0:00	3:00	6:00	9:00
Lucero, Lorraine	0:00	4:00	0:00	4:00
Manriquez, Humberto	12:43	16:30	235:00	264:13
McMillan, Mitchell C	1:03	0:00	15:00	16:03
Miller, Eric	0:00	7:00	13:00	20:00
Navarro, Nicolas A	0:00	13:00	8:00	21:00
Oblack, Austin E	0:00	4:00	0:00	4:00
Rivera, Matthew M	9:53	0:00	0:00	9:53
Roberson, Cavin C	0:00	4:00	0:00	4:00
Rothman, Tabitha	0:00	4:00	0:00	4:00
Segura, Stephen J	0:00	4:00	0:00	4:00
Shepan, Cory A.	0:00	10:30	0:00	10:30
Shepan, Lance A.	1:40	0:00	0:00	1:40
Sinclair, Jennifer M	1:09	0:00	0:00	1:09
Smith, Morgan Samantha	1:40	13:00	9:50	24:30
Thunhorst, Dylan P	6:48	16:30	9:00	32:18
Torres, Joseph J	0:50	9:30	24:00	34:20
Villagrana, Diana C	0:00	6:30	5:50	12:20
Villazon, Lillian M	0:00	10:30	0:00	10:30
Whited, Gregory E	0:00	13:30	9:00	22:30
Whiting, Colter C.	1:12	0:00	0:00	1:12
Willmann, Keenan	0:00	7:00	0:00	7:00
Zecha, Chad	3:19	1:00	37:50	42:09
			TOTAL	966:10 hours

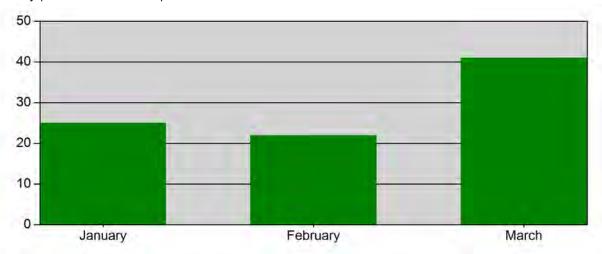
Mesilla, NM

This report was generated on 4/3/2018 8:25:58 AM



#### Incidents by Month for Month Range

Start Month: January | End Month: March | Year: 2018



MONTH	INCIDENTS
January	25
February	22
March	41

Date: April 2, 2018

To: Honorable Mayor and Mesilla Board of Trustees

This is the Monthly Report for February 2018 for the Mesilla Marshal's Department:

Citations – 131 total: 83 court appearance; 26 penalty assessments; 22 warnings.

Total Responses/Calls for Service/Reports - 319

Responses by sworn personnel:

911 Hang-up Calls – 5

Abandoned Vehicle – 0

Agency Assist – 5

Alarm, Burglary – 5

Alarm, Carbon Monoxide – 0

Alarm, Hold Up - 0

Alarm, Panic - 0

Animal Bite/Animal Attacks – 1

Animal Care & Maint – 1

Animal Control Call – 8

Animal Cruelty – 1

Animal in Custody – 6

Animal, Dead – 1

Animal Stray – 3

Animal Vicious – 2

Assault Report – 1

ATV Complaint - 1

Back Pain/Injury – 1

Behavioral Issues – 2

Be On the Lookout – 0

Bleeding -1

Breathing Problems – 1

Building Check – 0

Burglary, Auto - 1

Burglary in Progress -0

Burglary – 0

Chest Pain – 2

Child Abuse – 0

#### Responses by sworn personnel (continued):

Choking -1Civil Dispute/Standby – 1 Civil Process – 0 Codes Enforcement – 1 Codes Parking – 0 Computer Crimes – 0 Detention Center Release – 0 Disturbance Disorderly – 2 Disturbance Domestic – 6 Disturbance Domestic in Progress – 0 Disturbance Fight -0Disturbance Noise/Music – 0 Disturbance Unknown – 0 Disturbance Verbal – 1 Drunk/Intoxicated Subj – 2 DWI - 3Fall Victim/Back Injury – 4 Fever - 0Fire Alarm – 3 Fire Brush/Wildland – 0 Fire Structure Commerical – 0 Fire Structure Residential – 0 Fire Vehicle – 0 Foot Patrol – 1 Forgery/Fraud/Emb/Report – 1 Frequent Patrol – 19 Gas Odor Natural – 1 Gun – Shots Fired – 3 Gun - Subject with a gun -3Gunshot Victim – 0 Harassment - 1Illegal Burn – 0 Illegal Dumping – 1 Information Report – 10 Illegally Parked Vehicle – 1 Kidnapping/Unlawful Custody – 0 Lift Assist – 0 Medical Alarm – 0 Minor in Possession of Alc. -0Missing Adult -0Missing Child – 0 Motor Vehicle Accident Hit & Run – 2 Motor Vehicle Accident non Injury – 5 Motor Vehicle Accident with Injury – 3

#### Responses by sworn personnel (continued):

Motor Vehicle Accident with Injury Extra Response – 2

### Motor Vehicle Accident Private Property – 1 Narcotics/Drugs – 0 Obstruction – 1 Overdose – 1 Panic Alarm – 1 Phone Call – 4 Poisoning/Ingestion – 1 Prisoner Transport -2Property Found – 0 Property Lost – 1 Property Recovered – 0 Prowler – 1 Public Assist – 1 Rape -0Reckless Driver – 4 Repossession/Private Property Impound – 0 Runaway - 1 Seizures/Convulsions – 2 Sick/Ill Person – 2 Shoplifting -0Stroke/CVA - 0Subject Contact/Busy – 0 Suicide Attempt – 0 Suicidal Subject – 0 Supplement/Follow up – 4 Suspicious Activity – 3 Suspicious Persons – 4 Suspicious Vehicles – 6 Theft Report – 5 Threats -1Traumatic Injuries – 1 Trespassing - 1Traffic – 132 Traffic Complaint – 1 Unspecified Call Type – 0 Unconscious Person – 0 Vagrancy – 0 Vandalism/Graffiti-3Warrant - 0Welfare Check – 5 Wires Down – 0

Operation Stone Garden was **DISCONTINUED** as to overtime; however, its objectives remain supported and the equipment in use.



### TOWN OF MESILLA

### Public Works Department

P.O. Box 10, Mesilla, New Mexico 88046 Office: (575) 524-3262 ext. 103 Fax: (575) 541-6327

#### MEMORANDUM

Date:

April 2, 2018

TO: FROM: Mayor, Board of Trustees & Cynthia Debra Lujan, Public Works Director

RE:

**Activity Report for PWD** 

PDW: March 3, 2018 - April 2, 2018

**Public Works Crew regular monthly schedule** is keeping up with locates, parks, building maintenance, work orders from residents, tenant's complaints and all the requests from our staff, Fire and Marshal Departments. As always the crew is reading meters monthly and monitoring the wells when they are on-call.

#### Crew: Other Regular Monthly Duties

- Clean buildings
- locates for utility construction
- Water samples are sent monthly
- Water services shut off or on (due to late utility payments)
- Lift station monitoring
- -H2S (sewer odor) we are keeping our levels down to 5ppm as recommended by the City of Las Cruces
- Community Center is being rented out more often and the crew is doing the set ups and take down.
- Daily Monday through Sunday: Taking chlorine residuals

#### Work orders completed

- All events at the Community Center and Plaza are being covered
- Trash pick-up at parks, plaza and roadway daily
- -Locates if any
- Custodial all buildings
- Parks: the sprinkler systems are scheduled for run times according to there address and checked after weekends. No watering on Mondays, odd number address Wednesday, Friday and Sunday, even number address is Tuesday, Thursday and Sunday.
- -Plaza: On a daily basis and weekends picking up trash
- -Plaza: the sprinkler on the northeast side got stuck, valve repair is being done on April 3
- Monitor trash & public restrooms
- Prepare for Community Center events
- Community Center:
- -Vehicles and equipment are being repaired and washed
- Mesilla Elementary and Zia Middle School: the combined meters were replaced during spring break
- meter swaps

- -water meter repairs
- -New PW employees attended the mandatory Defensive Driving Class

Up-Date Capital Outlay: Governor signed our project on Bowman St. (\$325,000.00)

**Up-Date McDowell Rd Wastewater**: Last day for residents to sign up at a low cost was extended to March 31, 2018.

**Up-Date LGRF Calle Primera** received level of service from NMDOT, Molzen Corbin will begin the design and get the certificates needed to proceed.

Up-Date NMDOT TAP getting the RFP ready for professional services

Up-Date NMED Clean Water State Revolving Fund getting the RFP ready for professional services.

**Up-Date WTB** meeting with Molzen Corbin on Wednesday to begin the design and bid process. **Up-Date EBID** Calle de Parian (culvert) construction of the wing wall and place the guard rails is underway.

If you have any questions please call my cell 636-7553