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**BOARD OF TRUSTEES  
TOWN OF MESILLA  
REGULAR BOARD MEETING  
MONDAY, MAY 22, 2017  
6:00 P.M.**

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

**STAFF:** Cynthia Stoechner-Hernandez, Town Clerk  
K.C. Alberg, Marshal  
Kevin Hoban, Fire Chief  
Debbie Lujan, Public Works Director  
Irene Parra, Special Events Coordinator  
Gloria Maya, Recorder

**PUBLIC:** Bob Hamilton                      Joe Miele  
Rebecca Starge                      Marli Valenzuela  
Seven Hides                      Jenna Lenai  
Susan Krueger

**1. PLEDGE OF ALLEGIANCE**

Mayor Barraza led the Pledge of Allegiance.

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

**Roll Call.**

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

1 Mayor Barraza held a Moment of Silence for Mr. Angel Carreon, Mr. Ray Vietch, and Mr.  
2 Lorenzo Rede.

3  
4 **3. CHANGES/APPROVAL OF THE AGENDA**

5  
6 **Motion: To approve the agenda, Moved by Mayor Pro Tem Arzabal, Seconded by Trustee**  
7 **Flores.**

8  
9 **Motion passed (summary: Yes = 4).**

10 **Mayor Pro Tem Arzabal Yes**

11 **Trustee Caro Yes**

12 **Trustee Flores Yes**

13 **Trustee Johnson-Burick Yes**

14  
15 **4. PUBLIC INPUT** – The public is invited to address the Board for up to 3 minutes.

16  
17 Mr. Joe Miele stated Broken Promises feels Mesilla needs an Animal Control Ordinance that  
18 allows for trap, neuter and return (TNR) of community cats. Residents can address the cat  
19 population humanly. In the TNR program cats are humanly trapped, vaccinated, surgically  
20 altered, ear tips with identification and returned to live out their lives. TNR make cats better  
21 citizens and helps reduce the population. This program is supported by veterinary professionals.  
22 Read letter

23  
24 Ms. Rebecca Stanger stated she urges the board to adopt a strong, pro trapped-neuter return  
25 ordinance.

26  
27 Ms. Susan Krueger stated she met Mr. Rivera who identified himself as an excel student who  
28 was doing education on animal control; not doing animal control. The Animal Control  
29 Ordinance exported from Hobbs about ten (10) to fifteen (15) years ago by the previous Marshal.  
30 She believes that when it says him or her designee; it must be someone that is capable of  
31 performing the job in such a way it will not raise question of law. A volunteer cannot enforce  
32 the laws of Mesilla and should be reviewed by Mr. Cervantes. She understands the shelter could

1 provide animal services for the town. Mr. Adrian Carbajal was sent for animal control training  
2 in Texas. The town needs to advertise for an animal control officer who is trained or consider  
3 working with the shelter.

4  
5 Ms. Anne Markham stated with the Marshal Mangusing help us TNR about 37 cats. TNR should  
6 be given a chance to work throughout Mesilla.

7  
8 **5. \*APPROVAL OF CONSENT AGENDA – The Board will be asked to approve by**  
9 **one motion the following items of recurring or routine business. The Consent**  
10 **Agenda is marked with an asterisk \*:**

11  
12 **Motion: To approve the consent agenda, Moved by Mayor Pro Tem Arzabal, Seconded by**  
13 **Trustee Flores.**

14  
15 Trustee Johnson-Burick stated she did not see the holidays in the packet. She feels fifteen (15)  
16 paid holidays is excessive in line with what other governmental entities are doing. She has  
17 always said that. The standard is twelve (12) or thirteen (13). She had a problem with Case  
18 #060546 regarding getting additional information and the wording “pretty much hidden”. She  
19 received the additional information and did some research so she does not feel there will be an  
20 issue.

21  
22 Trustee Flores stated [in regard to the holiday resolution] Mesilla does not pay the same amount  
23 as other government entities. She looked at the holidays and kept in mind we lose people all the  
24 time who go to higher paying positions. This is kind of a tradeoff.

25  
26 Trustee Johnson-Burick stated she works for a government agency and the pay is not all that.  
27 The trend is we are losing our lower paid employees. She does not agree with that statement.

28  
29 **Motion passed (summary: Yes = 4).**

30 **Mayor Pro Tem Arzabal Yes**

31 **Trustee Caro Yes**

32 **Trustee Flores Yes**

33 **Trustee Johnson-Burick Yes**

- 1  
2  
3 a. **\*BOT MINUTES – Work Session and Regular Meeting** minutes of Monday, May  
4 8, 2017. *Approved by consent agenda*  
5  
6 b. **\*PZHAC CASE 060546 (postponed from 5/8/17 meeting)** - 2738 Avenida de  
7 Mesilla, submitted by Steven Hicks; a request for a building permit to allow the  
8 construction of a 6-foot-high, 30 foot by 30 foot, chain-link fence in the backyard of a  
9 dwelling at this address. Zoned: Historical Residential (HR). *Approved by consent*  
10 *agenda*  
11  
12 c. **\*PZHAC CASE 60550** – 2850 Calle de Guadalupe, submitted by Jose. F. Mancha; a  
13 request for a building permit to allow the placement of two separate manufactured  
14 metal pergolas in the backyard of a dwelling at this address. Zoned: Historical  
15 Residential (HR). *(added 5/19/17) Approved by consent agenda*  
16  
17 d. **\*PZHAC CASE 060551** - 2850 Calle de Guadalupe, submitted by Jose. F. Mancha;  
18 a request for a building permit to allow the construction of a privacy wall at the side  
19 of a dwelling at this address. Zoned: Historical Residential (HR). *(added 5/19/17)*  
20 *Approved by consent agenda*  
21  
22 e. **\*PZHAC CASE 060552** - 2850 Calle de Guadalupe, submitted by Jose. F. Mancha;  
23 a request for a building permit to allow the repair and replacement of part of a wall  
24 around the rear yard of a dwelling at this address. Zoned: Historical Residential (HR).  
25 *(added 5/19/17) Approved by consent agenda*  
26  
27 f. **\*PZHAC CASE 060554** - 2850 Calle de Guadalupe, submitted by Jose. F. Mancha;  
28 a request for a building permit to allow the repainting of a dwelling with a different  
29 color at this address. Zoned: Historical Residential (HR). *(added 5/19/17) Approved*  
30 *by consent agenda*  
31  
32 g. **\*PZHAC CASE 060560** – 2261 Calle de Guadalupe, submitted by Kathleen  
33 Foreman; a request for a building permit to allow an addition to the storage area of a  
34 restaurant at this address. Zoned: Historical Commercial (HC). *(added 5/19/17)*  
35 *Approved by consent agenda*  
36  
37 h. **\*PZHAC CASE 060558** – 2725 Boldt Street, submitted by Stephan Vidmar; a  
38 request for a building permit to allow the coating and painting of a dwelling at this  
39 address. Zoned: Historic Residential (HR). *(added 5/19/17) Approved by consent*  
40 *agenda*  
41  
42 i. **\*Resolution 2017-10** – A resolution establishing the 2018 Holidays for the Town of  
43 Mesilla. *Approved by consent agenda*  
44  
45 j. **\*Resolution 2017-11** – A resolution providing for determination of reasonable notice  
46 of meetings of the Board of Trustees pursuant to the Open Meetings Act. *Approved*  
47 *by consent agenda*  
48  
49  
50

51 **6. NEW BUSINESS:**

- 52 a. **Resolution 2017-09** – A resolution declaring the intent of the Board of Trustees of  
53 the Town of Mesilla to consider for adoption an ordinance authorizing issuance and  
54 sale of up to \$600,000 Town of Mesilla State-Shared Gross Receipts Tax Refunding

1 Revenue Bonds for the purpose of refunding outstanding Town of Mesilla State-  
2 Shared Gross Receipts Tax Revenue bonds, series 2003. **Cynthia Stoechner-**  
3 **Hernandez, Clerk/Treasurer and Mark Valenzuela, Senior Vice President,**  
4 **George K. Baum & Company.**  
5

6 Ms. Stoechner-Hernandez stated she and the mayor approached Mr. Mark Valencia to see how the  
7 town can save money. He did an analysis and found that if we refinance the 2003 Town Hall  
8 Bond to a 2017 Series Bond we would save \$47,127.69 of future debt. This savings would  
9 reduce our debt payment by one (1) year. That is a significant savings for the town and would  
10 aid in increasing future revenue. This resolution is for the intent for the town to consider moving  
11 forward with adopting an ordinance to refinance the State Shared Gross Receipt Tax Series 2003  
12 Bond. It will need to go through the process; coming back to the board for approval.  
13

14 Mr. Valenzuela stated their view going forward is that the interest rates are going to rise. This is  
15 an investment portfolio with gains and losses. The opportunity is now to take advantage of the  
16 savings. This is not an obligation of the board yet. This resolution authorizes Ms. Stoechner-  
17 Hernandez and him to test the market for opportunities. We will bring back the best opportunity  
18 to the board who will then act to formalize the obligation.  
19

20 Mayor Barraza stated if we can save the town \$47,127.69 and reduced the loan to fifteen (15)  
21 years by refinancing; it would be a wise investment. She thanked Mr. Valenzuela for attending.  
22

23 **Motion: To approve Resolution 2017-09 – A resolution declaring the intent of the Board of**  
24 **Trustees of the Town of Mesilla to consider for adoption an ordinance authorizing issuance**  
25 **and sale of up to \$600,000 Town of Mesilla State-Shared Gross Receipts Tax Refunding**  
26 **Revenue Bonds for the purpose of refunding outstanding Town of Mesilla State-Shared**  
27 **Gross Receipts Tax Revenue bonds, series 2003, Moved by Mayor Pro Tem Arzabal,**  
28 **Seconded by Trustee Johnson-Burick.**  
29

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

31 **Mayor Pro Tem Arzabal Yes**

32 **Trustee Caro Yes**

33 **Trustee Flores Yes**

34 **Trustee Johnson-Burick Yes**  
35  
36

37 **b. Discussion on Animal Control issues. –K.C. Alberg, Marshal.**  
38

39 Marshal Alberg stated Officer Rivera is an authorized Animal Control Officer and much to his  
40 credit he has taken it upon himself to get formalized training as well as on the job training. He  
41 also has the awareness, operational and technical level of large animal rescue. He has eighty (80)  
42 clock hours of training this year alone making him more qualified than most animal control

1 officers in the county. Mr. Rivera has been ensured to have the capacity to function in the roll as  
2 a Community Officer for the Town of Mesilla. He has found him to a reliable and professional  
3 who would be eligible for commission as an Animal Control Officer in this town and he uses his  
4 authority to do so and does not regret his decision. Mr. Rivera will start off with public  
5 education, the hallmark of a good Animal Control program. The board is aware of my  
6 background. We want to use the least amount of force to gain voluntary compliance. There is  
7 plenty supervision for Mr. Rivera even though he is certified. We approached the Las Cruces  
8 Public Schools to garner funding to have public education in the school district. This is not a cat  
9 problem; people made bad choices. Warnings have been issued to residents. This has been  
10 reviewed by Mr. Cervantes. The department has acquired a trailer for transporting of animals.  
11 Reserve officers do have law enforcement authority. This keeps deputies responsive to the  
12 Mesillos. The Las Cruces Public Schools may give us \$13K to help fund Mr. Rivera's  
13 position. He will help with school security. There was an incident where an individual brought  
14 an illegal firearm on to school property and it was not this person's first time. Officer Rivera was  
15 the people who discern the person having the illegal firearms and got the appropriate officers on  
16 scene. Mr. Rivera is someone who cares about animals. We plan on building kennels for  
17 temporary impound and try to contact the residents to get their loved one back. We want to keep  
18 everything clean and sterilized. Impound fees will be charged; \$25 for 1<sup>st</sup> and 12<sup>th</sup> month period,  
19 \$50, \$75 and \$300 thereafter. We will engage in a contract situation with the shelter. Most of  
20 the trapping activity is pursuant to resident complaints. Mr. Rivera has two (2) other jobs so he  
21 tries to handle as much as he can and keeping documentation. TNR is currently being used as an  
22 option. We are planning to do a worksession for the ordinance; currently enforcing the  
23 ordinance that is in the books. As sworn officers we cannot be the ones to release animals back  
24 into the community until the ordinance is changed. He has been in contact with the county so  
25 there will be a meeting regarding TNR and animal control. The county, as well as other entities,  
26 has a contract with the shelter; we do not so we have no other option. Currently we have a  
27 control base model with eliminating strays. If we adopt a TNR stakeholders cannot be opposed  
28 to containment strategies which works in conjunction with TNR. The town could build a cattery  
29 to show the residents what it looks like. Then if the residents wanted to place catteries in  
30 different places around town we could have fundraisers to raise money to build them in areas to  
31 house individual colonies of cats. There are animal control issues, advocacy and the landowners  
32 that are complaining. He wants this to work and is looking at innovative ways to fund the  
33 position. The goal is to have Mr. Rivera trained up to animal cruelty level. We are going to start  
34 going after people; negligent and reckless behavior. There needs to be a change in how we deal  
35 with cats and dogs. He has done research on other jurisdictions where TNR containment was  
36 effective. During a worksession TNR will be discussed as well as partnerships with other  
37 organizations. We have to have a lot of people working together. The program needs financial  
38 support from the board and additional volunteers involved to address these issues. We can use  
39 computing service commitment we get from the court to help the residents that are out of  
40 compliance with weeds and such.

41  
42  
43 Mayor Barraza stated Marshal Alberg has \$5K for Animal Control in his budget. She asked  
44 what is charged when they county is called for animal pick up.

45  
46 Marshal Alberg responded anywhere between \$35 to \$100 dollars; even the intact has a cost.  
47 We are averaging \$100 a call with the county.



1 Trustee Johnson-Burick thanked everyone. As we move forward on the ordinance it is critical to  
2 see experts that have the organizations that could be partners and have a stake.

3  
4 Marshal Alberg responded he is fine with that. We have spoken about having these people  
5 involved in the process. He will be there for technical assistant.

6  
7 Mayor Barraza stated she recommends setting up a time to visit with Marshal Alberg.

8  
9 Trustee Johnson-Burick stated we can make a huge difference in our community for the residents  
10 and the animals.

11  
12 c. Discussion of fire condition forecasts for the upcoming fireworks season. – **Kevin**  
13 **Hoban, Fire Chief.**

14  
15 Fire Chief stated improved this year most of the county is in abnormally dry area; vast  
16 improvement from last year. The southeast corner of the Dona Ana County is normal; where we  
17 are at. At this time, he is not coming before the board with a resolution asking for firework  
18 restrictions. The long range predicted forecast is more rain. There is a huge El Nino affect  
19 happening in the ocean which will increase moisture flow into our area. It will be interesting to  
20 see the affect that the county's change in their firework ordinance has on what happens in  
21 Mesilla. He feels the change in the ordinance will be hard to enforce; we will remain vigilant.  
22 The Las Cruces Public Schools Superintendent was to restrict fireworks on their property. Our  
23 concern is safety; we will be on patrol to ensure everyone has a great time.

24  
25  
26 **7. BOARD OF TRUSTEE COMMENTS**

27  
28 Trustee Caro had no comments.

29  
30 Trustee Johnson-Burick had no comments.

31  
32 Mayor Pro Tem Arzabal stated he is not one to repeat after someone has already said something.  
33 He agrees with Trustee Flores' regarding the holidays. It is imperative that we give our  
34 employees incentives since we cannot give a raise or Cost of Living increases.

35  
36 Trustee Flores recommended that in the future when requesting resident's opinions that we let  
37 them know what things will cost or what percentage of an increase we are considering. The  
38 average person does not know the magnitude of infrastructure cost. We can do a better job in  
39 giving information the next time.

1 Ms. Parra stated the Food Truck Fiesta is Wednesday from 6:00 – 9:00 p.m. There will be 10-12  
2 trucks participating. The plaza will be blocked off for safety purposes.

3  
4 Mayor Pro Tem Arzabal stated he does not know why we are having this when we do not have a  
5 Food Truck Ordinance.

6  
7 Mayor Barraza responded last year we had two (2) Food Truck Fiestas. Food Trucks are allowed  
8 at special events. The ordinance is to address trucks that want to set up on public roads on a  
9 regular basis.

10  
11 Ms. Parra encouraged the board to put it on a worksession since there are still requests for truck  
12 vendors. She has done research on ordinances in communities around the area which regulates  
13 that.

14  
15 Mayor Barraza stated we will be having work sessions on ordinances for Food Truck vendors  
16 and animal control in upcoming meetings.

17  
18 Trustee Flores asked if there is going to be music at the Food Truck Fiesta? Ms. Parra responded  
19 there will be entertainment.

20  
21 CARE 5K Race will be held on June 4<sup>th</sup>, Summer Recreation will begin June 5<sup>th</sup> and run through  
22 July 21<sup>st</sup> – 1:00-4:30 p.m. Monday through Friday, Summer Music Series begins June 9<sup>th</sup> – end  
23 of July, Raft the Rio is June 17<sup>th</sup>.

24  
25 Trustee Johnson-Burick asked what streets will be blocked during the Food Truck Fiesta. Ms.  
26 Parra responded Calle de Principal and Calle de Guadalupe will be closed around the plaza itself.

27  
28 Trustee Johnson-Burick asked about the Double Eagle parking. Mayor Barraza responded  
29 Principal will be closed from Del Sol to Thunderbird; Guadalupe will be closed in front of Billy  
30 the Kid to Double Eagle.



1 There will be a bike rally on Friday; Knights of Columbus Regional Conference will be driving  
2 into Mesilla on their motorcycles and making arrangements for parking with the Basilica. The  
3 will also be having lunch at the different restaurants. Ms. Parra has been coordinating with them.  
4 They should be arriving around 10:00 a.m.

5  
6 Mayor Barraza stated the offices will be closed on Monday in Honor of Memorial Day. The  
7 cemetery was flooded and had intensive damage. The pecan trees were being irrigated and came  
8 over the berm on the west side. She was in contact with the church; a claim has been filed with  
9 the owner of the pecan trees. Families need to contact the church if there was damage to their  
10 family plots. The news media was out there today. Be assured it was not the Town of Mesilla's  
11 fault or property.

12  
13 Fire Chief Hoban expressed his gratitude to all the veterans that work with the Town of Mesilla.

14  
15 **8. ADJOURNMENT**

16  
17 **The Town of Mesilla Trustees unanimously agreed to adjourn the meeting. (Summary: Yes-4)**

18  
19 **MEETING ADJOURNED AT 7:04 P.M.**

20  
21 **APPROVED THIS 12<sup>th</sup> DAY OF JUNE, 2017**



29  
30  
31  
32

Nora L. Barraza

Mayor

33  
34

**ATTEST:**

Cynthia Stoechner-Hernandez

Town Clerk/Treasurer