



Town of Mesilla, New Mexico

THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILL HOLD A REGULAR MEETING ON MONDAY, APRIL 27, 2020 AT 6:00 P.M. VIA TELECONFERENCE 1-346-248-7799, Meeting ID: 564 901 309#

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL & DETERMINATION OF A QUORUM
3. CHANGES TO THE AGENDA & APPROVAL
4. PROCLAMATIONS
 - a) A proclamation recognizing 9-1-1 Telecommunicators and call takers as first responders. – **Mr. Albert Flores, Deputy Director, MVRDA/ Nora L. Barraza, Mayor.**
5. PUBLIC INPUT – The public is invited to address the Board for up to 3 minutes. **Public input in writing shall be received at cynthias-h@mesillanm.gov at by 5:00 p.m., April 27th and will be read into the record. You will also be given an opportunity to speak during this time by pressing *9 while in the teleconference. You will be prompted when to begin speaking.**
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 – Minutes of a Regular Meeting on April 13, 2020.
***Sign Permits:**
 - b) *PZHAC Case 061023– 2488 Calle de Guadalupe, submitted by Joseph Foster for “Psychology Consulting Options”; a request for a sign permit for a therapist practice at this address. Zoned: Historical Commercial (HC).
 - c) *PZHAC Case 060125 – 2601-3 Calle de Santiago, submitted by Kerry Carman for “Co-Lab Artisan’s Loft”; a request to install a hanging sign at this address. Zoned: Historic Commercial (HC).
7. NEW BUSINESS:
 - a) First Reading: ORDINANCE 2020-02 Revising Chapter 18.35 Historic Residential Zone. – **Cynthia Stoechner-Hernandez, Clerk/Treasurer.**
 - b) Discussion regarding COVID-19 and budget process for FY 2020. – **Nora L. Barraza, Mayor.**
 - c) For consideration: the appointment of a Planning, Zoning and Historical Appropriateness Commissioner to serve a two-year term. – **Nora L. Barraza, Mayor.**
 - d) For consideration: the hiring of a deputy marshal. – **Edward Lerma, Marshal/ Nora L. Barraza, Mayor.**
 - e) For consideration: an agreement with Dona Ana County to allow them to serve as fiscal agent for Emergency Management funding. – **Cynthia Stoechner-Hernandez, Clerk/Treasurer.**
 - f) For consideration: establishing a Taskforce to assist in developing a plan for the re-opening businesses after the executive order is lifted. – **Nora L. Barraza, Mayor.**
8. BOARD OF TRUSTEE COMMITTEE REPORTS
9. BOARD OF TRUSTEE/STAFF COMMENTS
10. 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 one week prior to the meeting. The Mayor and Trustees request that all cell phones be turned off or set to vibrate. Members of the audience are requested to step outside the Board Room to respond to or to conduct a phone conversation. A copy of the agenda packet can be found online at www.mesillanm.gov.

Posted 4/24/2020 at the following locations: Town Clerk’s Office 2231 Avenida de Mesilla, Public Safety Building 2670 Calle de Parian, Mesilla Community Center 2251 Calle de Santiago, Shorty’s Food Mart 2290 Avenida de Mesilla, Ristramn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.



PROCLAMATION

A PROCLAMATION RECOGNIZING 9-1-1TELCOMMUNICATORS AND CALL TAKERS AS FIRST RESPONDERS

WHEREAS, the Mesilla Valley Regional Dispatch Authority is the Public Safety Answering Point and Emergency Dispatch Center for the City of Las Cruces, the Village of Hatch, the Town of Mesilla, the City of Sunland Park, the City of Anthony, NM and Dona Ana County, and

WHEREAS, The Mesilla Valley Regional Dispatch Authority 9-1-1 Telecommunicators and Call Takers are trained in Law Enforcement, Fire and Emergency Medical Dispatch, qualifying them to offer a variety of potentially lifesaving instructions over the telephone until other First Responders arrive on scene, and

WHEREAS, in 2019 the Mesilla Valley Regional Dispatch Authority 9-1-1Telecommunicators and Call Takers gave medical guidance to nearly 25,000 callers. Dispatched over 200,000 Law Enforcement calls and nearly 36,000 fire calls, and

WHEREAS, Mesilla Valley Regional Dispatch Authority 9-1-1 Telecommunicators have received recognition for their roles in saving the lives of individuals who seek help by calling 9-1-1, as well as watching out for our public safety field responders, and

WHEREAS, Public Safety agencies throughout Dona Ana County agencies consider our 9-1-1 Telecommunicators and Call Takers "the first, First Responders," as their information and instructions are critical to keeping our citizens and our field units safe, and

WHEREAS, the United States Congress is considering the 9-1-1 Saves Act, which would recognize 9-1-1 Telecommunicators as First Responders, and

WHEREAS, the Mesilla Valley Regional Dispatch Authority Board of Directors support the 9-1-1 Saves Act and believe that 9-1-1Telecommunicators have earned and deserve recognition as First Responders, and

WHEREAS, The Mesilla Valley Regional Dispatch Authority Board of Directors believes that First Responder recognition of our 9-1-1 Telecommunicators will encourage other New Mexico Cities and Counties to similarly recognize their 9-1-1 Telecommunicators as first responders and encourage Congress to move forward with passing the 9-1-1 Saves Act.

NOW THEREFORE BE IT RESOLVED, by the governing body of the Mesilla Valley Regional Dispatch Authority:

THAT, Mesilla Valley Regional Dispatch Authority 9-1-1 Emergency Telecommunicators and Call Takers are recognized as First Responders.

DONE and APPROVED this 8th day of April, 2020.

Javier Perea
MVRDA Board Chairman



**BOARD OF TRUSTEES
TOWN OF MESILLA
REGULAR MEETING
MONDAY, APRIL 13, 2020
6:00 P.M.**

VIA TELECONFERENCE 1-346-248-7799, MEETING ID 308-193-527#

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

STAFF: Cynthia Stoechner-Hernandez, Town Clerk/Treasurer
Kevin Hoban, Fire Chief
Eddie Lerma, Marshal
Rod McGillivray, Public Works Director

PUBLIC:

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 Garcia, Trustee Johnson-Burick.

3. CHANGES TO THE AGENDA & APPROVAL

Mayor Barraza requested removing items c, d, and e from the consent agenda.

Motion: To approve agenda as amended, **Moved by Mayor Pro Tem Arzabal, Seconded by Trustee Garcia.**

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

Mayor Pro Tem Arzabal Yes

Trustee Garcia Yes

Trustee Johnson-Burick Yes

4. PRESENTATIONS:

a) A presentation of the Town of Mesilla's 2019 Audit – **Mariam Tall, Harshwal &**

1 **Company, LLP.**

2 Ms. Tall reviewed the Town of Mesilla’s 2019 Audit.

3
4 Mayor Pro Tem Arzabal feels the audit findings are minor and are being taken care of.

5
6 Mayor Barraza stated per diem finding has been rectified.

7
8 Trustee Johnson-Burick asked why it was not recognized in previous audits that the town was not
9 taking inventory of town property.

10
11 Ms. Tall referred to page 97 and 105; there were modified opinions and now they are findings.
12 These are state requirements

13
14 Trustee Johnson Burick stated so that was missed by the previous auditors.

15
16 Ms. Tall responded auditors are required to follow the state requirements.

17
18 Trustee Johnson-Burick asked why the trustees were not invited to the exit interview on December
19 10th.

20
21 Ms. Stoechner-Hernandez responded there was some scheduling issues so that is why it was so
22 rushed.

23
24 Trustee Garcia responded she will attend a meeting even on a one-day notice.

25
26 Ms. Tall indicated the audit was submitted and approved at the state level.

- 27
28
29 **5. PUBLIC INPUT** – The public is invited to address the Board for up to 3 minutes.
30 **Public input shall be received at cynthias-h@mesillanm.gov at by 5:00 p.m., April 13th**
31 **and will be read into the record.**

32
33 Ms. Stoechner-Hernandez read input received; see attached.

- 34
35
36 **6. *APPROVAL OF CONSENT AGENDA** – (The Board will be asked to approve by one motion the
37 following items of recurring or routine business. The Consent Agenda is marked with an asterisk *):
38 **Motion:** To approve consent agenda, **Moved by Mayor Pro Tem Arzabal, Seconded by Trustee**
39 **Garcia.**

40
41 **Roll Call Vote:** Motion passed (**summary:** Yes =3).

42 Mayor Pro Tem Arzabal Yes

43 Trustee Garcia Yes

44 Trustee Johnson-Burick Yes

- 45
46
47 **a) * BOT Minutes** – Minutes of a Work Session & Regular Meeting on March 9, 2020.
48 ***Approved by consent agenda***

49
50
51 ***Building Permits:**

- 52 **b) *PZHAC Case 061024** – 2000 Calle de Parian, submitted by Julienne Hadfield; a request
53 for a zoning permit to renovate the second floor of a commercial building at this address.
54 Zoned: Historical Commercial (HR). ***Approved by consent agenda***

1 c) ***PZHAC Case 061028** – 2305 Calle de Colon, submitted by Gerard Nevarez; a request for
2 a zoning permit to install a decorative panel at this address; Zoned: Historic Residential
3 (HR).

4 Mayor Barraza stated the request is for an 8 ft. high panel; normally the approved height of a
5 fence is 6 ft. She asked how far this panel is going to be from the existing fence.
6

7 Mr. Shannon responded the panel will not be part of the fence; it will be 2 to 3 feet from the fence. It
8 is not a permanent structure. The house being built next to Mr. Nevarez has several windows that
9 face his patio; this is more of a privacy panel.

10
11 Trustee Garcia stated she feels a fence is for privacy. We need to prevent from opening a can of
12 worms.

13
14 Mayor Barraza agreed and noted that the only difference is the painting on the panel. If this is
15 approved, we would be opening it up for everyone to have something similar.
16

17 Mayor Pro Tem Arzabal stated it needs to comply with the ordinance as to not set precedence. He is
18 concerned that the Planning and Zoning approved the application with a 3-0 vote. He will approve
19 the application with the condition that the panel does not exceed 6 ft. in height per ordinance.
20

21 **Motion:** To approve PZHAC Case 061028 – 2305 Calle de Colon, submitted by Gerard Nevarez; a
22 request for a zoning permit to install a decorative panel at this address; Zoned: Historic Residential
23 (HR); with condition, **Moved by Mayor Pro Tem Arzabal, Seconded by Trustee Garcia.**
24

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

26 Mayor Pro Tem Arzabal Yes

27 Trustee Garcia Yes

28 Trustee Johnson-Burick Yes
29

30 Mayor Barraza stated if the board continues to receive these types of cases they will be sent back to
31 the Planning and Zoning Commission for future review. The ordinance is the ordinance; how this
32 was approved is beyond her. The board is constantly being put in a difficult position.
33
34

35 ***Sign Permits:**

36 d) ***PZHAC Case 061023**– 2488 Calle de Guadalupe, submitted by Joseph Foster for
37 “Psychology Consulting Options”; a request for a sign permit for a therapist practice at this
38 address. Zoned: Historical Commercial (HC).

39 Mayor Barraza asked if this case had been brought to the Board of Trustees before.
40

41 Mr. Shannon responded this case went before the Planning and Zoning who determined it did not
42 comply with the ordinance. Reviewed the application.
43

44 Mayor Barraza stated a directory sign is when there are multiple businesses in a building. She does
45 not feel this is a directory sign since this is the only business being advertised.
46

47 Mr. Shannon responded each psychologist will have their own office.
48

49 Mayor Barraza asked if that is the same area where there are other businesses which is owned by the
50 same person.
51

52 Mr. Shannon responded it is one owner; rents out the spaces to different businesses.
53

54 Mayor Barraza understands each business would have a sign over their door and a directory sign

1 would list businesses in the building.

2
3 Mayor Pro Tem Arzabal recommends sending this back to the Planning and Zoning for further
4 discussion.

5
6 Trustee Johnson-Burick reviewed page 24. Agrees this case needs to be send back to Planning and
7 Zoning for further review.

8
9 **Motion:** To return Case #061023 to PZHAC for further review, **Moved by Mayor Pro Tem**
10 **Arzabal, Seconded by Trustee Garcia.**

11
12 **Roll Call Vote:** Motion passed (summary: Yes =3).

13 Mayor Pro Tem Arzabal Yes

14 Trustee Garcia Yes

15 Trustee Johnson-Burick Yes

- 16
17 e) *PZHAC Case 060125 – 2601-3 Calle de Santiago, submitted by Kerry Carman for “Co-
18 Lab Artisan’s Loft”; a request for a zoning permit to install a hanging sign at this address.
19 Zoned: Historic Commercial (HC).

20
21 Trustee Johnson-Burick stated she is not comfortable approving a case when there are redlines
22 through the application.

23
24 Mayor Pro Tem Arzabal recommended sending it back to the Planning and Zoning.

25
26 **Motion:** To return Case #061025 to PZHAC for further review, **Moved by Mayor Pro Tem**
27 **Arzabal, Seconded by Trustee Garcia.**

28
29 **Roll Call Vote:** Motion passed (summary: Yes =3).

30 Mayor Pro Tem Arzabal Yes

31 Trustee Garcia Yes

32 Trustee Johnson-Burick Yes

33
34
35 **7. NEW BUSINESS:**

- 36 a) Discussion regarding budget for FY 2020. – **Nora L. Barraza, Mayor.**

37 Mayor Barraza stated she has frozen the FY 2019 budget; only emergency items will be allowed.
38 The Gross Receipt Taxes (GRT) had been coming in at projection which will help us get through
39 till the end of the fiscal year. Due to the closures of the business there will be very little, if any,
40 come June. The mayors meet regularly by conference calls and have been advised to submit FY
41 2021 with the same budget for FY 2020.

42
43 Mayor Pro Tem Arzabal requested the board is informed on the town’s status on a regularly bases;
44 he does not want to go back to 2008.

45
46 Mayor Barraza stated our reserves can cover around 3 months. There will be a 3% increase imposed
47 for health benefits.

48
49 Ms. Stoechner-Hernandez stated she will send out a budget update every 2 weeks.

50

1 Trustee Johnson-Burick stated she is also very concerned and suggested departments cut their
2 budgets.

3
4 Mayor Barraza stated all the New Mexico State mayors are in the same situations. Mr. AJ Forte,
5 New Mexico Municipal League Acting Executive Director, is checking to see if there will be
6 financial assistance for small municipalities. If need be the budget will continue to be frozen next
7 fiscal year.

8
9 Mayor Pro Tem Arzabal stated we are saving money in certain areas; also, the town will be
10 receiving Small City Assistance which should help.

11
12 Mayor Barraza responded she does not want to be in the 2008 situation again. She does not want to
13 lay off employees. We are doing everything we can to help us through this.

14
15 Trustee Johnson-Burick stated entities are looking at different ways to get refunds for Worker's
16 Comp, vehicles not in use, etc.

17
18 Mayor Barraza responded if the declaration passes tonight, we will be able to tap into FEMA
19 funding.

20
21 **b) Resolution 2020-07: Acceptance of the Town of Mesilla 2019 Audit. – Cynthia Stoechner-**
22 **Hernandez, Clerk/Treasurer.**

23 Ms. Stoechner-Hernandez read Resolution 2020-07: Acceptance of the Town of Mesilla 2019 Audit.

24
25 **Motion:** To approve Resolution 202-07: Acceptance of the Town of Mesilla 2019 Audit, **Moved by**
26 **Mayor Pro Tem Arzabal, Seconded by Trustee Johnson-Burick.**

27
28 **Roll Call Vote:** Motion passed (summary: Yes =3).

29 Mayor Pro Tem Arzabal Yes

30 Trustee Garcia Yes

31 Trustee Johnson-Burick Yes
32

33 **c) Resolution 2020-08: A resolution declaring an emergency as a result of COVID-19. – Nora**
34 **L. Barraza, Mayor.**

35 Ms. Stoechner-Hernandez read Resolution 2020-08: A resolution declaring an emergency as a result
36 of COVID-19.

37
38 **Motion:** To approve Resolution 2020-08: A resolution declaring an emergency as a result of
39 COVID-19, **Moved by Mayor Pro Tem Arzabal, Seconded by Trustee Garcia.**

40
41 **Roll Call Vote:** Motion passed (summary: Yes =3).

42 Mayor Pro Tem Arzabal Yes

43 Trustee Garcia Yes

44 Trustee Johnson-Burick Yes
45

46 **d) Resolution 2020-09: A resolution extending a moratorium on construction in the Historic**
47 **Residential Zone until April 28, 2020. – Nora L. Barraza, Mayor.**

1 Mayor Barraza stated she does not object to extending the moratorium until the end of May but
2 would not like to extend it any further. It is not fair to those applicants that have been waiting for 6
3 months. The trustees have been working on this ordinance and have listen to the public's
4 recommendations.

5
6 Mayor Pro Tem Arzabal stated we have received a lot of feedback; recommends voting on the
7 ordinance by May 25th.

8
9 Mayor Barraza responded that date would adhere with the date Ms. Stoechner-Hernandez had
10 originally brought forth.

11
12 Trustee Garcia asked if we will still be open for public input.

13
14 Mayor Barraza responded we will continue to accept public input.

15
16 Trustee Johnson-Burick commented we need to ensure the residents are given the opportunity to
17 voice their opinion.

18
19 Trustee Garcia asked if something can be on the bills to notifying the residents.

20
21 Mayor Barraza stated that can be done on the next billing cycle. We have been working on this
22 since November; residents have been given the opportunity to give their input. The town has done a
23 good job informing the residents; we cannot make them respond.

24
25 Ms. Stoechner-Hernandez read Resolution 2020-09: A resolution extending a moratorium on
26 construction in the Historic Residential Zone until May 25, 2020.

27
28 **Motion:** To approve Resolution 2020-09: A resolution extending a moratorium on construction in
29 the Historic Residential Zone until May 25, 2020, **Moved by Mayor Pro Tem Arzabal, Seconded**
30 **by Trustee Johnson-Burick.**

31
32 Mayor Barraza stated we will have a public hearing on April 23rd at 10:30 a.m.; public input and first
33 reading on May 11th; public input and approval on May 25th.

34
35 **Roll Call Vote:** Motion passed (**summary:** Yes =3).

36 Mayor Pro Tem Arzabal Yes

37 Trustee Garcia Yes

38 Trustee Johnson-Burick Yes

39
40 **8. *STAFF REPORTS:**

41 Community Development

42 Community Programs

43 Finance Department

44 Fire Department

45 Marshal's Department

46 Public Works Department

1 **9. BOARD OF TRUSTEE COMMITTEE REPORTS**

2 Trustee Johnson-Burick has been talking to Andrew regarding MPO meetings virtually. She will
3 keep everyone posted.
4

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

6 Fire Chief Hoban stated meetings are being held on a regular basis with OEM. There have been a
7 couple of exposures and are taking appropriate measures. He is proud of his firefighters for
8 obtaining supplies for the residents. We can be reached out to on our Facebook page or reach out to
9 him.

10
11 Trustee Garcia thanked the Fire Department for their hard work.

12
13 Mayor Barraza asked that they let them know if they need donations.

14
15 Fire Chief Hoban responded they have received donations across the spectrum.

16
17 Marshal Lerma gave commendations to Lieutenant Salas and Sergeant Shepan for their excellent
18 work on the vehicle and foot pursuit regarding a stolen vehicle. Sergeant Shepan injured his knee
19 and Lieutenant Salas injured his foot during this pursuit.
20

21 Mr. McGillivray gave a report on projects.

22
23 Ms. Stoechner-Hernandez state she will get the first financial report by next Friday to the Board of
24 Trustees.
25

26 Mayor Barraza stated we never expected anything like this to happen. We are trying to stay abreast
27 on what is happening. We conference call with different agencies on a weekly basis. She has asked
28 that municipalities be notified if there is a confirmed COVID-19 case in their jurisdiction so that our
29 first responders are aware of possible community spread. Stressed social distancing and staying at
30 home to help us get through this. She reviewed the different funding available small municipalities,
31 closure of parks, hotel agreement for quarantine, domestic violence, special legislative session, and
32 budget cuts. Mr. McGillivray is working on getting work started on prior funded projects as to not
33 lose those monies. Dona Ana County is setting up a unified area to be manned by emergency
34 personnel for the surge that is expected April 27th through May 1st. Employees are working on a
35 rotation schedule to avoid having more than 5 people at a time. A trash container for Mesilla
36 residents only has been placed at the park across from the Community Center. We will continue
37 holding our meetings through Zoom.
38

39 Trustee Johnson-Burick commended staff and her leadership.
40

41 Mayor Barraza everyone has been awesome. Everyone is taking care of their staff and ensuring
42 things are been taken care of. The public restrooms have been closed. The Fire and Marshal
43 Departments are responding to calls. Ms. Sellers is getting the information out to everyone. Thanked
44 everyone for working together.
45

46 **11. ADJOURNMENT**

47 **The Town of Mesilla Trustees unanimously agreed to adjourn the meeting. (Summary: Yes-**
48 **3)**

49
50 **MEETING ADJOURNED AT 8:00 P.M.**

51
52 **APPROVED THIS 27th DAY OF APRIL, 2020.**
53
54

1
2
3
4
5
6
7
8
9
10
11
12

Nora L. Barraza
Mayor

ATTEST:

Cynthia Stoeher-Hernandez
Town Clerk/Treasurer

DRAFT

BOT ACTION FORM
SIGN REQUEST

“Psychology Consulting Options”

STAFF ANALYSIS

Item:

Case 061023– 2488 Calle de Guadalupe, submitted by Joseph Foster for “Psychology Consulting Options”; a request for a sign permit to allow two wall signs having a total of twelve square feet for a therapist practice at this address. Zoned: Historical Commercial (HC)

Description: This case was approved by the P&Z at your April 6th meeting. At the BOT meeting on April 13th, there was confusion as to what was approved so the BOT voted to send this case back to P&Z for reconsideration.

After more discussion with the applicant, they would like to install a directory sign on the wall next to the entrance. The sign will be similar to the one in the photograph and will say "Psychology Consulting Options" with the names of each doctor located within and their office numbers/letters.

Consistency with the Code:

The PZHAC must determine that the proposed signs will be consistent with the following Sections of the Sign Code (Chapter 18.65) that specifically apply to this project.

18.65.165 Directory signs.

A. A directory sign may be permitted for a building or development where there is more than one business or tenant. A directory sign may be a wall sign, projecting sign, or freestanding sign, provided the sign complies with all requirements for the type of sign.

B. A directory sign shall be limited to 15 square feet in area for signs located in the Historical Commercial (H-C zone) zone and 25 square feet in area for signs located in the Commercial (C) zone.

C. All directory signs shall be located on the premises where the businesses are located.

D. A directory sign may list all businesses or only the building or development name.

E. Each business may have one individual sign in addition to the identification on the directory sign, in accordance with the sign regulations and all other laws and ordinances. [Ord. 2008-04 § 10]

Findings of Fact:

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of installing a directory sign at the property stated above.
- The subject property is zoned Historical General Commercial (HC)
- The proposed signs will not have negative impacts on the surrounding businesses in the area.
- The proposed signs will be consistent with the Code.

PZHAC ACTION: The PZHAC voted 4-0 for approval of this case as re-presented.

BOT ACTION:

APPROVE

APPROVE WITH CHANGES

DENY

Doña Ana County, NM

General Reference Maps

2014 Aerial | Addresses | County Address Points

Select Search Type: Account Number Enter V

Maps

Legend

Map Themes

Parcels

UDC Zoning

Roads and Transportation

NM House Districts

NM Senate Districts

County Commission Districts

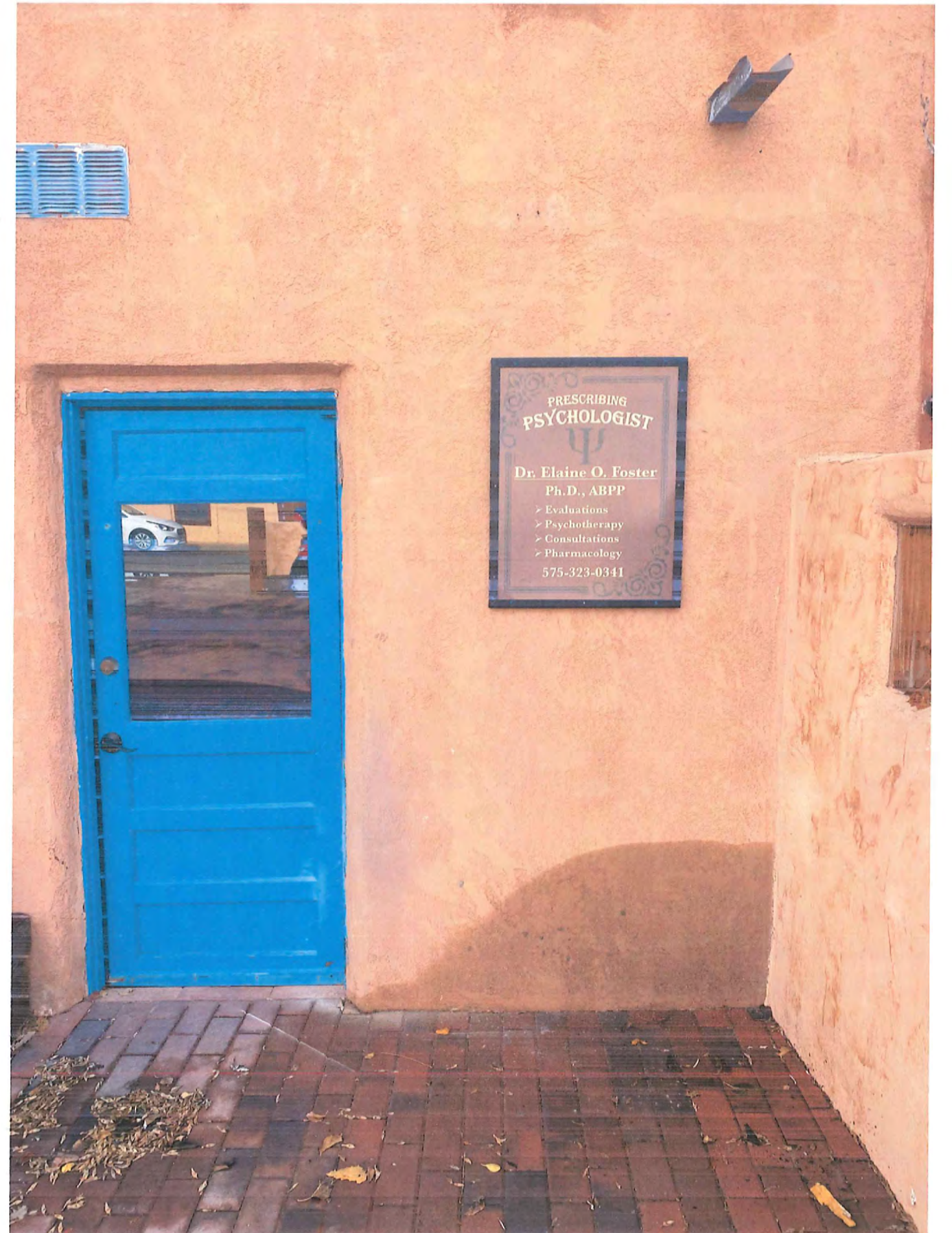
City Council Districts

Median Household Income

General Land Ownership

Account Number: [R0401209](#)
Parcel Number: 4006137253477
Owner: FOSTER JOSEPH W
Mail Address: 10090 BLACK HILLS ROAD
Subdivision:
Property Address: 2489 CALLE DE PRINCIPAL
Acres: 0





PRESCRIBING
PSYCHOLOGIST

Dr. Elaine O. Foster
Ph.D., ABPP

- > Evaluations
- > Psychotherapy
- > Consultations
- > Pharmacology

575-323-0341



OFFICIAL USE ONLY:

Case # 060123

Fee \$ 24.⁰⁰

CASE NO. 060123 ZONE: HC APPLICATION DATE: 2/25/20

PSYCHOLOGY CONSULTING OPTIONS 575-323-0341
Business Name Business Telephone Number

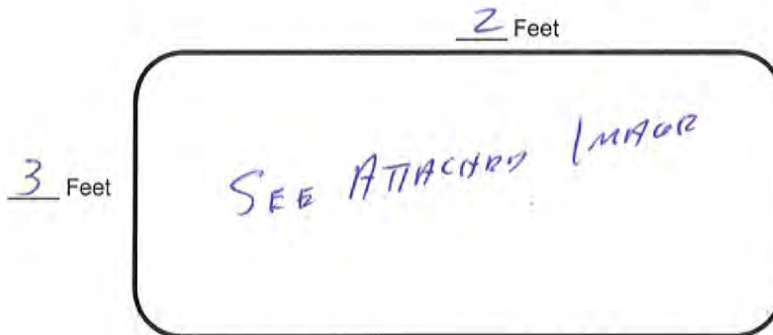
2488 CALLE DE GUADALUPE, MESILLA, NM 88046
Business Address City State Zip Code

JOSEPH W. FOSTER 850-502-9237
Applicant Name Applicant Telephone/Cell Number

10090 BLACK HILLS RD, LAS CRUCES, NM 88011
Mailing Address City State Zip Code

Description of sign: 2 PSYCHOLOGY SIGNS, ONE ON EACH SIDE
OF ENTRANCE DOOR, LISTING THERAPIST INFO.

Please include dimensions, lettering, shape, material, texture, colors, and/or finish to be used on the diagram below.



4/17 - spoke to Mr. Foster re: his options - he will do a directory sign not to exceed 15 sq feet in size.

Colors: _____

FOR OFFICIAL USE ONLY

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

CONDITIONS: _____

PERMIT ISSUED BY: _____ ISSUE DATE: _____

BOT ACTION FORM
SIGN REQUEST

“Co-Lab Artisans Loft”
STAFF ANALYSIS

Item:

Case 060125 – 2601-3 Calle de Santiago, submitted by Kerry Carman for “Co-Lab Artisan’s Loft”; a request for a zoning permit to install an eight square foot projecting sign at this address. Zoned: Historic Commercial (HC)

Description: This case was approved by the P&Z at your April 6th meeting. At the BOT meeting on April 13th, there was confusion as to what was approved so the BOT voted to send this case back to P&Z for reconsideration and confirmation of what was approved.

The applicant had originally wanted to install a 4 foot x 6 foot sign, but in rereviewing the information, realized that the maximum size is eight square feet. They have decided to install an eight square foot hanging sign as a directory on the side of a small commercial building at this address (see attached diagram and photo). The sign will be two sided and have dark lettering on a white background (see attached example). The sign will be placed on the north side of the building where previous business signs have been hung.

Consistency with the Code:

The PZHAC must determine that the proposed sign will be consistent with the following Sections of the Sign Code: **18.65.150 Projecting signs.**

A. No projecting sign may rise above the level of the first story of the building to which it is attached. All projecting signs **must be at least seven feet above sidewalk or ground level**, and must be located within the central one-third of the facade length so as not to obstruct neighboring signs.

B. Projecting signs shall be limited in area as follows:

1. A maximum of four feet projecting from the wall of the building;
2. A maximum of eight square feet of total sign space including frame. **Both sides of a projecting sign may be used for advertisement.**
3. The supporting structure of any projecting sign must be of adequate strength so as to have no need for guy- wires or wire reinforcement. [Ord. 94-08; prior code § 11-3-15]

Findings of Fact:

- The PZHAC has jurisdiction to review and approve this request.
- The proposed work consists of installing an eight square foot hanging sign on the side of a business at this address.
- The subject property is zoned Historical General Commercial (HC)
- The proposed sign will not have negative impacts on the surrounding businesses in the area.
- The proposed sign will be consistent with the Code.

PZHAC ACTION: The PZHAC voted 4-0 for approval of this case as re-presented.

BOT ACTION:

APPROVE

APPROVE WITH CHANGES

DENY

Reviewed by: Cynthia S-Hernandez Town Clerk/Treasurer

**PHOTO OF PROPERTY FROM CALLE DE SANTIAGO
SHOWING WHERE SIGN IS TO BE HUNG**



Doña Ana County, NM

General Reference Maps

2014 Aerial Addresses County Address Points

Select Search Type: Enter Value:

Maps

Legend

Map Themes

Parcels

UDC Zoning

Roads and Transportation

NM House Districts

NM Senate Districts

County Commission Districts

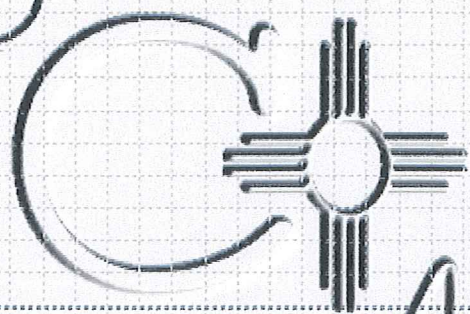
City Council Districts

Median Household Income

General Land Ownership

Account Number: [R0400318](#)
Parcel Number: 4006137236430
Owner: TAFOYA LARRY R & VIOLA P
Mail Address: PO BOX 1315
Subdivision:
Property Address: 2309 CALLE DE GUADALUPE #UNIT A-B
Acres: 0





Iab

Artisany Left



OFFICIAL USE ONLY:

Case # 061025

Fee \$ 12.00

CASE NO. _____ ZONE: _____ APPLICATION DATE: 2/27/2020

CoLab Artisans Loft 575-312-0350
Business Name Business Telephone Number

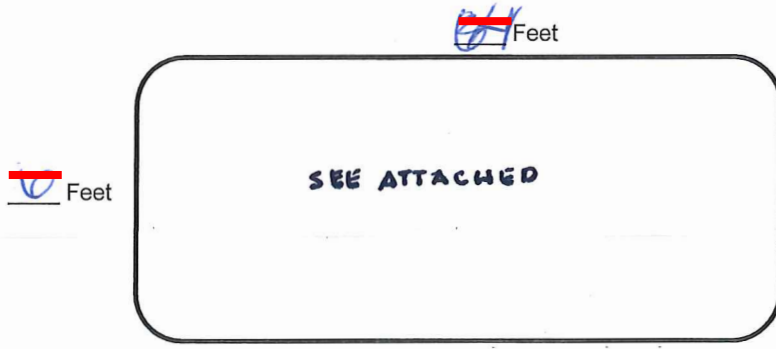
2309 #3 San Albino 88046 LC NM
Business Address City State Zip Code

Jennifer Tyson 575-680-8049
Applicant Name Applicant Telephone/Cell Number

3548 Evg Ln LC NM 88012
Mailing Address City State Zip Code

Description of sign: Finished wood black & white paint

Please include dimensions, lettering, shape, material, texture, colors, and/or finish to be used on the diagram below.



4/17/2020 spoke to Jennifer Tyson sign requested was 4 ft x 6 ft however, the code states that it can only be a total of 8 sq. feet. or 4 x4 & the applicant was okay with meeting this requirement

Colors: wood stain, black & white

FOR OFFICAL USE ONLY

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

CONDITIONS: PZHAC REVIEW & BOT APPROVAL REQUIRED

PERMIT ISSUED BY: _____ ISSUE DATE: _____

ORDINANCE 2020-02

Chapter 18.35

H-R – HISTORICAL RESIDENTIAL –~~CULTURAL~~–~~HISTORICAL ZONE~~

Be it ordained by the Town of Mesilla that:

Section 1:

Sections:

- 18.35.010 Purpose.
- 18.35.020 Uses permitted.
- 18.35.030 Exterior appearance.
- 18.35.040 ~~New structures.~~ Development Standards
- ~~18.35.050 Height limitations.~~
- ~~18.35.060 Yards.~~
- ~~18.35.070 Development standards.~~

18.35.010 Purpose.

The purpose of this zone is to provide for the protection of those residential sections of the town that are worth preserving because of historical, cultural and aesthetic or architectural interest. All remodeling or new structures must be compatible with established architectural styles and design elements as outlined in ~~the town's "Guidelines and Criteria for Preservation and Development" manual and approved by the commission and board of trustees~~ Chapter 18.33 (Historic Preservation) MTC. [Ord. 94-06 § 1; prior code § 11-2-11.4.A]

18.35.020 Uses permitted.

Uses permitted in the H-R zone are as follows:

~~Residential Single family and multiple-family residences~~ and related uses approved by the commission upon application and approval of a "development plan" ~~(see MTC 18.50.030)~~ in accordance with Sections 18.33 (Historic Preservation) and 18.35 (Historic Residential Development Standards) MTC and the Comprehensive Land Use Ordinance for the Town. [Ord. 94-06 § 1; prior code § 11-2-11.4.B]

18.35.030 Exterior appearance.

An application for a permit which would authorize construction, modification, moving or destruction, use or function which would affect the exterior appearance of any structure, ~~sign,~~ or sign other improvement affecting use or function must first ~~be approved~~ reviewed by the PZHAC for compliance with Chapter 18.33 (Historic Preservation) MTC, and receive final approval by the ~~commission~~ Board of Trustees. [Ord. 94-06 § 1; prior code § 11-2-11.4.C]

~~**18.35.040 New structures.**~~

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

18.35.050 – Height limitations.

~~Requires commission approval. No building or structure shall have a height greater than two stories or 30 feet, whichever is less. [Ord. 94-06 § 1; prior code § 11-2-11.4.E]~~

18.35.060 – Yards.

~~Requires approval by commission.~~

~~A. For all structures, side and rear yard must be at least seven feet unless structure meets UBC fire resistive requirements.~~

~~B. In addition to subsection (A) of this section, a minimum setback of three feet in all yards is required for all newly constructed buildings. [Ord. 2001-04 § 2; Ord. 94-06 § 1; prior code § 11-2-11.4.F]~~

18.35.0470 Development standards.

A. Lot Area. Each lot or parcel to be developed in the H-R zone shall have a minimum of 80 feet of frontage on a public street and a minimum of 8,000 square feet of area.

B. Population Density. When lots or parcels in the H-R zone are to be developed to single-family or multiple single-family dwellings, each lot or parcel shall have sufficient area to provide 48,000 square feet of area for each family unit to be erected built. The maximum number of dwellings allowed on any property shall be two providing density and parking requirements are met. A maximum of 40% impervious and 60% pervious shall be required unless otherwise noted by the development zone requirements of Chapter 18.33 (Historic Preservation) MTC.

C. New Construction. New structures and modifications to existing structures may be built in this zone providing the exterior appearance of the structure is approved by the PZHAC for compliance with Chapter 18.33 (Historic Preservation) MTC and the Comprehensive Land Use Ordinance for the Town, with final approval by the BOT. [Ord. 94-06 § 1; prior code § 11-2-11.4.D]

1. New structures on properties containing existing structures shall be architecturally similar to the principal dwelling or structure on the property and shall not exceed the height or size of the principal dwelling or structure on the property. 2. If a property is undeveloped, any new structure shall be architecturally similar to the dwellings or structures in the development zone immediately adjacent to the property and shall not exceed 15 feet including parapet, or the height of the highest dwelling or structure on an adjacent property in the development zone, whichever is lower. The height of chimneys is to meet building code, but not be higher than 17 feet.

D. Yards. For all new buildings, front, side and rear yard must be at least seven feet.

~~C. Side and Rear Yard Setback. If found to be existing within the development zone pursuant to the YGUADO plan, structures (buildings) may be built up to the property line if constructed of materials that meet current building code fire resistive requirements such as adobe or equivalent. Structures (buildings) using materials that do not meet current building code fire resistive requirements must be set back at least seven feet from the side property line.~~

1. Any repairs of structures that have been legally built on a property line, or new construction of fences Structures (buildings) constructed to the property line, “zero lot line,” shall require a “right-of-entry” agreement signed by all property owners of all applicable properties for construction and maintenance that is recorded in Dona Ana County records and filed with the town clerk; and

2. This document must be acquired prior to planning, zoning, and historical appropriateness commission approval; and

3. This document shall be permanent and remain with all properties regardless of ownership; and

4. In the event that a mutual agreement cannot be acquired, the applicant may:

a. Meet the required setback of seven feet, ~~or~~

~~b. Apply for a variance through Chapter 18.85 MTC to the board of adjustment.~~

~~D. Repealed by Ord. 2006-03.~~

~~E. Utilities. All new installations of utility lines shall be underground, wherever technically feasible unless a utility service provider demonstrates the inability to provide service. [Ord. 2006-03 § 1; Ord. 2004-7 § 6; Ord. 2001-04 § 2; Ord. 94-06 § 1; Ord. 92-07 § 1; prior code § 11-2-11.4.G]~~

~~F. Flagpole Lots (existing). Lots substandard of 80' fronts.~~

~~1. Shall be limited to only one single-family home.~~

~~2. Must meet the height requirement in section 18.35.40 C (2).~~

~~3. Must meet the size requirements in 18.35.40 (B).~~

SECTION 2. Repealer

~~All ordinances or resolutions, or part therefore, inconsistent with this ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution.~~

SECTION 3. Effective Date

~~This ordinance shall be in full force and effect, five (5) days after this approval, adoption and publication as provided by law.~~

~~PASSED, ADOPTED AND APPROVED this xxx day of May 2020.~~

TOWN OF MESILLA

Nora L. Barraza, Mayor
Town of Mesilla

ATTEST: _____

By: _____

Cynthia Stohner-Hernandez
Town Clerk/Treasurer



**NOTICE OF PUBLIC HEARING & INTENT TO RECOMMEND ADOPTION
OF ORDINANCE 2020-02: REVISING CHAPTER 18.35
Historic Residential Zone**

The Board of Trustees (BOT) will hold a public hearing on **Thursday, April 23, 2020 at 10:30 a.m. via teleconference 1-346-248-7799, MEETING ID 346 983 814#**. The purpose of the hearing is to take public comments on the proposed ordinance **2020-02: REVISING CHAPTER 18.35 Historic Residential Zone**. Public comments may be submitted via email to cynthias-h@mesillanm.gov until 9:30 a.m. on Thursday, April 23rd.

As part of their regularly scheduled meeting **via teleconference 1-346-248-7799, MEETING ID 564 901 309#** on **Monday, April 27, 2020 at 6:00 p.m.**, the BOT will have the First reading of ordinance **2020-02: REVISING CHAPTER 18.35 Historic Residential Zone**.

As part of their regularly scheduled meeting **via teleconference 1-346-248-7799, MEETING ID 918 4113 2473#** on **Monday, May 11, 2020 at 6:00 p.m.**, the BOT will consider recommending the adoption of ordinance **2020-02: REVISING CHAPTER 18.35 Historic Residential Zone**. Copies of the proposed ordinance change can be found on the Town of Mesilla website www.mesillanm.gov or by calling (575) 524-3262. Public comments may be submitted via email to cynthias-h@mesillanm.gov until an hour prior to the meeting.

Posted on ~~4/9/2020~~ revised 4/23/2020 and reposted 4/24/2020 on the following locations: Town Clerk's Office 2231 Avenida de Mesilla, Public Safety Building 2670 Calle de Parian, Mesilla Community Center 2251 Calle de Santiago, Shorty's Food Mart 2290 Avenida de Mesilla, Ristramn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.



TOWN OF MESILLA BOARD ACTION FORM

ITEM:

APPOINTMENT OF A PLANNING, ZONING & HISTORICAL APPROPRIATENESS
COMMISSIONER TO SERVE A 2 YEAR TERM

BACKGROUND:

We have a vacancy left on the PZHAC due to Mr. Hernandez's resignation. In response to this vacancy, a notice was posted to entertain new candidates for appointment on March 17th. We received one letter of intent. On April 24, 2020, the Mayor, Mr. Shannon, Commissioner Nevarez, and myself had a Zoom interview with this applicant.

At this time, Mayor Barraza and the committee are recommending Mr. Davie Salas to serve a two year term on the Planning, Zoning, and Historical Appropriateness Commission.

BOT ACTION:

Approve
Approve with changes
Deny

Reviewed by: Cynthia S-Hernandez

Town Clerk/Treasurer

Email: cynthias-h@mesillanm.gov



TOWN OF MESILLA BOARD ACTION FORM

ITEM:

FOR CONSIDERATION: AN AGREEMENT WITH DONA ANA COUNTY TO ALLOW THEM TO SERVE AS FISCAL AGENT FOR EMERGENCY MANAGEMENT FUNDING.

BACKGROUND:

When FEMA released emergency funding for Municipalities, we decided to team with Dona Ana County to see if they would serve as our fiscal agent for FEMA funding. They have additional resources in order to assist us in obtaining reimbursement.

At this time, the agreement is for \$10,000. We do not foresee utilizing that much money, but hope to recoup what we can for costs associated with COVID-19. These costs will be for emergency management costs of Fire/Police, additional cleaning products to keep our resident's safe and for some salary reimbursements directly relating to COVID-19.

There is a 25% match per the agreement for these funds, but being reimbursed partial is better than not at all.

There is no administrative fee from the County in order to do this on our behalf.

BOT ACTION:

Approve
Approve with changes
Deny

Reviewed by: Cynthia S-Hernandez

Town Clerk/Treasurer

Email: cynthias-h@mesillanm.gov

**INTERGOVERNMENTAL SERVICES AGREEMENT
BETWEEN
DOÑA ANA COUNTY
AND THE
TOWN OF MESILLA
FOR
FISCAL AGENCY SERVICES**

This Intergovernmental Services Agreement (“Agreement”) is entered into by and between Doña Ana County and the Town of Mesilla, both political subdivisions of the State of New Mexico and referred to collectively as “the Parties” to provide fiscal agency services for the Town of Mesilla under the following conditions and terms:

WHEREAS, the Town of Mesilla, as an eligible applicant, intends to apply for grant funding for costs related to emergency protective measures conducted as a result of the COVID-19 pandemic. Emergency protective measures are activities conducted to address immediate threats to life, public health, and safety; and

WHEREAS, the Town of Mesilla is requesting assistance from Doña Ana County to provide fiscal agency services for management of the grant if awarded; and

WHEREAS, Doña Ana County agrees to provide fiscal agency services for the Town of Mesilla; and

NOW THEREFORE, in consideration of the mutual covenants contained herein, the Parties hereby agree as follows:

TITLE OF GRANT: New Mexico Department of Homeland Security Emergency Management (NMDHSEM), COVID-19 Public Assistance Grant, Project Number: FEMA-4529-DR

AMOUNT: \$10,000.00

PURPOSE: The purpose of this Agreement shall be for Doña Ana County to provide fiscal agency services in connection with the NMDHSEM, COVID-19 Public Assistance funding for the Town of Mesilla.

- A. **PROJECT DESCRIPTION:** To serve as the fiscal agent for the Town of Mesilla by providing financial services through reimbursement of COVID-19 expenditures.
- B. **SCOPE OF WORK:**
 - a. Doña Ana County, in support of the above purpose and project description, shall provide overall fiscal agency services, including:
 - 1. Ensuring that grant funds are expended in compliance with all applicable federal, state and local laws, regulations, and the applicable grant agreement and ensuring that transactions are appropriately accounted for in compliance with such laws, regulations and grant agreements; and
 - 2. Reviewing and approving project invoices in a timely manner; and
 - 3. Processing reimbursement requests to the funding agency, and issuing payment of the requested funds.

- b. Town of Mesilla, notwithstanding any provision set forth in paragraph B, subsection (a) of this Agreement, in support of the above purpose and project description, shall remain ultimately responsible for compliance with all applicable federal, state and local laws and grant agreement requirements such as flow down provisions, procurement responsibilities and subcontractor management, including all applicable reporting requirements established by federal and state law and regulations, and providing their portion of the required 25% Matching (cash or in-kind) funds.
- C. TIMEFRAME: Work pursuant to this Agreement shall commence from the date this Agreement is approved and executed by Town of Mesilla and Doña Ana County, and agreement is approved and grant awarded, except as mutually agreed upon in writing. Work shall end when the project is complete or when all of the funds are expended, whichever occurs first. The term of this Agreement will coincide with the reversion date set by the granting agency upon receipt of the grant agreement.
- D. ACCESS TO INFORMATION: Town of Mesilla and its agencies shall provide information, if needed, for purposes of carrying out the work described in this Agreement. Doña Ana County shall be included and copied on all invoices and reports prior to any submission of such information to the appropriate state agency.
- E. OWNERSHIP OF PROJECTS: All documents, and project assets developed and produced pursuant to this Agreement shall be the property of Town of Mesilla, with the exception of all financial documents developed or produced in connection with this Agreement by Doña Ana County. Such documents shall be the property of Doña Ana County, and copies shall be made available upon request to the appropriate state agency.
- F. LIABILITY AND INDEMNIFICATION:
 - a. This Agreement shall not bind, obligate, or create a liability for the constituent members of Doña Ana County.
 - b. Doña Ana County shall hold Town of Mesilla harmless with respect to any damages, expenses or claims arising or in connection with any negligent acts, errors or omissions performed by Doña Ana County under this Agreement. Should such a claim be brought, Doña Ana County reserves the right to determine representation, strategy and tactics of the litigation. This shall not be construed as a limitation of Doña Ana County's liability under this Agreement, nor shall it be construed as an expansion of liability or waiver of any defenses as otherwise provided by law.
 - c. Town of Mesilla shall hold Doña Ana County harmless with respect to any damages, expenses or claims arising or in connection with any negligent acts, errors or omissions performed by Town of Mesilla under this Agreement. This shall not be construed as a limitation of Town of Mesilla's liability under this Agreement or as otherwise provided by law.
- G. MODIFICATION: Any modifications or amendments to this Agreement are prohibited, unless agreed upon, in writing, by both parties and approved by the appropriate state agency.
- H. TERMINATION: The Agreement may be terminated by either party upon thirty days written notice to the other.
- I. STATUS: Doña Ana County, along with its agents and employees, is an independent contractor performing services for Town of Mesilla. Neither Doña Ana County nor any of its employees or agents are employees of Town of Mesilla, and neither Town of Mesilla nor any of its employees or agents are employees of Doña Ana County. Doña Ana County expressly understands and agrees that neither it nor any of its employees or agents will act or purport to act on behalf of Town of Mesilla, except as authorized by the terms of this Agreement. Town of Mesilla expressly

understands and agrees that neither it nor any of its employees or agents will act or purport to act on behalf of Doña Ana County.

- J. ASSIGNMENT: Doña Ana County shall not assign or transfer any interest in the Agreement or assign any claims for money due or to become due under this Agreement without the prior written approval from Town of Mesilla.
- K. SUBCONTRACTING: Doña Ana County shall not subcontract any portion of the services to be performed under this Agreement.
- L. APPLICABLE LAW AND VENUE: The laws of the state of New Mexico shall govern this Agreement, without giving effect to its choice of law provisions. Proper venue shall be in the judicial district court where the Project is located.
- M. CERTIFICATION: Town of Mesilla shall comply with the requirements of all applicable federal, state and local laws, rules and regulations, and shall assume full responsibility for payment of federal, state and local taxes and contributions imposed or required under Social Security, Worker's Compensation and income tax laws. Town of Mesilla is required to follow all federal and state requirements of the applicable grant agreement, including reporting and drawdown requirements; Town of Mesilla shall file such documents for the Project.
- N. FUNDING APPROPRIATIONS: Performance of this Agreement is contingent upon funding and authorizations being made for the performance of this Agreement. If funding and authorizations are not made, this Agreement shall terminate immediately upon written notice given by Doña Ana County to Town of Mesilla. It is Doña Ana County's sole discretion to determine whether sufficient funding is available pursuant to this Agreement.
- O. PENALTIES: The New Mexico Procurement Code, NMSA 1978 §13-1-28 *et seq.* imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks. In accordance with 24 CFR 85.43, Doña Ana County, by written notice to Town of Mesilla, shall have the right to suspend or terminate this Agreement if, at any time, at the sole discretion of Doña Ana County, Town of Mesilla materially fails to comply with any term of the Procurement Code or Agreement.
- P. Any notices required to be given to either party under this Agreement shall be in writing and shall be delivered in person, by courier service or by U.S. mail, either first class or certified, return receipt requested, postage prepaid, as follows:

To: Town of Mesilla
Nora L. Barraza, Mayor
2231 Avenida De Mesilla
Phone: 575.524.3262
Email:mayor@mesillanm.gov

To: Doña Ana County
Fernando M. Macias, County Manager
845 N. Motel Blvd.
Phone: 575.525.5802
Email:fernandom@donaanacounty.org

IN WITNESS WHEREOF, the parties have approved and executed this Agreement as of the dates below:

AUTHORIZED REPRESENTATIVE OF TOWN OF MESILLA

BY: _____
Signature Date

Nora L. Barraza, Town of Mesilla Mayor
Printed/Typed Name of Signatory

AUTHORIZED REPRESENTATIVE OF DOÑA ANA COUNTY

BY: _____
Signature Date

Fernando M. Macias, Doña Ana County Manager
Printed/Typed Name of Signatory