



THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILL HOLD A SPECIAL MEETING ON FRIDAY, JUNE 12, 2020 AT 4:30 P.M. VIA TELECONFERENCE 1-346-248-7799, MEETING ID 935 6530 5758, Password: 539970.

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL & DETERMINATION OF A QUORUM
3. CHANGES TO THE AGENDA & APPROVAL
4. PUBLIC INPUT – The public is invited to address the Board for up to 3 minutes.

Public input in writing shall be received at cvnthias-h@mesillanm.gov at by 3:30 p.m., the day of the meeting 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.

5. FOR APPROVAL:

- a) **Resolution 2020-11-** – Granting the Mayor the authority to sign off on temporary outdoor patio expansions for our local businesses. – *Nora L. Barraza, Mayor.*

6. 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 6/09/2020 @ 4:12 p.m. 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.

TOWN OF *Mesilla* BOARD ACTION FORM

ITEM:

A) RESOLUTION 2020-11 — GRANTING THE MAYOR THE AUTHORITY TO SIGN OFF ON TEMPORARY OUTDOOR PATIO EXPANSIONS FOR OUR LOCAL BUSINESSES.

BACKGROUND:

Several businesses have approached the Town staff in adding a temporary outdoor patio area within their property in order to expand their service area during the pandemic.

In reviewing the time frame for such approvals, each applicant is looking at *2-3 weeks time to be approved by going through the regular process* of Planning and Zoning and Board of Trustee Approvals.

The Mayor and staff developed a *packet and criteria* in which each applicant would have to complete in order to be approved/denied.

Each permit relating to this exception would be signed off and approved by the Mayor.

Staff proposes that this authority be in effect until the Governor of the State of New Mexico relaxes restrictions on local businesses due to the pandemic.

The Town intends to charge a \$50 review fee per application which is to be imposed at the time the plan for the submittal is submitted. If an applicant fails to abide by the guidelines set forth by the Governor or the Town, the permit shall be immediately revoked and other penalties may be assessed regarding the circumstances.

BOT ACTION:

Approve
Approve with changes
Deny

Reviewed by: Cynthia S-Hernandez

Town Clerk/Treasurer

Email: cynthias-h@mesillanm.gov



RESOLUTION NO. 2020-11

**A RESOLUTION AUTHORIZING THE MAYOR TO APPROVE THE
TEMPORARY USE OF OUTDOOR PATIOS AND EXTENSIONS FOR OUR
LOCAL BUSINESSES DURING PANDEMIC.**

WHEREAS, the Mayor and Town staff have been approached by several businesses to open temporary patio areas on their property; and

WHEREAS, Town staff and the Mayor developed a packet of information for the applicants to complete to qualify for this temporary expansion; and

WHEREAS, in reviewing our policies, a business would have to wait an additional two to three weeks depending on when their application is submitted; and

WHEREAS, the Town of Mesilla Board of Trustees understand the essential need to allow these businesses the authority to temporarily by-pass the process to survive; and

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees the Mayor may sign off and approve temporary outdoor patio extensions for businesses provided they meet the list of criteria listed in Exhibit A and pay a \$50 review fee per application. This authority shall be in effect until the Governor of the State of New Mexico relaxes restrictions on local businesses due to the pandemic.

PASSED, APPROVED AND ADOPTED this 12th day of June 2020.

Nora L. Barraza
Mayor

ATTEST:

Cynthia Stoechner-Hernandez
Town Clerk-Treasurer



**CHECK LIST FOR TEMPORARY
CHANGE/EXPANSION OF OUTDOOR PATIO
BUSINESS PREMISES DUE TO COVID-19**

Temporary permits shall expire by October 31, 2020
unless otherwise authorized by the Mayor and Board of Trustees.

Required as part of the application for approval: **(applicant must initial by each step that has been completed in this packet)**

- Payment of \$50 review fee
- A copy of your existing Approved Floor Plan.
- A Proposed Detailed Floor Plan, on an 8 ½ x 11” sheet, that includes the existing approved premises and any proposed temporary change/expansion – Label all areas and include all entrances, exits, walls or enclosures as well as dimensions for any expansion (for ADA requirements, entrance must be at least 3 ft wide);
- Proof of Tenancy/ownership of area of expansion or a letter from the owner allowing the temporary use of additional area with an expiration date.
- Photos of expansion area (before).

Additional items needed for expansions with Liquor/Alcohol Licensing: **(applicant must initial by each step indicating understanding)**

- Completed Application for “Temporary Change/Expansion of liquor licensed premises due to COVID-19 from Alcoholic Beverage Control” (ABC) for Mayor’s signature.
- I understand that alcohol ***may not*** be served in the expanded area until approval from ABC has been received by the Town of Mesilla. A copy of the approval ***must*** be submitted to the Town when it is received.

Inspections required:

- I understand that I am required to have an inspection by the Mesilla Fire Department (after temporary area is built).



Date: _____

2231 Avenida de Mesilla
P.O. Box 10, Mesilla, NM 88046
Phone: (575) 524-3262 Fax: (575) 541-6327

Permit No.: _____

**APPLICATION FOR TEMPORARY CHANGE/EXPANSION OF PATRON SERVING AREA
DUE TO COVID-19**

Business Name/Owner Name: _____

Business Address: _____ **Mailing Address:** _____

e-Mail Address: _____ **Business Phone #:** _____

Type of business (Please describe product(s) and/or service(s):

Total Area of Business (current): _____

Proposed Expansion Area: _____ (Gross square feet)

Total Existing Parking: _____

Existing Serving Area: _____

Total Proposed Area: _____

No. of Spaces Used in Serving Area: _____

**APPLICANT HEREBY STATES UNDER OATH THAT ALL STATEMENTS AND REPRESENTATIONS
MADE IN THIS APPLICATION ARE TRUE AND VALID.**

Signature of Applicant/Title

Date

Approved by: _____

**Nora L. Barraza
Mayor, Town of Mesilla**

Date

Received by: _____

Town of Mesilla

Date:

**APPLICATION FOR TEMPORARY CHANGE/EXPANSION OF LIQUOR LICENSED PREMISES
DUE TO COVID-19**

This temporary change/expansion of Licensed Premises SHALL expire October 31, 2020.

On November 1, 2020, the licensed premises reverts to the previously ABC Approved Floor Plan.

A Licensee may not change/expand the licensed premises without prior written approval of the ABC. The Licensee cannot make any changes or expand the premises until approval has been granted for this request. A before and after site inspection may be scheduled as the temporary change/expansion must be connected and contiguous and be enclosed by a barrier of at least three (3) feet in height.

Application to Temporarily Change/Expand the licensed premises shall be submitted with the following Required Documentation:

- 1) a copy of your existing Approved Floor Plan;
- 2) a Proposed Detailed Floor Plan, on an 8 ½ x 11” sheet, that includes the existing approved premises and any proposed temporary change/expansion – Label all areas and include all entrances, exits, walls or enclosures as well as dimensions for any expansion;
- 3) Proof of Tenancy – this may be established by written documentation that the owner of the property approves of occupancy of the additional area (if this additional space is part of the existing lease or deed submitted to ABC, check the box); and
- 4) photos of expansion.

*The submission of any false information may result in the immediate revocation of ABC approval.

Liquor License No.: _____ Phone No.: _____ Fax No.: _____

Business Name (DBA) _____ Owner Name: _____

License Location: _____

Mailing Address: _____

Licensee Email: _____

Square Footage: Current _____ Adding/Changing: _____ Total: (add both) _____
(Note: if additional footage is greater than 25% of the existing floorplan, additional documentation may be required.)

Will the Proposed Expansion bring the licensed premises within 300 feet of a church or school? _____

Has there been any change in the Ownership or Operation of the Licensee? _____

If so, explain: _____

I (print name) _____, Licensee for Liquor License No. _____ hereby attest that the requested change meets the definition of “licensed premises” in NMSA 1978 §60-3A-3 (O), which states in part “ ‘licensed premises’ means the contiguous areas or areas connected by indoor passageways of a structure and the outside dining, recreation and lounge areas of the structure... that are under the direct control of the licensee...”

Submitted by: (print name) _____

Signature: _____ Title: _____ Date: _____

LOCAL OPTION DISTRICT REVIEW

Local Governing Body of: _____ Village, County, City Check one: Approved Disapproved

Signature and Title of Village/County/City Official: _____

ABC USE ONLY: Received on: _____ Receipt No. _____

Processed by: _____ Approved Disapproved, _____

Decision by Director, if required: Approved Disapproved, _____

Signed by Director: _____ Date: _____